

Operating Guidelines for Local Training Initiatives

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INTRODUCTION

- I.1 Definitions of LTI Programme and LTI Project
- I.2 Characteristics of LTIs
- I.3 LTI Programme Aim
- I.4 LTI Programme Objectives
- I.5 Target Group
- I.6 LTI Training Approach
- I.7 Benefits of LTIs

I. INTRODUCTION

ETBs support community-based groups to undertake Local Training Initiatives (LTIs) to provide a range of learner-centred training and related services to assist individuals to enter or re-enter the labour market. LTIs address the identified training needs of groups and individuals experiencing exclusion and labour market disadvantage.

These Operating Guidelines for Local Training Initiatives are a key component of the contractual commitments entered into by Second Providers when they sign an **Agreement to Collaborate** with an ETB.

Second Providers must adhere to these Operating Guidelines in carrying out their roles in the setting up and running of LTIs. The guidelines will be subject to change as the programme evolves and new guidelines are introduced or amended.

In addition to compliance with the Operating Guidelines, LTI Second Providers and Project Coordinators are also required to be fully conversant and compliant with the ETB Transition Quality Assurance System (TQAS), which reflects the current requirements of the Qualifications and Quality Assurance (Education and Training) Act 2012.

I.1 Definitions of LTI Programme and LTI Project

An LTI programme is a community-based training programme targeted at learners who are economically, socially, geographically or educationally disadvantaged. A programme is composed of a minimum of one LTI project, which may be renewed based on identified need, and for which an **Agreement to Collaborate** is drawn up between an ETB and a Second Provider.

An LTI project is a community-based training intervention of fixed duration delivered as a component part of an LTI programme or as a complete LTI programme by a Second Provider, as set out in an **Agreement to Collaborate** with an ETB.

I.2 Characteristics of LTIs

LTIs are designed to raise the skill, knowledge and competence levels and consequent employment and/or progression prospects of learners. LTIs may also provide learners with the opportunity to contribute to the improvement of the social and economic fabric of their local communities. They must be firmly rooted in the community and encourage learners, who otherwise might not avail of mainstream training, to develop their existing skills and learn new skills in an environment that is tailored to their particular individual needs.

Second Providers operating LTIs may identify a specific community-based project that will, by way of a collaborative approach with the ETB, enable learners to acquire the necessary skills to carry out the project-related tasks and in turn provide a useful service to the community. This approach allows learners to develop valuable employment-related skills, knowledge and competence while contributing to their community.

To ensure that the training identified is relevant, prospective Second Providers must undertake a comprehensive analysis of the needs of the unemployed within their community, the levels of unemployment and the potential labour market or progression opportunities that may be available to learners on completion of training.

The programme can support training for a wide range of sectors, including, for example, the following:

Environment, Genealogy, Heritage, Tourism, Arts, Sports Coaching, Catering, ICT, Digital Media, Healthcare, Horticulture.

In advance of the completion of an individual LTI project, Second Providers are required to provide the ETB with a review of all activity undertaken during the period of the contract by completing the **LTI Review Form (TQAS-8c-F27)**. This form is, in turn, appraised by the ETB to ascertain whether the LTI has performed effectively and achieved the identified outcomes for learners. This review will ensure that the LTI remains relevant to the needs of the target learners and labour market, and optimises the deployment of LTI resources. The outcome of this review process, as well as the availability of sufficient budget and numbers of learners, will inform decisions made by the ETB regarding continued engagement with any individual Second Provider.

The timeframe for any one LTI project is as stated in the **Agreement to Collaborate** with the ETB. There is no commitment by the ETB to fund the provision of any LTI beyond the agreed contractual period. Whether the ETB will continue to engage in terms of funding further provision is predicated on a number of factors, including whether there exists a continued training need and whether there are sufficient numbers of learners available to participate in the training programme.

1.3 LTI Programme Aim

The overall aim of the LTI programme is to assist unemployed people, not otherwise catered for through ETB interventions, to move towards employment by providing community-based training and work experience leading to nationally recognised qualifications. In general, the level of award offered by LTI programmes ranges from FETAC Level 3 to FETAC Level 5 major awards.

LTIs are primarily targeted at specific individuals and groups who are distanced from the labour market, including for example, people who are long-term unemployed, early school leavers, homeless people, those who are recovering from substance dependence, prisoners and Travellers.

In LTI programmes, an Individual Learning Plan (ILP) is developed and regularly reviewed by the Coordinator in conjunction with each learner. This process requires that the specific needs of the learner are taken into account to ensure that the necessary learner supports are in place. Literacy and numeracy supports are made available where required.

1.4 LTI Programme Objectives

The overall objectives of the programme are to:

- provide a range of proactive training and related services to assist disadvantaged learners enter or re-enter the active labour market and/or further education and training.
- provide supports to facilitate access to training programmes and related services for individuals and groups experiencing exclusion, discrimination and labour market disadvantage.
- develop collaborative partnerships with community groups and other agencies or services that will have mutually beneficial outcomes in meeting the needs of learners.

1.5 Target Group

The LTI programme is focused on addressing the training needs of economically, socially, geographically or educationally disadvantaged learners, primarily 35 years of age or under, with no formal qualifications or incomplete secondary level qualifications.

The entry profile of learners may alter over time in response to changes in government policy related to evolving labour market and or learner needs.

Changes in policy in relation to entry profile may arise and will be communicated by the ETB to Second Providers.

1.6 LTI Training Approach

Training in LTIs is characterised by:

- project-based learning.
- development of an ILP (Individual Learning Plan).
- self-paced learning.
- a facilitative learning approach.
- a training duration determined with reference to specific needs of target group and the type and level of training undertaken.
- individualised learning supports.
- work experience opportunities.
- an initial high support process that reduces as learners develop.

1.7 Benefits of LTIs

LTIs benefit both the learners and the communities in which they operate. They:

- encourage and support those who would not normally participate in training to engage in learning.
- provide training tailored to individual needs for those most distant from the labour market.
- offer significant additional supports to enable socially excluded persons to benefit from personal, social and vocational training.
- enable people in disadvantaged areas to progress toward employment or further education and training.
- develop learners' levels of confidence, self-esteem and identity as learners.
- contribute to the development of the social and economic fabric of local communities.

ROLES AND RESPONSIBILITIES

- 2.1 Role of the ETB**
- 2.2 Role of the Second Provider**
- 2.3 Legal Structure**
- 2.4 Organisational Structure, Roles and Responsibilities**
- 2.5 Coordinator and Assistant Coordinator**
- 2.6 Transition Quality Assurance System (TQAS)**

2. ROLES AND RESPONSIBILITIES

2.1 Role of the ETB

Having established a need for training in a locality and identified the benefit of this to the prospective learners and community, the ETB will work with and support the Second Provider to develop the LTI project.

The Second Provider will identify and recruit all of the learners for the programme in collaboration with the ETB and the Department of Social Protection's (DSP) services for the unemployed.

The ETB supports projects through the provision of training allowances for learners and a grant towards the cost of employing a Coordinator and, depending on context, one or more Assistant Coordinator(s) and/or external trainer(s).

A grant **may** also be paid towards the cost of training materials and overhead costs associated with the project. The extent and detail of support will be agreed between the Second Provider and the ETB at local level and will be dependent on the budget available. Depending on the scope of the project, the Second Provider may be required to source additional resources. An ETB officer will liaise with, monitor and support the Second Provider throughout the life of the project.

2.2 Role of the Second Provider

The Second Provider has overall responsibility for the management of the project, including the provision of training to eligible learners.

The Second Provider will:

- comply with all the relevant statutory and legal obligations of a Second Provider and employer.
- take on the role of employer in respect of the project Coordinator and Assistant Coordinator with all the associated statutory responsibilities of an employer.
- ensure that the learners are trained to the standard in the nationally specified award(s) offered on the programme and that they are supported to progress to employment or further education and/or training.
- keep all necessary records pertaining to the project, including obligatory records in relation to the European Social Fund (ESF), the ETB and other bodies, as required.
- assume sole responsibility for all project-related work, including all associated permissions, costs and specifications.

- bear all non-training project-related costs associated with the Second Provider's project.
- adhere to the ETB Transition Quality Assurance System (TQAS) requirements. Documents relating to this may be accessed [here](#).
- provide a safe and secure environment for all staff and learners.
- participate as required in Second Provider development programmes as identified by the ETB.
- cooperate fully with the ETB and the local DSP office.
- undertake to familiarise themselves with the requirements of the **Agreement to Collaborate**.
- comply with the terms and conditions laid down in the **Agreement to Collaborate**.

2.3 Legal Structure

All Second Providers must form a legally incorporated entity with a non-profit making structure. Examples would include being a component part of an Industrial and Provident Society or Friendly Society, or a company limited by guarantee not possessing a share capital, prior to the commencement date of the **Agreement to Collaborate**. The Second Provider is obliged to maintain this legal structure for the duration of the **Agreement to Collaborate**.

The Second Provider must submit a copy of its Certificate of Incorporation or Certificate of Acknowledgment of Registration (in the case of Industrial and Provident Societies or Friendly Societies) to the ETB prior to the commencement date.

2.4 Organisational Structure, Roles and Responsibilities

A legally incorporated, non-profit making structure is required for the operation of the LTI.

Each Second Provider will have a board of directors/trustees/authorised officers or members that are broadly representative of the community.

The legal entity will appoint a managing committee or an authorised individual with responsibility for the day-to-day oversight of the LTI.

The names of the members of the management committee or authorised individual responsible for the LTI should be made available to the ETB, and any subsequent changes should be notified in writing to the ETB. One person should be nominated to liaise between the legal entity and the ETB.

The duties of the governance structure in relation to the LTI must include responsibility for:

- strategic and business planning.
- staffing.
- training, certification and quality.
- recruitment, placement and progression of learners.
- administration.
- health, safety and welfare.
- review.
- control of assets.
- preparation and presentation of the annual income and expenditure statement to the ETB.
- financial management and control.
- compliance with all relevant legislation in respect of equality, organisation of working time, health and safety, childcare provisions, and insurance requirements.

The legal entity will work in partnership with its staff and the ETB to:

- provide a level of training and related services to learners to agreed standards consistent with the highest national and international practice, while allowing for and addressing local needs.
- operate its services in a manner that is needs based, quality driven and gives value for money so that available resources are utilised for the maximum benefit of learners.
- facilitate staff flexibility in recognition of the need for on-going change and continuous development at local level.
- work with its staff and the ETB to identify and implement performance indicators for reviewing training outcomes.
- develop a plan for the induction and development of project staff.

2.5 Coordinator and Assistant Coordinator

The legal entity will:

- employ a Coordinator and/or Assistant Coordinator in compliance with agreed job descriptions and person specifications.
- provide the Coordinator and Assistant Coordinator with written job descriptions and employment contracts.

The Coordinator and Assistant Coordinator will:

- be under the direction of, and accountable to, the management committee or authorised individual.
- be responsible for the day-to-day running of the LTI, including budgets, development and delivery of training and related services.
- liaise with the ETB in accordance with agreed local protocols.
- work with the ETB to implement the TQAS.

An LTI Coordinator or learner cannot be a member of the LTI Second Provider board or management structure.

2.6 Transition Quality Assurance System (TQAS)

The ETB operates the TQAS to ensure quality assurance across all its training programmes. The processes and documentation associated with the system are supportive of a process of continuous improvement. All TQAS forms and documentation relating to the LTI programme are available [here](#).

Second Providers must comply with all ETB training standards procedures as set out for the LTI programme on the TQAS.

SETTING UP AN LTI PROJECT

- 3.1 Initiation of Projects
- 3.2 A Potential Provider Approaches an ETB
- 3.3 An ETB Approaches a Potential Provider
- 3.4 Type of Organisation
- 3.5 Initial Engagement Process
- 3.6 Application Process
- 3.7 Approval of New or Existing LTI Project Applications
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- 3.9 Signing the Agreement to Collaborate
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- 3.11 Learner Recruitment
- 3.12 Initial Advance

3. SETTING UP AN LTI PROJECT

3.1 Initiation of Projects

An LTI project can be initiated in a number of ways: a Second Provider can approach an ETB, in some circumstances an ETB can approach a Second Provider, or a project can be initiated in conjunction with a development agency or national organisation.

3.2 A Potential Provider Approaches an ETB

If a Second Provider approaches an ETB and asks for assistance in setting up an LTI, the ETB must satisfy itself that the Second Provider is representative of, and firmly rooted in, the community that it claims to represent. This representation can take the form of a geographical area or a community of interest (such as voluntary or community development organisations, clubs and societies). The Second Provider must be a non-profit making, non-commercial, voluntary group working for the benefit of the community it represents. Alternatively, a state or voluntary agency or a national organisation may approach an ETB to initiate an LTI.

The project must be employment- and training-driven and target a real training and employment need in the identified learner group. The Second Provider must be able to show that there is a need for the type of training requested through submission of the [LTI Application/Renewal Form \(TQAS-8c-F01\)](#) and that there is a reasonable expectation that learners will be able to obtain employment and/or further education and training following participation in the LTI project.

3.3 An ETB Approaches a Potential Provider

An ETB may approach a Second Provider or group of Second Providers to set up an LTI in a particular community where the ETB, through its own research, has established a requirement for particular training to target specific needs. An ETB may also approach state or voluntary agencies to develop collaborative partnerships to address specific needs identified through research.

3.4 Type of Organisation

LTIs can be delivered by community or voluntary organisations, state or state-funded agencies or national organisations. In all cases, the Second Provider must operate as a not-for-profit body.

3.5 Initial Engagement Process

In all of the above cases, both the ETB and the Second Provider engage in initial discussions to explore the feasibility of establishing an LTI. This should ideally include onsite visits to existing LTIs to ensure that potential applicants are fully aware of what would be required of them in terms of managing an ETB LTI project.

Following the conclusion of this process of initial engagement, should agreement be reached with regard to the viability of a potential project, the ETB then works with the Second Provider to guide it through the LTI application process.

Regardless of how projects are initiated, all Second Providers are subject to the same terms and conditions and are equally subject to these Operating Guidelines and adherence to the ETB TQAS.

3.6 Application Process

In the case of a new application, a completed [Application/Renewal Form \(TQAS-8c-F01\)](#) is submitted to the ETB by the Second Provider.

In the case of a project renewal, [the Application/Renewal Form \(TQAS-8c-F01\)](#) and the [LTI Review Form \(TQAS-8c-F27\)](#) are submitted to the ETB by the Second Provider.

3.7 Approval of New or Existing LTI Project Applications

The [Application/Renewal Form \(TQAS-8c-F01\)](#) and, in the case of project renewals, the [LTI Review Form \(TQAS-8c-F27\)](#) submitted by the Second Provider are appraised by the relevant ETB officer using the [LTI Application/Renewal Appraisal Form \(TQAS-8c-F02\)*](#), and if accepted, are recommended to the relevant ETB management. Where deemed satisfactory, the recommendation is approved by ETB management.

The relevant ETB officer will advise the Second Provider of the application decision.

3.8 Pre-Start-up Requirements

To enable the Second Provider to decide if it wishes to proceed, the ETB will advise on the obligations of the Second Provider and the ETB's commitment and requirements in relation to staffing, costs, insurance, and tax clearance.

The following arrangements must be in place **prior** to the signing of an **Agreement to Collaborate**:

- The Second Provider must forward a copy of its Certificate of Incorporation (in the case of a company limited by guarantee) or Certificate of Acknowledgment of Registration (in the case of an Industrial and Provident Society or Friendly Society) to the ETB prior to the commencement date.
- The Second Provider must submit a current Tax Clearance Certificate.
- The LTI programme must have its own individual bank account. The ETB will grant aid the costs of the Coordinator, and if applicable, Assistant Coordinator, trainer(s) and running costs on a vouched reimbursement basis to a dedicated bank account.

*available on the ETB's internal LTI web portal only.

- The Second Provider must submit a **Bank Authorisation form (TQAS-8c-F05)**, which must be completed and stamped by the bank.
- The Second Provider must have adequate insurance in place. It must avail of Employers' Liability and Public Liability insurance arranged by the ETB and separately insure and indemnify itself and the LTI staff against all other risks it may encounter. In addition to the above-confirmed insurance cover, LTIs must acquire other types of insurance as appropriate, such as property (building and/or contents including fit-out costs), insurance, Employment Practices Liability insurance, crime insurance and computer insurance, and the ETB must be advised of same in writing. Each LTI project must carry out an annual review of its insurance needs.
- The Second Provider must ensure that a health and safety inspection of the premises where the LTI will operate is carried out by a suitably qualified person. A copy of the inspection report must be provided to the ETB by the Second Provider once completed. In certain circumstances, funding may be made available by the ETB to undertake this. This is subject to prior approval by the ETB. Health and safety inspections must be conducted and reports submitted to the ETB annually thereafter.
- The Second Provider must fully indemnify the ETB against all claims and liabilities as set out in Clause 13 pertaining to Indemnity in the **Agreement to Collaborate**.

3.9 Signing the Agreement to Collaborate

Two original copies of the **Agreement to Collaborate** signed by the ETB at the appropriate authorisation level are issued to the Second Provider. See: [Guide to Completing the LTI Agreement](#).

The Authorised Signatory must be a director of the company operating the LTI or a trustee or authorised officer of the Industrial and Provident Society or Friendly Society operating the LTI. Director status can be checked on the [Companies Registration Office \(CRO\) Website](#). Trustee or authorised officer status can be checked with the Registry of Friendly Societies (RFS). If director/trustee/authorised officer status is not available from the CRO or RFS, the manager should seek confirmation from the Second Provider that the person signing has the authority to do so. Confirmation of authority to sign should be kept on file.

Where LTIs are being run by national organisations with their own governance structure, the agreement may be signed by the organisation's authorised person, such as the Chief Executive.

The Second Provider must return one signed, witnessed and dated original **Agreement to Collaborate** to the ETB and retain the second original for its own records. The relevant ETB officer will retain the returned, signed and dated Agreement on file and will forward it to the relevant ETB finance department, as required.

3.10 Coordinator/Assistant Coordinator to Learner Ratios

Current arrangements involve Second Providers operating to a minimum project ratio of 14 learners to one Coordinator with the back-up of an Assistant Coordinator **or** trainer(s), where appropriate. This supports the provision of a holistic range of training and uninterrupted, continuous supervision of learners at all times, as well as financial administrative support.

The actual ratio approved for individual projects will be at the discretion of ETB management, taking regional norms into account. Learners' training time on LTIs must be a minimum of 31.25 hours per week. On part-time programmes pro-rata arrangements will apply, and these must be agreed with the ETB prior to commencement.

3.11 Learner Recruitment

The ETB will notify DSP of its intention to run an LTI. The Second Provider will identify a group of potential learners for interview and DSP will also refer potential learners for interview.

The ETB has the primary interest in the selection of learners. The Second Provider must however, if requested by the ETB, interview and select the learners, with priority accorded to DSP referrals and in line with selection criteria as stipulated by the ETB, and must maintain records of the interview and selection process.

The learners selected for the project are agreed with the ETB and offered a place. The Second Provider must not invite any applicant for interview or disclose to any person the outcome of any application or interview, unless requested to do so by the ETB.

3.12 Initial Advance

An initial once-off advance to cover the cost of the first six weeks' wages of the Coordinator and Assistant Coordinator may be payable on commencement of an LTI. An advance to cover other costs may be provided depending on individual circumstances and ETB approval at local level.

Advances will not be paid until a signed **Agreement to Collaborate** has been received from the Second Provider. In order to claim the advance, the Second Provider must complete the required forms as per the [Advance Claim Form \(TQAS-8c-F08\)](#).

On completion and return of all the relevant documentation, the relevant ETB officer will recommend approval of advance payment by ETB management, who will then forward it to the relevant ETB finance department for payment.

The advance **must be recouped**. This can be achieved through non-payment of claims or through reduction of monthly claims in the last six months of the programme and must be recorded on the [LTI Monthly Claim Form \(TQAS-8c-F19\)](#) and completion of the [End of Agreement to Collaborate Income and Expenditure Statement \(TQAS-8c-F20\)](#).

PROJECT ADMINISTRATION

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- 4.2 Reporting of Accidents, Incidents and Dangerous Occurrences
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- 4.15 Tax Clearance
- 4.16 Signage and Printed Material
 - 4.16.1 National Development Plan Acknowledgement on Printed Material

4. PROJECT ADMINISTRATION

4.1 Health and Safety

It is the responsibility of all ETB-funded Second Providers to provide a safe and healthy training and work environment for both staff and learners and to meet their duties to other persons, including members of the public who may be affected by their operations.

Second Providers will not only accept their statutory responsibilities, but also their obligations as employers to manage and aim to achieve exemplary standards in health, safety and welfare for both staff and learners.

The Second Provider must take all necessary steps, in so far as reasonably practicable, to secure the health, safety and welfare of all persons attending the project in compliance with the Safety, Health and Welfare at Work Acts 2005 and 2010, and all regulations existing under the Act. In this regard, training, consultation and information must be provided for all staff, the management committee, and directors/trustees/authorised officers or members.

In addition to providing a **Health and Safety Inspection Report**, the Second Provider must display a Safety, Health and Welfare Policy Statement, signed by the chairperson of the management committee, from the Second Provider's Safety Statement. The Second Provider must ensure that the Safety Statement complies with the requirements of the Safety, Health and Welfare at Work Act 2005 and 2010 and subsequent regulations. A copy of the Safety Statement must be submitted to the relevant ETB officer.

Second Providers must provide training and instruction to all their employees and learners to enable them to perform their work and undergo their training safely. The Second Provider must also ensure that appropriate health and safety training related to the industries for which the learners are being trained is included in the training programmes.

Second Providers must ensure that appropriate fire safety controls and procedure are in place in compliance with the Fire Services Act 1981.

4.2 Reporting of Accidents, Incidents and Dangerous Occurrences

All reports of accidents, incidents and dangerous occurrences, as defined in the **Reporting Procedures for Injuries**, involving staff and learners, must be notified to the ETB, and the Health and Safety Authority (HSA) where required, **immediately** following the event.

The **Accident and Incident Report Form** must then be completed in detail and forwarded to the relevant ETB officer within five days following the accident or incident.

In the event of an accident the following actions must be taken:

- Preserve the site as much as possible.

- Record as many details of the accident as possible.
- Complete an [Accident and Incident Report Form](#) and send it to the ETB within five days.
- Report accidents specified in [Reporting Procedures for Injuries](#) to the HSA.
- Obtain any witness statements, take photos if necessary, keep any objects which caused or contributed to the accident.
- Send all documentation to the ETB, which must be forwarded, in turn, to the ETB insurance department.

Thereafter, the Second Provider must forward any documentation received relating to the accident, including any solicitor's letters, Injuries Board applications or medical certificates, to the ETB.

4.3 Insurance

A Second Provider must avail of the Employers' Liability and Public Liability insurance arranged by the ETB and separately indemnify itself and its staff against all other risks it may encounter as a legal entity.

In addition to the above-confirmed insurance cover, LTIs must acquire other types of insurance as appropriate, such as property (building and/or contents including fit out costs) insurance, Employment Practices Liability insurance, crime insurance and computer insurance.

If an LTI is created or closed, the ETB's insurance department must be informed, as any such changes need to be notified to the ETB's insurers; not to do so may result in claims arising within the LTI not being honoured.

During any period of in-company training or work experience when learners are being paid a training allowance by the ETB, the legal liability of the ETB will be fully covered by the Employers' Liability and Public Liability insurance held by the ETB.

Only the legal liability of the ETB and/or the LTI is fully covered by Employers' Liability and Public Liability insurance currently held by the ETB. Host companies providing this in-company training or work experience must inform their own insurance underwriters.

Certain activities or sports are not covered by ETB insurance. A full list is available in [Unacceptable Occupations for Work Experience and Sports](#). Additional insurance must be purchased by the LTI to cover these activities or sports. In such cases, the LTI Coordinator must inform the relevant ETB officer, who in turn must contact the ETB's insurance department.

ETB travel insurance can be extended to cover LTI employees and learners travelling abroad on arranged activities. Persons travelling must be over 18 years of age. LTIs must notify the ETB's insurance department via their ETB officer, at least 10 days prior to departure with the following information: departure and return dates, a list of those travelling, dates of birth, accommodation, purpose and itinerary details. Any additional premium incurred must be paid by the LTI.

4.4 Accounting Systems and Policies

The Second Provider has responsibility for the establishment and maintenance of accounting systems and policies that reflect best practice and meet all statutory requirements. See: [Books of Account and Record-Keeping - Best Practice Guidelines](#).

The Second Provider must discharge its statutory obligations in respect of PAYE, PRSI, USC, VAT and all other relevant taxation and levies relating to the operation of the project. Full details of these obligations can be found at www.revenue.ie.

4.5 Bank Account

The Second Provider must operate a separate and dedicated bank account for each LTI programme for which an **Agreement to Collaborate** has been signed, and must submit details of the account on a [Bank Authorisation Form \(TQAS-8c-F05\)](#) to the ETB. The bank account must be used solely for the lodgement and payment of monies for the programme.

The bank account must account for all income and expenditure associated with each particular project and must be open to examination at all times by ETB personnel, the Irish Audit Authority, the office of the Comptroller and Auditor General and European Union auditors for audit or checking purposes.

The names of three authorised signatories, who must be either directors on the Board of the company or trustees, authorised officers or members of the Society, and one of whom must be the Treasurer, should be notified to the bank on the Bank Authorisation Form. Second Providers should ensure that the completed form is returned to the relevant ETB officer with their application. The bank account, when set up, must not be changed without prior consultation and agreement with the ETB.

The bank account must be reconciled on a monthly basis using the [LTI Monthly Bank Reconciliation Form \(TQAS-8c-F23\)](#). All payments should be made by cheque, electronic funds transfer (EFT) or by direct debit or standing order and drawn in favour of a third party, except in the instance of petty cash purchases. All cheques must be signed by at least two authorised signatories as indicated on the Bank Authorisation Form.

Under no circumstances should cheques be pre-signed.

In respect of outstanding cheques (paid but not cashed), in addition to the cheque number and amount, the date on which the cheque was written must be provided on the bank reconciliation statement. Any outstanding cheques must be written back and deducted from the LTI monthly claim when six months have expired.

Coordinators, Assistant Coordinators or learners cannot be signatories to the bank account under any circumstances.

4.6 Books of Account

The Second Provider must securely retain until such time as the ETB directs otherwise:

- a detailed financial record of all receipts, expenditure and all expenses arising in respect of the LTI project.
- proper books of account, records of all payment and receipts in respect of the project and the training programme(s), and all supporting documentation including, but not limited to, invoices, statements and bank statements.

All books of account must be kept in such a manner as to provide precise financial details of the LTI project. See: [Books of Account and Record-Keeping - Best Practice Guidelines](#).

4.7 Procurement

The LTI must comply with public procurement guidelines when purchasing goods and services. Specific information in relation to these guidelines can be sourced at www.procurement.ie and in the **Agreement to Collaborate**, Appendix 3.

An imprest petty cash system must be used. Petty cash purchases must be kept to a minimum. The upper limit for reimbursement of expenditure on petty cash should be €25 for any one item.

All expenditure above €25 must be conducted using a requisition or purchase order system in compliance with public procurement guidelines.

ETB procurement thresholds for LTIs can be sourced at [Procurement Thresholds for LTIs](#).

Where Second Providers are contracting with limited companies or sole traders for the delivery of training, they must request a current tax clearance certificate prior to the award of any contract.

4.8 Learner Allowances

DSP rates, as notified by the ETB's management accounts section, will apply to all learners attending LTI programmes.

Allowances are paid by EFT directly into the learner's bank account. All learners must advise the ETB of their bank account details, so that the EFT payments can be arranged.

4.9 Wages and Salaries

An LTI must register as an employer with the Revenue Commissioners. All statutory deductions must be made on all wages and salary payments, i.e. PAYE, PRSI and the USC should be made in line with the instructions received from Revenue on the Tax Credit and Universal Social Charge Certificate (P2C) forms for the employees of the LTI. PRSI must also be deducted at the appropriate rate as per DSP rules and guidelines.

PAYE, USC and PRSI must be calculated, deducted and remitted to the Revenue Commissioners for **all** full-time and part-time employees.

The tax deducted through PAYE and USC, plus the total PRSI contributions (including employee and employer portions) must be remitted to the Collector General on a quarterly basis on form P30.

A P35 must be completed and sent to the Collector General by its due date. A P60 certificate must be given to every employee who is employed by the LTI at year-end.

When an employee ceases employment with the LTI, regardless of whether or not tax was deducted from his/her wages and whether or not he/she was liable for pay related contributions, a cessation certificate (form P45) must be completed in accordance with the instructions on that form.

4.10 Temporary Personnel

Second Providers must discharge their statutory obligations as employers in respect of PAYE, PRSI, VAT and all other relevant taxes and levies regarding the operation of the LTI project. Full details of these obligations are available on www.revenue.ie.

All payments in respect of temporary employees, whether full-time or part-time, must be processed through the LTI's payroll system and subject to all relevant statutory deductions.

PAYE and PRSI must be calculated, deducted and remitted to the Revenue Commissioners for **all** employees.

In all cases, approval must be obtained from the ETB prior to the recruitment of temporary employees.

With regard to holiday entitlements, pro-rata arrangements will apply.

Where a Contract for Service is put in place, it must be consistent with [Revenue guidelines](#), and any such arrangement must comply with public procurement guidelines and ETB [Procurement Thresholds for LTIs](#) (see Section 4.7).

4.11 Monthly Claims

4.11.1 Material Cost Reimbursement

The maximum expenditure reimbursable is as agreed in the **Agreement to Collaborate** with the ETB. Claims for reimbursement of materials are made on a monthly basis using the **LTI Monthly Claim Form (TQAS-8c-F19)**.

The LTI will only be reimbursed for actual costs expended under the relevant budget heading and supported by an invoice that has been duly authorised and paid by the LTI. The claim must be checked against supporting documentation in advance of the payment being processed and copies of all supporting documentation must be retained on ETB files.

In order to ensure that reimbursements can be made, prior written authorisation from the ETB is required for non-routine expenditure to verify that expenditure is allowable and properly coded.

4.11.2 Claims for Payment of Wages

Claims for reimbursement of the ETB contribution towards the cost of employing Coordinators and Assistant Coordinators are made on a monthly basis using the **LTI Monthly Claim Form (TQAS-8c-F19)**.

To ensure project cash flow, the Second Provider must submit the claim before the tenth working day of the following month, using the appropriate forms as per the TQAS.

The **Coordinator and Assistant Coordinator Salary Reimbursement Form (TQAS-8c-F09)** must be signed by an authorised signatory of the company or society operating the LTI and the person to whom the payment has been made, i.e., the Coordinator or Assistant Coordinator.

The **LTI Monthly Claim Form (TQAS-8c-F19)** must be signed by the LTI Coordinator and an Authorised Signatory of the company or society.

The Authorised Signatory on the **LTI Monthly Claim Form (TQAS-8c-F19)** must be a director of the company operating the LTI or a trustee or authorised officer of the society operating the LTI.

Director status can be checked on the [CRO website](#). Trustee or authorised officer status can be checked with the Registry of Friendly Societies.

Where LTIs are being run by national organisations with their own governance structure, the claim form may be signed by an authorised Chief Executive.

The signatory must be authorised to sign on behalf of the limited company, society or national organisation operating the LTI.

4.11.3 Claims for Travel and Subsistence

The LTI must comply with public service travel and subsistence regulations when reimbursing necessary and

approved expenses for Coordinators or Assistant Coordinators. All claims must be made using the appropriate **LTI Travel and Subsistence Claim Form (TQAS-8c-F24)** and submitted with the Monthly Claim Form (**TQAS-8c-F19**).

Information on public service travel and subsistence regulations can be sourced at: www.finance.gov.ie.

Following relevant ETB officer recommendation and ETB management approval, all claims are sent with supporting documentation to the relevant ETB finance department for payment.

4.11.4 Recoupment of Initial Advance

An initial one-off advance to cover the cost of the first six weeks wages of the Coordinator and Assistant Coordinator may be payable on commencement of a project. An advance to cover other costs may be given depending on individual circumstances and ETB approval at local level. Any such payments must be offset by the non-payment of the claims for wages of the Coordinator and Assistant Coordinator and other claims, if applicable, on completion of the LTI programme, and recorded on the **LTI Monthly Claim Form (TQAS-8c-F19)**.

4.12 Income Generated by the Project

Provided training is the primary purpose of such activities, LTIs can make products and/or provide services for their local communities. Income derived from such activities may be used as a contribution towards the replacement of plant, machinery and equipment and the agreed maintenance or improvement of LTI activities with the agreement of the ETB. It may not be paid to or shared amongst the learners, staff or management of the LTI.

Where funding is received as a contribution towards the running costs of the LTI, either in the form of earned income or secondary grant aiding, it must be offset as income in the **LTI Monthly Claim Form (TQAS-8c-F19)**.

Where such funding is received to fund specific costs, the costs and the income must be excluded from any claim submitted to the ETB for reimbursement.

Income generated should be expended in the current year. All income must be included in the Second Provider books of accounts and financial returns.

4.13 Matching Funds

Second Providers must advise the ETB in cases where they are using LTI income to match EU funds from another source. The relevant ETB officer will then complete the **Matching Funds Registration Form** and **Matching Funds Declaration** and forward them to ETB management for signature and referral to the ETB ESF section.

4.14 Year End or End of Agreement to Collaborate

The Second Provider must complete an **End of Agreement to Collaborate Income and Expenditure Statement (TQAS-8c-F20)** detailing all of its income and expenditure for ETB-funded activity.

The completed **End of Agreement to Collaborate Income and Expenditure Statement (TQAS-8c-F20)** must be stamped by an Auditor and submitted to the ETB within three months of the end of the **Agreement to Collaborate** period.

The LTI must provide written confirmation, at year end, of the amount of the ETB advance that they have received and that it has been disclosed in their Balance Sheet under Creditors (annual audited company accounts).

4.15 Tax Clearance

A current Tax Clearance Certificate or evidence of charitable status, as appropriate, must be provided to the ETB prior to the LTI's commencement date.

Tax Clearance Certificates may be obtained from the local Revenue District (Tax Office) where the Second Provider operates. Alternatively applications for a Tax Clearance Certificate may be made online at: www.revenue.ie.

4.16 Signage and Printed Material

LTIs must be clearly identified and the authorised ETB signage must be posted and displayed in a suitable position outside the premises/buildings. Both signage and printed material issued by the LTI pertaining to ETB activity must include the ETB logo, the European Union logo, the National Development Plan (NDP) logo and a statement acknowledging European and Exchequer funding. This applies also to all advertisements, information leaflets, publicity materials, publications, invitation cards and events.

In addition, as dictated by the Official Languages Act (2003), all new signage must be in Irish, or in both Irish and English.

4.16.1 National Development Plan Acknowledgement on Printed Material

The current NDP logo, strap line and appropriate text reference must be used on all printed material in accordance with the guidelines issued by the Department of Finance.

In particular, please note that:

- The NDP logo must always be first in a horizontal array or on top in a vertical array.
- The NDP logo must never be rendered smaller than any other logo placed in the same field of vision.
- The appropriate text reference must be included prominently in all relevant publicity and information materials.

The EU logo should also be used according to [EU information and publicity guidelines](#).

LEARNER RECORDS AND ATTENDANCE

- 5.1 Registration and Learner Records**
- 5.2 Induction of Learners**
- 5.3 Individual Training Records**
- 5.4 Attendance Records**
 - 5.4.1 Paper Attendance Records**
 - 5.4.2 Electronic Attendance Records**
 - 5.4.3 TACS System**
 - 5.4.4 Second Provider Requirements in Relation to Attendance Records**
- 5.5 Absence**
- 5.6 Learner Sick Leave**
- 5.7 Behaviour Management and Disciplinary Procedures**
- 5.8 Complaints Procedures**
- 5.9 Learner Completion Notice**
- 5.10 Learner Feedback**
- 5.11 Reporting of Accidents, Incidents and Dangerous Occurrences**
- 5.12 Learner Computer Resources and Internet Usage Policy**
- 5.13 Records Retention**

5. LEARNER RECORDS AND ATTENDANCE

5.1 Registration and Learner Records

As funder of the programme, the ETB has certain obligations for learner welfare. Each individual retains the status of an ETB learner when placed with a training provider under agreed conditions.

The Coordinator must ensure the early completion of relevant documentation to enable registration of the ETB learners. The relevant ETB officer will advise the Second Provider regarding arrangements for registration. Learners are paid through the learner payments system (TAPS). The learner, however, must provide relevant information for TAPS, which may include passport, birth certificate, bank account details, and DSP payment details (Form F103) as required by the relevant ETB finance department. A learner registration form will be provided by the ETB, and must be completed for each learner.

The ETB learner registration form and supporting documentation must be sent to the ETB, as agreed locally, by Wednesday of the first week of the learner taking up the programme.

5.2 Induction of Learners

As part of the process of familiarisation, Second Providers are required to have an Induction module in place for all new learners, which must include (at a minimum) all the items as listed in the [LTI Learner Training Induction Checklist \(TQAS-8c-F28\)](#). The aim of the Induction module is to introduce the learners to their learning environment, and to provide them with information on the Second Provider's and the ETB's structure, policies, procedures and regulations; health, safety and personal welfare; and guidelines on child protection policies (where appropriate), as well as complaints and grievance procedures.

All learners must receive adequate training at Induction on manual handling and health and safety procedures from a qualified trainer.

The Learner Information Section on the TQAS provides the learner with advice and information on getting the most from his/her training. This information will also help learners understand their rights and responsibilities as a learner.

Learners must read the ETB health and safety documentation provided by the ETB and acknowledge that they have read and understood, and will comply with, its contents.

Learners must sign an acknowledgement that they have read the ETB's [Policy on Learner Computer Resources and Internet Usage](#).

5.3 Individual Training Records

Training records for each learner must be maintained in accordance with the ETB TQAS.

The following must also be in place:

- An acknowledgement signed by learners confirming that they have read and agree to comply with the health and safety requirements outlined in documentation provided by the ETB.
- Individual Learner Plan (ILP).
- Signed copy of the [LTI Learner Training Induction Checklist \(TQAS-8c-F28\)](#).
- Evidence of completion of Manual Handling training.

5.4 Attendance Records

The LTI must adhere to the requirements in relation to participant attendance records outlined below. Where paper records are maintained, the [LTI Weekly Summary Attendance Sheet \(TQAS-8c-F22\)](#) must be used to ensure compliance.

5.4.1 Paper Attendance Records

If paper records are kept, **each learner must sign in and out daily at start and finish times and**, subject to Coordinator permission, **at any time that they leave and return** to the project. The Second Provider must adhere to the requirements in relation to learner attendance records.

5.4.2 Electronic Attendance Records

Alternatively, a time clock or electronic attendance system, which records start and finish times for each learner, may be used to record attendance daily and weekly. The Second Provider must also maintain [LTI Weekly Summary Attendance Sheets \(TQAS-8c-F22\)](#).

5.4.3 TACS System

Where the ETB Trainee Apprentice Clocking System (TACS) is used to record attendance, the Second Provider must also maintain [LTI Weekly Summary Attendance Sheets \(TQAS-8c-F22\)](#). Both records must correspond.

5.4.4 Second Provider Requirements in Relation to Attendance Records

The hours recorded for each participant on the attendance records (whether paper or electronic) must correspond to the hours submitted to the ETB for payment. Any acceptable absences (for example, Bank Holidays) that are being paid to the participant must be noted and signed as approved by the Second Provider. The contact time for all full-time learners on LTI projects is 31.25 hours per five-day week. Arrangements may be made for part-time programmes to reflect local needs, with the approval of relevant ETB management. For part-time programmes, pro-rata arrangements will apply, with a minimum of 20 hours contact time per five-day week.

5.5 Absence

- ETB LTI learners are not entitled to annual leave.
- Responsibility for monitoring the learner's attendance rests with the Second Provider.
- Repeated learner absences must be discussed in the first instance with the learner by the Second Provider or Second Provider representative and brought to the attention of the relevant ETB officer.
- Following discussion, any action appropriate to the needs of all concerned should then be taken as per the ETB's [Policy on Learner Absence and Sickness](#).
- All absences must be recorded using an electronic or paper recording system, and records must be available for inspection by the ETB. The [LTI Weekly Summary Attendance Sheet \(TQAS-8c-F22\)](#) must be used for the paper records.
- The procedures outlined above should be communicated to learners in an accessible format at course commencement.

5.6 Learner Sick Leave

The ETB policy on learner sick leave is contained in the [Policy on Learner Absence and Sickness](#).

5.7 Behaviour Management and Disciplinary Procedures

All Second Providers must ensure that they have procedures in place to manage learner behaviour. Learners must be made aware of these procedures on commencement of training, and advised that they are designed to assist in their personal development.

All appeals by learners in relation to behaviour management procedures must be made to the Second Provider management committee or authorised individual.

All Second Providers must adhere to the ETB policy in relation to dealing with disciplinary matters, which is contained in the [Policy on Learner Code of Conduct Infringement Process](#).

A disciplinary process is invoked at the discretion of the Second Provider, where it deems this to be an appropriate response to persistent or serious transgression by a learner.

Once the process is invoked, learners must be allowed sufficient time to demonstrate a change in their behaviour.

All appeals by learners in relation to disciplinary sanctions must be made to the Second Provider management committee or authorised individual in the first instance. However, should the learner be dissatisfied with the outcome of the appeals process, the appeal is then referred to the ETB.

The Learner Information Section on the TQAS outlines the rules, regulations and standards of behaviour expected from learners in an ETB training location or environment. LTI Second Providers may have additional rules and regulations that may be added to these guidelines in agreement with the relevant ETB officer.

5.8 Complaints Procedures

A complaint is defined as any contact made by a customer of the ETB, the purpose of which is to express dissatisfaction with the standard of service, action or lack of action or decision taken by the ETB. In relation to LTIs, customers include learners, LTI staff and Second Provider management.

Complaints are made by following the steps outlined [here](#).

All complaints are acknowledged and investigated.

The complainant is informed of the result of this investigation.

If the complainant is not satisfied with the outcome, he or she can contact the designated customer services representative in the ETB.

5.9 Learner Completion Notice

A **Learner Completion/Late Placement Form (TQAS-8c-F18)** must be completed by the Coordinator for all learners who leave the programme at any stage.

The form must be submitted immediately to the relevant ETB officer for processing.

The training duration for individual learners may be extended to respond to their individual needs. In each case, a justification must be provided in writing using the **Revision to Expected Finish Date form (TQAS-8c-F12)**, and forwarded to the relevant ETB management for consideration.

5.10 Learner Feedback

To facilitate learner feedback, procedures to encourage, foster and promote self-advocacy must be developed with the aim of reducing learner dependency. All relevant individual and course assessment results must be made available to the learner during the learner feedback process and on completion of training.

The ETB will provide mid-course and end-of-course feedback forms for completion by all learners to facilitate this process. All forms must be completed by the learners and the originals must be sent to the relevant ETB officer. This information will contribute to the **LTI Training Review Report (TQAS-8b-F21)**.

Any relevant issues that arise on the mid-course or end-of-course feedback forms must be dealt with promptly by the ETB officer.

5.11 Reporting of Accidents, Incidents and Dangerous Occurrences

All reports of accidents, incidents and dangerous occurrences, as defined in [Reporting Procedures for Injuries](#), involving staff and learners must be notified to the ETB, and the Health and Safety Authority (HSA) where required, **immediately** following the event.

The [Accident and Incident Report Form](#) must be completed in detail and forwarded to the relevant ETB officer within five days following the accident or incident.

5.12 Learner Computer Resources and Internet Usage Policy

Where the ETB provides computer resources and Internet access to support learners, these resources are provided to assist in day-to-day administration tasks and to train and assist ETB learners only.

The Internet system is intended for use, where appropriate, only in relation to the training provided by the ETB. Computer resources, including the Internet, are to be used only in a manner that is consistent with the ETB's [Policy on Learner Computer Resources and Internet Usage](#). Breach of this policy will be treated as a disciplinary matter. Depending on the severity of the breach, this may result in serious disciplinary action up to and including dismissal from training. All learners must be made aware of the ETB's [Policy on Learner Computer Resources and Internet Usage](#) by the Second Provider, and must sign to confirm that they have been informed of and understand the policy in the LTI [Learner Training Induction Checklist \(TQAS-8c-F28\)](#).

5.13 Records Retention

To ensure compliance with European Social Fund (ESF) documentation retention requirements, all LTI documents and records are to be retained until 2022, unless otherwise specified by the ETB.

The current legal requirement for document retention includes records or documents stored electronically and any hardware required to access them.

All supporting activity and payment documentation required to provide a full paper audit trail to individual learners, their courses and all payroll or overhead costs must be retained. This documentation should be available for audit, as failure to comply may result in a financial penalty; see Appendix 4 in the **Agreement to Collaborate**.

STAFF RECRUITMENT, TRAINING AND DEVELOPMENT

- 6.1 Coordinator and Assistant Coordinator Selection Process**
 - 6.1.1 Pedagogical Qualification and Experience - Minimum Requirement**
 - 6.1.2 Professional Qualification and Experience - Minimum Requirement**
- 6.2 Second Provider Human Resource Policy**
- 6.3 Leave Arrangements**
 - 6.3.1 Annual Leave**
 - 6.3.2 Sick Leave**

6. STAFF RECRUITMENT, TRAINING AND DEVELOPMENT

The Second Provider has full responsibility for the recruitment, training and development of its staff. The ETB provides briefings at various times for Second Providers and/or Coordinators or Assistant Coordinators. All Coordinator and Assistant Coordinator vacancies **must** be advertised. All costs of advertising must be agreed with the ETB prior to being incurred. All staff must be recruited in line with guidelines on the Garda Vetting process where relevant; see Section 7.5.

6.1 Coordinator and Assistant Coordinator Selection Process

Taking the agreed learner ratios into consideration, the ETB may agree the appointment of a Coordinator, Assistant Coordinator and/or trainers. The staff members employed are the sole responsibility of the Second Provider and are **not** employees of the ETB.

The ETB reserves the right to nominate an ETB staff member to sit on an interview panel to ensure that a suitably qualified person is selected. Where it is not possible for the ETB to be represented on the interview panel, the Second Provider must agree both the person specification and job description with the relevant ETB officer to ensure the profile matches the ETB's requirements.

All trainers and tutors who have responsibility for the delivery of any element of training on the LTI must meet specified qualification criteria.

Trainers and tutors must meet either the requirements detailed in the Training Programme Specification or the requirements outlined below, whichever is higher.

Trainers and tutors must be capable of delivering the course or module(s) specified in the relevant training programme specification(s) and module descriptor(s). They must also have an appropriate technical and pedagogical qualification prior to delivering any element of an ETB training course.

6.1.1 Pedagogical Qualification and Experience - Minimum Requirement

The trainer or tutor must have successfully completed one of the pedagogical courses listed in the ETB Trainer Criteria, which is in the [Trainer Criteria Checklist for External Trainers \(TQAS-8b-F17\)](#). The trainer or tutor must have post-qualification experience delivering training to learners over a period of time totalling two years or more of direct learner contact time.

Or

The trainer or tutor must be the subject of a development plan by the Second Provider that includes on-going supervision and monthly evaluation by the LTI Coordinator for the duration of the course. The development plan, consisting of programme syllabus and accreditation details, must be available for inspection by the ETB on request.

6.1.2 Professional Qualification and Experience - Minimum Requirement

The trainer or tutor must hold a recognised qualification in the particular discipline that (according to the National Framework of Qualifications) is at least one level above the module or overall course certification that is being delivered and have at least two years related professional experience in the discipline.

Or

The trainer or tutor must hold a recognised qualification in the particular discipline at the same level (according to the National Framework of Qualifications) as the module or overall course certification that is being delivered, and have a minimum of three years related professional experience in the discipline.

Or

Where no recognised professional qualification exists for the course, the trainer or tutor must have a minimum of seven years related experience in the discipline.

The Second Provider must also advise the ETB on the process to be adopted for the selection of staff and must ensure that an objective marking system is in place at interview and that records are retained. The Second Provider is responsible for ensuring that the recruitment process reflects good employment practice and meets legislative requirements, including record keeping and Freedom of Information.

All staff employed must be provided with a current contract of employment and a detailed job description by the Second Provider.

The Second Provider **must** ensure that:

- **all** vacancies are publicly and openly advertised through DSP.
- an Equal Opportunity Statement is included on every recruitment advertisement.
- staff have the required knowledge, skill and competence to fulfil their role in, or on behalf of, the organisation.
- staff recruitment processes and criteria are transparent and equitable and reflect a policy of Equal Opportunities.
- all records created in the process of recruitment are subject to the Freedom of Information Act.
- Induction training programmes are completed by all new staff members.
- Coordinators and Assistant Coordinators receive a briefing on the TQAS.

6.2 Second Provider Human Resource Policy

The Second Provider must prepare and implement a clearly defined general human resource development policy, which includes procedures to deal with:

- preparation of job descriptions and person specifications.
- interview and selection of staff.
- employment contracts.
- induction of staff.
- review of staff performance.
- complaints procedure.
- dealing with allegations of abuse, harassment, bullying and incompetence.
- staff records.
- staff training and development.

In preparing contracts, the Second Provider must take into account the requirements of quality assurance, the Terms of Employment (Information) Act, 1994 and 2001 and these Guidelines.

6.3 Leave Arrangements

6.3.1 Annual Leave

Coordinators and Assistant Coordinators will be entitled to the current statutory annual leave. Annual leave is not affected by other leave provided for by law. The ETB must be informed of all staff leave arrangements in advance.

6.3.2 Sick Leave

The ETB will provide grant support for up to 14 days of certified sick leave and 4 days of uncertified sick leave for a Coordinator or Assistant Coordinator in any one calendar year. Pro-rata support will apply to periods of less than 52 weeks. The Second Provider must inform the ETB when staff members are on sick leave and what cover arrangements they have put in place.

HEALTH, SAFETY AND WELFARE

- 7.1 Second Provider Obligations
- 7.2 Safety Statement
- 7.3 Sexual Harassment, Harassment and Anti-Bullying Policy
- 7.4 Protection for Learners – Unexpected Cessation of Training
- 7.5 Protection of Young Persons and Vulnerable Adults

7. HEALTH, SAFETY AND WELFARE

7.1 Second Provider Obligations

It is the objective of the ETB that all funded Second Providers must provide a safe and healthy training and working environment for all staff and learners, and to ensure that Second Providers meet their duty to other persons, including members of the public, who may be affected by their operation.

Second Providers must recognise their duties as an employer and training provider under the Safety, Health and Welfare at Work Acts 2005 and 2010, to ensure, insofar as is reasonably practicable, the health, safety and welfare of all their employees and learners as required under these Acts, and all regulations existing under them.

Second Providers must accept not only their statutory responsibilities, but also their obligations as employers and training providers to manage and endeavour to achieve exemplary standards in health, safety and welfare within all its training locations.

For more detailed information on health and safety, Second Providers should refer to www.hsa.ie.

7.2 Safety Statement

Second Providers must ensure that their Safety Statement complies with the requirements of Section 20 of the Safety, Health and Welfare at Work Act 2005, and subsequent regulations.

Second Providers must display a Health, Safety and Welfare Policy Statement, signed by Second Provider management, in a prominent location. A copy of this must also be submitted to the relevant ETB officer.

Staff members and learners have a duty to cooperate in the operation of this policy as set out in Section 13 of the Safety, Health and Welfare at Work Act 2005, and any subsequent regulations.

Advice on preparing risk assessments and a safety statement is available at www.besmart.ie.

7.3 Sexual Harassment, Harassment and Anti-Bullying Policy

The law provides protection against sexual harassment, harassment and other forms of discrimination under the nine grounds laid out by the Employment Equality Acts 1998-2011 and the Equal Status Acts 2000-2011. Bullying and harassment can also give rise to action under the Safety, Health and Welfare at Work Acts 2005 and 2010. Second Providers must ensure that they fulfil their obligations to provide adequate protection for learners and their staff. Second Providers must familiarise themselves with the contents of the **Sexual Harassment, Harassment and Anti-Bullying Policy**. All the policies and procedures outlined in this document must be adhered to by Second Providers and their staff members.

7.4 Protection for Learners – Unexpected Cessation of Training

As defined in Part VII of the Qualifications and Quality (Education and Training) Act 2012, ETB training programmes are not provided on a commercial and profit-making basis and therefore are not subject to section 65 of the Act.

The ETB, however, recognises the need for the protection of learners in the event of the unexpected cessation of a training programme and has systems in place to ensure learner protection.

Learners will be provided with the opportunity to continue with their training programme, as per the original training specification and training plan.

Learners will be informed of the ETB's policy for the protection of learners on commencement of their training programme and in the event of cessation of that programme.

7.5 Protection of Young Persons and Vulnerable Adults

Garda Vetting applies to adults, i.e. persons 18 years of age or older, who, as part of their respective programmes will have substantive, unsupervised access to children and/or vulnerable adults. Individuals who have lived outside of the island of Ireland for **two or more continuous years within the last five years** are not eligible for relevant programmes. This process must be managed in line with the the ETB's Garda Vetting policy and guidelines*.

Please note:

- No individual may work or train with children until a satisfactory outcome of the Garda Vetting process in accordance with these guidelines is obtained.
- No individual may work or train in an **unsupervised** capacity with other vulnerable adults until a satisfactory outcome of the Garda Vetting process in accordance with these guidelines is obtained.
- Continuation on relevant training programmes is subject to a satisfactory outcome in accordance with the ETB's Garda Vetting procedures.
- Responsibility for the process is at ETB management level.
- In developing policies and procedures in the area of child protection, regard must be had to the various legislative provisions and government publications concerning child protection.

In addition to the normal duty of care in the protection of children, both the Child Care Acts 1991 to 2003, and the Protection for Persons Reporting Child Abuse Act 1998 are important statutory provisions in this area.

*The Second Provider can obtain the ETB's Garda Vetting policy and guidelines from the ETB officer.

National guidelines, [Children First: National Guidance for the Protection and Welfare of Children](#), have been published to assist individuals and organisations to improve their own policies and procedures in relation to child protection. These guidelines are an outline of a framework in which Second Providers can develop their own policies and procedures. They are designed to assist Second Providers draw up procedures to provide for the protection of young people. There is both a legal and moral obligation on voluntary organisations to have in place and to observe both policies and procedures. It is the responsibility of Second Providers to draw up and implement clear and precise procedures to deal with each of the following areas:

- recruitment, interview and selection of staff.
- induction of staff.
- induction of learners.
- suspicions or allegations of child abuse.
- learner grievances and discipline.
- discrimination, sexual harassment and bullying.

EQUAL OPPORTUNITIES

8. EQUAL OPPORTUNITIES

In line with current government legislation, Second Providers must promote equal opportunities for all employees and learners in LTI programmes.

The purpose of this policy is to build on the statutory position in order to create a climate of awareness in which equal opportunity is developed and promoted in accordance with the spirit as well as the letter of the legislation.

Second Providers, Coordinators and Assistant Coordinators must ensure that the practice of equality of opportunity is applied throughout the programme.

The ETB is committed to equality and fairness in all aspects of the service it provides. The ETB and the Second Provider must ensure that both learners and staff have equal opportunity regardless of gender, marital status, family status, sexual orientation, religious belief, age, disability, race, and membership of the Traveller community.

Under the Employment Equality Acts 1998 to 2011, it is unlawful to discriminate either directly or indirectly in relation to the nine distinct grounds mentioned above.

FREEDOM OF INFORMATION

9. FREEDOM OF INFORMATION

Under the Freedom of Information Acts 1997 and 2003, members of the public have the right to access records held by the ETB. This right of access also covers information that the ETB receives from third parties.

The ETB undertakes to use its best endeavours to hold confidential any information provided to the ETB by third parties, subject to its obligations under the law, including the Freedom of Information Acts 1997 and 2003.

It is imperative that if a Second Provider wishes that information should not be disclosed because of its sensitivity, the information in question must be identified on the relevant record and a cover note added detailing the reason(s) for the sensitivity. The ETB will consult with the relevant Second Provider about this sensitive information before making a decision on any Freedom of Information request that concerns the record(s).

Second Providers also need to be aware of the provisions of Section 6(9) of the Freedom of Information Acts, which states that a record in the possession of a person (or organisation) who is or was providing a service for the public body under a contract for services must be regarded as being held by the public body.

Where organisations or persons provide services under contract to the ETB, their records, insofar as they relate to the provision of that service, may be accessible under the Freedom of Information Acts 1997 and 2003 as if they were the ETB's own records.

DATA PROTECTION ACTS 1988 AND 2003

10.1 Data Protection Principles

10. DATA PROTECTION ACTS 1988 AND 2003

The purpose of the Data Protection Acts 1988 and 2003 is to protect the privacy of individuals whose personal data is being processed. Processing data includes the obtaining, recording, storing, collecting, and retrieving of information or data. It relates to both automated data (computer held records) and manual data.

The Acts give individuals a right to obtain a copy of all personal data relating to them, which applies to both automated data and manual data in the possession of a data controller, by making a written “access request”.

Additionally, an individual has the right to block uses of personal data, that is, to prevent it from being used for certain purposes and to have any inaccurate information rectified or erased.

All ETB staff with access to sensitive data must receive mandatory data protection training.

10.1 Data Protection Principles

- Obtain and process information fairly.
- Keep data for one or more specified and lawful purposes only.
- Process data only in ways compatible with the purposes for which it was given initially.
- Keep data safe and secure.
- Keep data accurate and up-to-date.
- Ensure that data is adequate, relevant and not excessive.
- Retain data no longer than is necessary for the specified purpose or purposes.
- Give to any individual a copy of his or her personal data, on request.

For more detailed information on data protection, see www.dataprotection.ie.

MONITORING AND REVIEW

11.1 Financial Monitoring

11.2 Training Monitoring

11. MONITORING AND REVIEW

11.1 Financial Monitoring

Financial monitoring comprises a series of compliance checks relating to monies that have been disbursed by the ETB for the specific purpose of funding an LTI. The compliance checks are undertaken to ensure that all monies are being accounted for in an appropriate manner, that proper books of account are being maintained and that monies have been expended for the purposes intended. This process involves both desktop monitoring and onsite monitoring.

Desktop monitoring consists of a series of checks and controls that are applied in the review and approval of the monthly claims submitted by the LTI. Thorough desktop monitoring must be employed to ensure that potential issues are identified at an early stage and, if required, that remedial action can be instigated. A number of control checks are carried out to ensure the accuracy and eligibility of the submitted claim.

Onsite announced financial monitoring visits must be undertaken, as per agreed national norms, per programme year. The **LTI Financial Monitoring Programme Checklist (TQAS-8c-F14)*** must be used to undertake the visit. Financial monitoring documents must be completed for each visit and retained on file.

The outcome of the monitoring visit must be communicated in writing to the Second Provider management committee or authorised individual responsible for the LTI. The Second Provider must confirm in writing that any items highlighted for corrective action during the visit have been addressed. Confirmation from the Second Provider, together with the monitoring report, must be forwarded to the relevant ETB management for sign-off. Copies of all correspondence must be retained on file.

11.2 Training Monitoring

The ETB recognises that key elements of continuous improvement relate to monitoring and review of training programmes and related services in order to ensure that quality assurance standards are being maintained and that training programmes remain relevant and valid. In this context, an annual monitoring schedule is established for each LTI project.

Monitoring of training, as per agreed national norms, is carried out in line with **TQAS procedures (TQAS-8b-F15)***. The following aspects of training provision form the focus of the monitoring visit:

- administration.
- learners.
- external trainers.
- project personnel.

*available on the ETB's internal LTI web portal only.

- feedback.
- programme content.
- assessment.

The outcome of the monitoring visit must be communicated in writing to the Second Provider management committee or authorised individual responsible for the LTI. The Second Provider must confirm in writing that any items highlighted for corrective action during the visit have been addressed. Copies of all correspondence must be retained on file.

WORK EXPERIENCE

- 12.1 Selecting Companies for Work Experience or Work Practice**
- 12.2 Role of the Second Provider in Placement and Progression**

12. WORK EXPERIENCE

LTI learners may spend a period of time 'in company training'. This time period may vary, but four weeks is considered the norm. Work experience must be of sufficient duration and relevance in order to comply with the relevant FETAC module.

Coordinators must follow up on all learners to review progress.

This module should be included towards the end of the project, but, where appropriate, allow for a return phase to enable Coordinators to assist the learner in seeking employment.

12.1 Selecting Companies for Work Experience or Work Practice

When selecting companies for work experience, the Coordinator must ensure that:

- the company has the capacity to meet the identified needs of the learner.
- the commitment and occupational expertise to address the identified need exists in the company.
- the company has the capacity to designate a person to assume responsibility for the learner.
- a Health and Safety Statement is in place.
- the company informs their insurance underwriters.

12.2 Role of the Second Provider in Placement and Progression

Placement and progression are key criteria on which projects are assessed. The Second Provider must encourage the learner to secure employment with potential employers on completion of training.

The Coordinator must also facilitate and identify a suitable progression opportunity for the learner to obtain a place on an appropriate course in the ETB or further education and training opportunities.

Placement, progression, and certification targets will be set prior to the commencement of the project and reported on a monthly basis in the [LTI Statistical Returns Monthly Report Form \(TQAS-8c-F25\)](#). Evidence of achievement of these targets will form part of the required data for LTI application for the renewal of projects. All placements should be recorded by the Second Provider and notified to the ETB by the project Coordinator:

- at the end of the project.
- on an on-going basis up to eight months after project completion.

LTI PROJECT REVIEW

13. LTI PROJECT REVIEW

Second Providers must assist the ETB to review outcomes from training against contracted commitments regarding placement, progression, certification and expenditure.

To assist in self-monitoring of performance, an [LTI Statistical Returns Monthly Report Form \(TQAS-8c-F25\)](#) must be completed by each project and forwarded to the relevant ETB officer. This provides the basis for the on-going monitoring of the LTI's provision of training and related services. In turn, the [LTI Statistical Returns Verification Form \(TQAS-8c-F26\)](#) is signed off by the relevant ETB manager.

An annual LTI review must be performed by Second Providers and the ETB to ensure that the training provision continues to be relevant to employment opportunities, meets the needs of the learners and conforms to the training programme specification and/or module descriptor(s). See the [LTI Review Form \(TQAS-8c-F27\)](#).

END OF LTI PROJECT ADMINISTRATION

14. END OF LTI PROJECT ADMINISTRATION

When an individual project is complete, the Coordinator must ensure that all documents relating to the **Learner Completion/Late Notice Form (TQAS-8c-F18)** are completed and returned to the local ETB office.

INTELLECTUAL PROPERTY

15. INTELLECTUAL PROPERTY

Any intellectual property developed by a Second Provider in connection with the development of the training programme(s) or otherwise arising out of this **Agreement to Collaborate** must be the sole property of the ETB and must immediately vest in the ETB. The parties acknowledge and agree that no party (other than the ETB) must be entitled to exploit such intellectual property rights (IPR) without the prior written consent of the ETB.

The Second Provider further agrees that at the ETB's request (and cost) it must do all that may from time to time be required by the ETB to enable the ETB to establish and protect its right to the IPR.

LTI PROJECT CLOSURE

16. LTI PROJECT CLOSURE

LTIIs are primarily established by the ETB to address the identified training and education needs of disadvantaged learners. Should this demand diminish, or should the project no longer be performing effectively, then the Second Provider, in cooperation with the ETB, will implement a managed exit from the programme.

Any decision with regard to closure will be informed with reference to monitoring and review data obtained through on-going financial and training monitoring and the LTI review process.

On cessation of a project, the Second Provider and the ETB, in addition to addressing requirements outlined in section 14, must ensure that all capital items purchased for project use, as well as any other ETB assets in use on the project, revert to the ETB.

All learner records and ETB project records must be removed from site and archived by the ETB.

All ETB, NDP or EU signage other than agreed appropriate commemorative signage approved by the ETB must be removed from site.

The Second Provider must meet all its statutory and legislative responsibilities.

GLOSSARY OF ACRONYMS

CRO	Companies' Registration Office
DSP	Department of Social Protection
EFT	Electronic Funds Transfer
ESF	European Social Fund
ETB	Education and Training Board
HSA	Health and Safety Authority
ICT	Information and Communications Technology
ILP	Individual Learning Plan
IPR	Intellectual Property Rights
ITN	Identification of Training Needs
LTI	Local Training Initiative
NDP	National Development Plan
PAYE	Pay As You Earn (income tax)
PRSI	Pay Related Social Insurance
QA	Quality Assurance
QMS	Quality Management Systems
RFS	Registry of Friendly Societies
SOLAS	An tSeirbhís Oideachais Leanúnaigh agus Scileanna (The Further Education and Training Authority)
TACS	Trainee Apprentice Clocking System
TAPS	Trainee Apprentice Payroll System
TQAS	Transition Quality Assurance System
USC	Universal Social Charge

GLOSSARY OF DOCUMENTS

The following documents, which are mentioned in these guidelines, are available on the [TQAS portal](#).

Accident and Incident Report Form
Books of Account and Record-Keeping: Best Practice Guidelines
Policy on Learner Absence and Sickness
Policy on Learner Computer Resources and Internet Usage
Policy on Learner Code of Conduct Infringement Process
Guide to Completing the LTI Agreement
Matching Funds Declaration
Matching Funds Registration Form
Procurement Thresholds for LTIs
Reporting Procedures for Injuries
Sexual Harassment, Harassment and Anti-Bullying Policy
Unacceptable Occupations for Work Experience and Sports



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