

Skills Funding Agency Provider Guidance

Employability Skills Programme (ESP) for Jobcentre Plus Customers

Guidance for delivery in the period August 2010 to end March 2011

1 Introduction

- 1.1 This guidance document provides information to Agency-contracted providers of the Employability Skills Programme (ESP) that is delivered in partnership with Jobcentre Plus. It covers arrangements for the delivery of provision for Jobcentre Plus customers who start on the Programme from August 2010 to end March 2011. It covers the provider role in relation to Agency and Jobcentre Plus requirements and partnership working. It should be read in conjunction with and as complementary to the ESP Contract Schedules and Delivery Requirement for the same period..
- 1.2 Providers should note that they cannot claim funding for the provision of services and outcomes for the same customers under both this contract and any other Agency contract (such as that for the provision of Response to Redundancy activities) or any contract with Jobcentre Plus to provide pre-employment training.
- 1.3 Skills Funding Agency and Jobcentre Plus Common Service Standards for partnership delivery in respect of ESP are attached at Appendix 1.

2 Aims of the Programme

- 2.1 The Employability Skills Programme offers Jobcentre Plus customers a programme that recognises their different backgrounds, needs and goals and helps them to:
- Enhance their employability skills
 - Improve their literacy, language and numeracy skills
 - Secure and sustain employment
 - Continue their learning journey with support once they gain employment.
- 2.2 The Programme will enable customers to work towards nationally approved basic skills and employability qualifications through:
- Activities that will enhance their employability skills
 - Opportunities to update their knowledge and understanding of the local labour market
 - Opportunities to update their job search skills, to participate in guaranteed interview and to spend trial weeks with local employers
 - Personalised literacy, language and numeracy programmes embedded within the delivery of the employability curriculum.
 - Progress reviews every 3 weeks.

3 Learner Eligibility

- 3.1 All Jobcentre Plus customers claiming benefit or credits who are aged 18 or over and have a literacy, language or numeracy need at Level 1 or below are eligible for the Programme.
- 3.2 Customers are eligible whether or not they are in receipt of benefit or credits or whether they are in receipt of contributory, New Deal Training Allowance or other income related benefits.
- 3.3 Jobcentre Plus customers who are part of a joint claim (partners in a joint claim who are also required to satisfy JSA requirements in respect of availability for work) are also eligible to be considered for the programme.
- 3.4 For customers eligible for mandatory New Deal provision at the time of the review interview with Jobcentre Plus, this will always take precedence over the Employability Skills Programme where the customer is eligible to be referred to both programmes for the first time¹. In the same way, Pathways to Work will always be the first programme to which Incapacity Benefit customers will always be referred before the Employability Skills Programme will be considered, where appropriate.

4. Customer referral

- 4.1 JCP Advisers identify customers eligible for referral to an initial assessment with a contracted provider on the basis of light touch or more formal screening for basic skills needs. Jobcentre Plus will contact providers to arrange an interview for the customer and will send the completed referral form **REF2JP**. The Jobcentre Plus adviser completes **Part 1** of a **REF2JP** as well as some of **Part 2** – providing as much information as possible, including whether or not a Training Allowance is available by completing the ‘**Programme type**’ at **Part 2** with one of the following options:
- Employability Skills – TA available
 - Employability Skills – TA not available.
- 4.2 Advisers may issue a jobseekers direction when making a referral to the initial provider interview, where it is considered necessary, to encourage attendance. Referrals will not be made on the basis of a specific level of skill or provision or with the recommendation of a particular offer.
- 4.3 Successful providers must work closely with local JCP contacts and will need to put in place a strategy with local JCP Third Party Provision Managers to raise awareness of this provision with Advisers, clarify eligibility criteria for referral purposes, and ensure that referrals are made. With the agreement of Jobcentre Plus, providers may be able to set up a regular arrangement to access customers who are attending for or taking

¹ Where customers have already attended New Deal or Employability Skills Programme provision at least once and are eligible for referral again, Jobcentre Plus Advisers will use their discretion in referring to the most appropriate, in some cases other, provision. In some cases this may involve a discussion with the previous Employability Skills Programme provider to check on the appropriateness of further programme provision.

part in benefit review interviews. Providers must supply the name, telephone number and office address of a working contact to Jobcentre Plus. Your AGENCY Account Manager will give you the name of the local working contact within Jobcentre Plus.

- 4.4 Providers can also generate their own referrals to the Programme, subject to funding availability. This could be from their contacts with the customer group, in particular those taking part in provision funded via other-funded contracts within their own organisations, or through arrangements with other providers. In all such cases, customers must still be directed to Jobcentre Plus to see an Adviser for consideration of referral to the Programme.

5. Customer suitability

- 5.1 It is the responsibility of the contracted provider to determine customer suitability for the Programme. ESP must be the most suitable Programme to meet the skill needs of the customer, taking account of alternative provision that is available to the unemployed that can offer basic *and* vocational skills delivery, such as the Training offer for those Unemployed for 6 Months and Work Focused Training for those aged 18 to 24 in Flexible New Deal Phase 1 Districts.
- 5.2 We expect providers to recognise and work with referred customers with multiple issues and complex personal circumstances (for example homelessness, recurrent illness, a recovery programme) in order to help them move into a more positive period in which learning new skills and working towards a job outcome are key features. Some learners may already be in receipt of regular support around which a learning programme will need to be accommodated.
- 5.3 Providers will therefore need to be aware of the range of provision that is on offer for this customer group, in particular that designed for people with specific health issues such as addiction, including any funded by JCP and other organisations, including the voluntary sector. This will help to identify whether, on an individual learner basis, more appropriate provision is available for onward referral purposes. Information about the range of provision available locally could be shared at the regular meetings between providers, Jobcentre Plus and the Agency.
- 5.4 The programme is not suitable for customers with no or very poor English language skills (ability level below Entry Level 1). Such customers may not be able to benefit from the employability elements of the programmes until these needs have been addressed. Others will have a high level of other skills and no obvious employability needs once their language needs have been addressed. Providers must refer such customers to other funded, nationally approved, ESOL Skills for Life provision that is available in their organisation or by arrangement with a nearby provider.²

² These learners will not be on the Employability Skills Programme at this stage and will only be able to undertake part-time provision as a Training Allowance will not be available to them.

- 5.5 Learners referred to other-funded ESOL Skills for Life provision should be given the opportunity to progress to Employability Skills Programme provision where this is still considered appropriate, and subject to the availability of funding. Providers should make arrangements internally or with the alternative provider to ensure that customers who achieve an Entry Level 1 ESOL Skills for Life qualification, for example, are referred back to Jobcentre Plus, if appropriate, so that they can be considered for re-referral to this Programme, alongside other available options.
- 5.6 Where providers onward-refer customers to other, more appropriate, provision (including ESOL) they should return the REF2 JCP giving the reason for customer unsuitability, and the provision to which referred.
- 5.7 In all cases where customers in receipt of JSA are referred to other more suitable provision, the customer must be advised that they must attend the alternative provision for 16 hours or less a week and must continue to attend their Jobcentre to maintain their benefit claim.

6. Learner assessment

- 6.1 Providers will be expected to assess potential learner ability and needs through the use of the appropriate initial assessment and training needs analysis tools³. The Agency expects providers to manage appropriate learner assessment in the same way as for most other learning provision, through existing pre-course guidance, enrolment and on-course induction processes, and to incorporate diagnostic assessment into longer learning programmes leading to qualifications.
- 6.2 Improvement within the *Skills for Life* Strategy is defined by and measured as a learner moving up a level of attainment from, for example, Entry 3 to Level 1. The learning aim(s) should therefore be at the appropriate level to ensure that all learners move up at least one level of attainment. For example, a learner assessed as having literacy skills at Entry level 3 should be enrolled onto a Level 1 programme.
- 6.3 All customers must have their numeracy as well as literacy/ language needs assessed. This is to ensure that the customer's greatest skills needs, and/or those that will secure the most progress in the labour market, are addressed.
- 6.4 If a provider undertakes a learner initial assessment of basic skills needs or completes a training needs analysis⁴ but the learner does not enrol onto or

³ A training needs analysis is an integral part of the initial assessment process, which should be applied to each learner on their entry to the programme. It should include an assessment of the learner's past experience, prior attainments and current skills and should identify the gaps in the learner's knowledge, skills and experience with reference to the learning aim to be undertaken and which therefore need to be addressed in order for the learner to complete their qualification.

⁴ Evidence of a one-to-one IAG session or Training Needs Analysis that comprises any or all of the following will be required for audit purposes: identification of appropriate learning (including for Skills for Life needs); the benefits of learning; advice on any issues or concerns e.g. course expectations, study skills etc; next steps and advice on available on-going support,

take part in Programme provision, the provider can claim a £50 flat rate non-starter payment (see Appendix 3 paragraph 7.1 – 7.2). This also applies where referred customers are assessed but referred to more appropriate alternative provision.

7 Programme design and duration

- 7.1 All learners with a start date on or after 2 August 2010 should be enrolled onto a maximum of 2 learning aims per participant, at least one of which must be basic skills, with priority given to:
- Numeracy at Entry Level; and
 - Literacy at Entry Level and Level 1.
- 7.2 An employability qualification learning aim can only be supported where only one basic skills learning aim is being delivered.
- 7.3 Participants must undertake a programme that includes at least one basic skills learning aim leading to an approved qualification at the appropriate level from Entry Level 1 to Level 2.⁵ The inclusion of a second learning aim can be at any time during the learning programme with the timing and rationale included on the Individual Learning Plan (ILP). Learners will have spiky profiles and so needs may be at different levels for different subjects, for example, Entry Level 3 literacy and Entry Level 1 numeracy. Where a participant is undertaking 2 basic skills learning aims an employability learning aim is precluded.
- 7.4 In line with NRDC research evidence on delivery that achieves the best results, we would expect providers to offer basic skills through embedded delivery within an employability curriculum. This applies to all Programme provision regardless of whether the learner is undertaking an employability qualification. All basic skills provision for learners at all levels of ability, should be delivered in the context of job-search, interview, presentation, time-management and the generic skills, attitudes and behaviours that employers want to see in new recruits.
- 7.3 A number of Awarding Bodies now offer a range of employability awards leading to qualifications at Entry level 2 to Level 2. The Agency does not recommend that providers use a specific Awarding Body qualification. However, a list of qualifications that are flagged for ESP funding on the Agency's Learning Aims Database (LAD) is available in Appendix 3 at paragraph 6.1. The AGENCY is not able to fund units of a qualification, only the delivery and achievement of a full qualification.
- 7.4 Providers who use the ASDAN employability award should be aware that, for the purpose of delivering the Employability Skills Programme, Unit 5, Applying for a Job, is mandatory.

⁵ Learners with a basic skills need at Level 2 are eligible for full-time provision supported by a Jobcentre Plus Training Allowance only where they are undertaking one other **basic skills** qualification at Level 1 or Entry 3.

Work experience/placements

- 7.5 All learners, wherever possible, but in particular those who are enrolled onto an employability qualification, should have experience of a real workplace as part of their learning programme. Full-time learners undertaking at least 20 hours a week and in receipt of a Training Allowance can take part in full-time work experience/job placements of more than 16 hours a week, for an unlimited number of weeks. Part-time learners can undertake part-time work experience/ job placements (16 hours a week or less) for an unrestricted number of weeks.
- 7.6 For those who are enrolled onto an employability qualification, work experience is the ideal way to collect evidence for portfolio assessment. Work experience can take a variety of forms and take place at any time during the learning programme as a one-off experience or a regular activity, as follows:
- (a) a few hours/ half day/ 1 day a week with an employer;
 - (b) taster sessions of a few hours with a range of different employers;
 - (c) block placements of 1 or more weeks with an employer, which may also be a job trial.
- 7.7 The above list is not exhaustive. Details of all such arrangements and outcomes should be reviewed as part of the regular progress reviews every 3 weeks and recorded on the ILP.
- 7.8 Time spent on work experience is not included in the glh for the Programme but a block of activity of 1 week or more will need to be taken into account when calculating the duration of a programme for a full time learner who will be in receipt of a Training Allowance.

Full and part-time considerations

- 7.9 For the purposes of the Employability Skills Programme, full-time learning is defined as **at least 20 hours** a week and part-time learning is defined as 16 hours or less a week. Full-time learners in receipt of JSA undertaking a Programme of at least 20 hours a week will be eligible for a Training Allowance⁶ for up to a maximum of 15 weeks (but see paragraphs 8.7 to 8.11) and help with travel and childcare costs, as appropriate. Part-time learners are not eligible for a Training Allowance and remain on benefit but can get help with travel expenses (see paragraph 10.2).
- 7.10 Providers should note that New Deal for Lone Parent and New Deal for Partner participants in the programme can attend for 16 hours or less and receive a New Deal training premium and associated travel and child care

⁶ Eligible JCP customers undertaking full-time training of more than 16 hours a week can normally receive a Training Allowance if their primary benefit is JSA or if they are an NDLP/NDP participant but, for the purposes of this Programme, no learner can be enrolled onto a Programme of 17, 18 or 19 hours a week

costs whilst attending irrespective of how many hours they attend. Jobcentre Plus will advise where appropriate.

7.11 The provider and learner must together agree whether full-time or part-time provision is the most appropriate to meet learner needs and circumstances. The Agency would like as many learners as possible to undertake an intensive full-time learning programme in order to progress more quickly and also to benefit from a Training Allowance and the associated help with travel and childcare costs. The assumption should be that all learners will be full-time unless their circumstances prevent this. Some learners will not be able to undertake full-time provision immediately or might need to progressively build up the number of learning hours to 20 or more hours a week. Similarly, some learners who start a learning programme of at least 20 hours a week may not be able to sustain this, or might progress to a stage where the number of learning hours might be reduced to 16 hours or less a week.⁷

Course length

7.12 Programme course length for every learner will depend on how long the provider judges it will take the learner to achieve the learning aims onto which they are enrolled, any block of work experience, and the number of hours a week that the learner can attend. For full-time learners in receipt of a Training Allowance this can be up to 15 weeks initially⁸, but there are circumstances in which this could be extended (see paragraphs 8.7 to 8.11 below). Records suggest that the average length of a programme is 13 weeks.

7.13 All learning aims should be taken into account as in the following examples:

- Learner A: Entry Level 1 numeracy = 120 glh; Entry level 1 employability = 90 hours⁹; total 210 glh
- Learner B: Level 1 literacy = 130 glh; Entry Level 3 numeracy = 150 hours; total = 280 glh
- Learner C: Level 1 Literacy = 120 hours; Level 1 employability = 100 hours; total = 220 hours

7.14 Course length in weeks is calculated by dividing the total number of programme hours by the number of hours a week that the learner has agreed to undertake (16 or less for part-time or 20 hours or more for full-time) and adding on any block period of work experience that will need to be taken into account for Training Allowance purposes. Thus a programme of 250 hours provision where the learner is full-time for 25 hours a week would be 10 weeks in length, plus any full weeks of work experience.

⁷ Where a learner's programme changes from full to part-time they will no longer be able to claim a Training Allowance and associated expenses (Unless a New Deal for Lone Parent/New Deal for Partners participant). JCP must be notified of any change that will impact on a learner's Training Allowance by returning the SL2.

⁸ The Department for Work and Pensions (DWP) has approved the offer of a maximum number of 15 weeks on a Training Allowance for the majority of full-time ESP participants.

⁹ The rate for any award, although listed will be based on a notional glh and the awarding body will recommend the notional number of hours it should take to achieve the award. In the case of the ASDAN employability award, for example, this is 80 hours.

7.15 The duration of the learning programme should include any period when the provider organisation is closed in order to safeguard a Learner's Training Allowance, where appropriate. Providers should also take account of the potential for learner progression to higher level learning aims in any subject when establishing and agreeing programme duration with a learner.

8. Learners in receipt of a Training Allowance

8.1 For full-time learners and for those on the New Deal for Lone Parent and New Deal for Partners programme, customers must attend the Jobcentre for a Pre-entry interview (PEI) before starting provision. Following the PEI Jobcentre Plus will send an **SL2JP** to the provider which should be completed and returned within 48 hours of the customer starting the course to enable Jobcentre Plus to make accurate payment of Training Allowances for learners undertaking more than 16glh per week if they are in receipt of JSA.

8.2 For customers participating on the New Deal for Lone Parents or the New Deal for Partners programme a New Deal Premium can be paid for less hours of attendance per week. The provider must confirm the actual dates the Jobcentre Plus customer starts the course. Likewise at the end of provision, the last day of attendance must be added to the SL2JP form which must then be returned to Jobcentre Plus within 48 hours.

8.3 Unauthorised absence is defined as any period the participant fails to attend their provision and cannot provide a reason that enables you to authorise their absence. Periods of sickness and holidays taken abroad are treated as unauthorised absence. Customers undertaking full time training of more than 20 hours per week who have more than **10 consecutive working days** unauthorised absence from training must have their Training Allowance stopped by returning the SL2 stating the last date of attendance.

8.4 Where a participant has not attended or made contact for **5 consecutive working days**, the SL2 must be returned with the end date as the last day of attendance.

8.5 Participants in receipt of a Training Allowance should be assumed to have left their training after **10 non-consecutive working days** of unauthorised absence. You should take termination action on the 11th working day of absence. The 10th working day of absence should be entered on the leaver notification (SL2JP) as the last day of the training. Entitlement to the Training Allowance will stop from the day after the last day of training, so it is imperative that the SL2JP is sent to Jobcentre Plus immediately.

Extension of a Training Allowance period

8.7 Where a provider feels that a learner would benefit from extended participation in the Programme, beyond the course length originally agreed, the Jobcentre Plus District contact should be contacted in the first instance to discuss the possible extension and whether any continued participation

can be supported by a Training Allowance.

- 8.8 Providers are advised that an extension request to exceed the normal 15 weeks maximum by **up to 5 weeks** would be appropriate in the following circumstances:
- Where the learner would be ready for a national test/assessment for one or more learning aim in the period and would be likely to achieve; and/or
 - Where the learner is applying for jobs and would benefit from more specific employability skill support to achieve the right job outcome.
- 8.9 We recommend that in all cases where a provider wishes to seek an extension to an agreed Training Allowance period with Jobcentre Plus that this should be sought through the Jobcentre Plus District contact no later than the 12-week review of progress for the individual learner, in order to secure both the agreement of the learner and to allow time for the Training Allowance change to be set up.
- 8.10 Where Jobcentre Plus confirms that a continued Training Allowance is available, providers complete form AP3 and return to Jobcentre Plus. When the extended period of participation comes to an end, providers complete and return the SL2.
- 8.11 Where no additional Training Allowance is available, providers must complete form SL2 with the last date of attendance to enable Jobcentre Plus to end the allowance. Customers in receipt of Jobseekers Allowance may then continue with training but on a part-time basis i.e. for 16 hours or less per week.

9 Customer re-referral or repeat participation in the Programme

- 9.1 There is no automatic entitlement to a second period on the Programme, but learners can be referred for a second time in the following circumstances:
- Where there has been a short break of up to 28 calendar days customers should be able to resume training for the balance of any remaining Training Allowance period ; and
 - Where there has been a break of more than 28 calendar days re-referral should be at JCP Adviser discretion. Advisers may wish to ask a provider to confirm that the learner was making good progress towards achieving qualification and employability goals before the break, in order to consider the best option for the customer at that point.
- 9.2 In exceptional circumstances, learners may also be able to continue in learning for a second period where, at the end of a full-time period of 15 weeks supported by a Training Allowance, the learner has not achieved a learning aim or acquired a job, but the provider can confirm that both learning aim and job outcomes are likely for the learner following a further 15 weeks of full-time provision. The maximum period for an in-learning extension such as this would be 15 weeks. Providers should discuss this with their Jobcentre Plus District contact and where an extension is agreed

follow the AP3 procedure in order to set up the extension to the Training Allowance.

- 9.3 There **is not** any expectation of an automatic full-time extension: our expectation would be that many learners would continue on a part-time basis. In addition, providers are encouraged to suggest that some learners would not achieve programme outcomes and should be referred to other more suitable support/provision at the end of the originally agreed learning programme, and that could be before a learner has undertaken 15 weeks of learning supported by a Training Allowance.

10. Travel and Childcare costs

- 10.1 Jobcentre Plus will arrange to reimburse reasonable travel (after the first £4 per week) and childcare costs to customers on a Training Allowance, where appropriate. In some regions, providers may have arranged to pay expenses directly to the customer and then claim the expenses back from Jobcentre Plus. Local arrangements will therefore apply.
- 10.2 Providers can reimburse the travel expenses of any part-time programme participant who is not in receipt of a Training Allowance, without this affecting any benefit payment. However, these reimbursed expenses cannot then be refunded to the provider by Jobcentre Plus as there is no audit mechanism in place at the moment.

11. Additional Support needs identified

- 11.1 Additional Support will only be paid by Jobcentre Plus in exceptional cases to customers receiving a Training Allowance. Additional Support is defined as any support that allows a participant who needs extra help to enable them to fully participate on training and is limited to assistance with disability and /or adaptations.
- 11.2 If additional support is needed, you should first consider if you are able to accommodate the need within your provider responsibilities under the Disability Discrimination Act. Failing that Jobcentre Plus may be able to help through an initiative such as Access to Work or it may be more appropriate for the customer to undertake specialised training with you or another provider.
- 11.3 If the customer needs some adaptation or other assistance in order to fully participate in the training, you must explore all alternative options and discuss the situation with Jobcentre Plus **before** committing any expenditure.
- 11.4 In exceptional cases Jobcentre Plus may agree to reimburse you the cost of the agreed Additional Support. To claim the cost, please complete forms **LSC5 and AS2**. These forms will be supplied by your Jobcentre Plus contact.

12. Holiday closures

- 12.1 Providers do not need to notify Jobcentre Plus of short holiday periods (no more than 2 weeks) when premises will be closed. If the closure is two weeks or less the customer can continue to receive a Training Allowance and return to training after the holiday. However, if the closure is for more than two weeks, the customer's Training Allowance must cease and they will need to re-claim benefit. Therefore please notify customers and Jobcentre Plus in advance if you are planning a break in the training course of more than two weeks. However, note at paragraph 9.1 that customers can be re-referred for the balance of time if the break in the Programme is for 28 days or less.

13 Evidence of employment

- 13.1 Auditable evidence of employment for the payment of a job outcome bonus must be provided on the standard pro-forma provided at **Appendix 2**. Both the former learner/employee and the employer need to sign the appropriate declaration. A business stamp in the space provided is desirable but not obligatory.
- 13.2 For evidence of self-employment, audit requires third party evidence of the company provided by one or more of the following examples (not an exhaustive list): Business Link documentation (if a grant had been applied for); Inland Revenue documentation; Business bank account details or Vat Registration.

14 Funding and payment

- 14.1 Learners with a start date on or after 1 August 2010, can only be enrolled onto and start ESP provision where:
- all training activity will be completed by 31 March 2011;
 - learner volumes are within the parameters agreed with the provider Account Manager;
 - Activity to be funded will not exceed the provider Maximum Contract Value.
- 14.2 Programme funding is on the same basis as the Employer Responsive model whereby 75% of funding is paid for delivery of a learning aim and 25% for achievement of a qualification. Funding rates for 2010/11 reflect the reduction in the Programme Weighting Factor (PWF) from 1.4 to 1.2¹⁰ for all basic skills learning aims with the exception of Entry Level numeracy. However, as one of the Programmes for the Unemployed suite, the Programme was exempt from the reduction in the standard base rate for

¹⁰ This was published in the Skills Investment Strategy, November 2009. The impact of changes to the basic skills rates on the Employability Skills programme was published in Guidance Note 3 in March 2010.

basic skills learning aims announced at the same time., Funding rates for learners with a start date of 2 August or after are therefore as follows:

Subject(s)	Listed rate (£)
Literacy & Language	671.87
Entry level numeracy	783.85
Levels 1 & 2 numeracy	671.87
Employability	774.57
Job outcome	£120
Non-starter payment	£50

14.3 Payment for learning aim delivery is made monthly on actual delivery based on submissions made on the *information authority's* Individualised Learner Record (ILR). Timely and accurate submission of ILR data is crucial. Full details of Monthly ILR data submissions in respect of this programme can be found in Appendix 3 to this Guidance and via the *information authority* website:

<http://www.theia.org.uk/ilr/>

14.4 Payment for job outcome achievements and non-starters on the programme who have undertaken a basic skills initial assessment should continue to be claimed via a Training Provider Statement (TPS). Full details and a hyperlink to the latest edition of the claim form can be found in Section 7 of Appendix 3 to this Guidance.

15 Appendices

- Appendix 1 - Agency/ Jobcentre Plus common service standards
- Appendix 2 - Evidence of employment declaration
- Appendix 3 - AGENCY Monthly ILR and TPS Returns for the Employability Skills Programme