

# Adult Learning Grant Provider Guidance 2010/11

## Learner Support Programme

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Version 4

► **For guidance**

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# Introduction

**This document has been updated for the 2010/11 academic year (30 August 2010 to 28 August 2011). Do not use this document after the end of August 2011. The guidance within this document is subject to change. Please check the website to make sure that you are using the correct version.**

This guidance sets out the policies and procedures for the Adult Learning Grant (ALG) scheme for 2010/11. It is aimed at key stakeholders involved in the delivery of ALG, including Colleges and training organisations, providing information, advice and guidance (IAG) to individuals, the Learner Support Service (LSS) for the scheme, and colleagues in the Young People's Learning Agency (YPLA), Skills Funding Agency and local authorities.

Stakeholders should also refer to the separate Learner Assessment and Payment System (LAPS) operational manual and associated resources. LAPS is the online system through which Colleges and training organisations will need to enrol and report attendance for learners.

There are also two telephone helplines to provide support to Providers and stakeholders, and adults looking for financial support. These are:

- Learner Support Service Provider helpline: **0845 600 7979**
- Learner Support Service learner helpline: **0800 121 8989**.

# Background and overview

**The YPLA took over some of the duties from the Learning and Skills Council (LSC) on 1 April 2010. This new agency will continue to support and administer all the existing Learner Support schemes: Education Maintenance Allowance (EMA), Care to Learn, ALG, Dance and Drama Awards and Residential Support Scheme. The age criteria for each scheme remain unchanged, and will not be restricted to young people (i.e. those 18 or under).**

ALG is a strand of the Learner Support programme managed by the Young People's Learning Division within the YPLA. The Learner Support programme provides, via a mixture of grants, loans and discretionary funding, support to help overcome the financial barriers to learning that impact on participation.

ALG is intended to help low-income adults studying for their first full Level 2 or first full Level 3 qualification with the cost of learning. The grant pays up to £30 per week (subject to financial assessment).

ALG plays an important role in reducing the number of adults who lack a Level 2 qualification, and in increasing the number with qualifications at Level 3. Evidence from evaluation of ALG shows that the scheme has a positive impact on adult participation, retention, achievement and progression. Links to the evaluation reports can be found in 'Sources of further information' on page 22.

# Summary of changes

The key changes for the 2010/11 academic year are as follows:

<b>Change</b>	<b>Brief Description</b>
ALG scheme residency criteria	In 2009/10 the residency criteria for ALG were based on being resident in the UK for three years prior to the start of the learner's programme of study. For 2010/11 this will be changed to requiring residency in England for three years prior to the start of the learner's study programme.
Photocopied evidence for income is now accepted as part of the application process	In 2009/10 learners were required to supply original documents to confirm their income evidence. From 2010/11 applicants will be allowed to supply photocopies of their income evidence.
Deciding on payments	We have included advice for Colleges and training organisations on the management of payment decisions in the LAPS system.

# Eligibility criteria

## Key eligibility criteria: an overview

- Learners must be aged 19 or over.
- Learners must be studying for their first full Level 2 or first full Level 3 qualification, listed as such on the Learning Aims Database (LAD).
- Learners must be on a full-time learning programme. This means at least 450 guided learning hours during the 2010/11 academic year.
- Learners must be studying at a College or training organisation in England that is funded by the Skills Funding Agency (that funding must be provided via the Adult Learner Responsive funding model) or, in the case of School Sixth form or learners with learning difficulties or disabilities (LLDD) provision, funded by the YPLA.
- The learner's course of study must start or continue between 30 August 2010 and 28 August 2011.
- Learners must be earning £19,513 or less (based on their income for the 2009–10 tax year) if they are single, or £30,810 or less if they are married or live with someone as if they are married.
- Learners must meet the scheme residency criteria: they must be 'settled' in England and have been ordinarily resident in England for at least the three years prior to the start of their learning programme ('settled' means having either indefinite leave to enter or remain (ILE/R) or having the right of abode in the UK). For further details of scheme residency requirements, see page 11.
- Learners who are in receipt of Income Support or out-of-work benefits such as Jobseeker's Allowance (JSA), Employment and Support Allowance (ESA) or Incapacity Benefit are not eligible for ALG.
- Learners who are following an Apprenticeship Framework (which includes Programme-Led Apprenticeships (PLA)) or learners who are supported through Train to Gain are not eligible for ALG.
- Learners who are studying for Level 1 qualifications or any level above Level 3 are not eligible for ALG.

## Age

To be eligible for ALG, learners must be aged 19 or over. A learner aged under 19 can apply for ALG one month prior to their 19th birthday but payments will not start until the learner turns 19.

A learner must be of 'working age' in order to be eligible for ALG. The Department for Work and Pensions (DWP) defines 'working age' as up to 65 for both men and women. However, we acknowledge that more people are increasingly working for longer and we will review on a case-by-case basis those applicants who fall outside this age group.

## **Eligible learning**

### **Guided learning hours**

To be eligible for ALG, individuals must be in full-time learning. ALG is intended to help learners gain the qualifications they need to improve their employability and skills; learning on a full-time basis is likely to accelerate achievement of their qualification and get them to where they want to be more quickly.

Full-time learning is defined as 450 guided learning hours in an academic year. Any pattern of hours is acceptable, as long as the 450 guided learning hours minimum for the year is met.

Guided learning is defined as all times when a member of staff is present to give specific guidance towards the qualification or module being studied on a programme. This includes lectures, tutorials and supervised study.

### **Courses and qualifications**

- A learner must be enrolled on their first full Level 2 or first full Level 3 qualification. Learners who are already part-way through a course are eligible for ALG, provided they meet the scheme's eligibility criteria.
- The course the learner enrolls on must be listed as 'full' on the Learning Aims Database (LAD). Courses on the LAD can be checked at the following website: <http://providers.lsc.gov.uk/lad>
- The learner must be on a full-time learning programme that requires the learner to complete at least 450 guided learning hours over the 2010/11 academic year.
- Learners must be studying at a College or training organisation in England that is funded by the Skills Funding Agency (that funding must be provided via the Adult Learner Responsive funding model) or, in the case of School Sixth form or LLDD provision, funded by the YPLA.
- The learner's course must start or continue between 30 August 2010 and 28 August 2011.
- ALG is not payable for learners studying below level 2 and above level 3.
- Further qualification checks can be made on the Department for Education and Department for Business, Innovation and Skills websites at [education.gov.uk](http://education.gov.uk) and [bis.gov.uk](http://bis.gov.uk)

### **Qualification levels**

The following table is a guide to how different qualifications fall into the various qualification levels. Please note: this list is not comprehensive because of the wide range of qualifications currently available and does not necessarily indicate that all qualifications listed are 'full' (see note on page 9). If there is any doubt, the LAD must be consulted.

<b>Academic qualifications equivalent</b>	<b>Vocational qualification equivalent</b>
<b>Level 1</b>	
GCSE/O-levels (at grades D-G) (or fewer than 5 at grades A-C)	BEC Diploma
CSE below grade 1	BEC General Certificate
1 AS-level	BTEC first Certificate
	City & Guilds Operative Awards
	CPVE Year 1 (Technician)
	GNVQ Foundation
	LCCI Elementary/First Level
	NVQ Level 1
	PEI Elementary/First Level
	RSA Elementary/First Level
	RSA Vocational Certificate
<b>Level 2</b>	
5 or more GCSE O-levels (at grades A-C)	BEC General Certificate with credit
CSE grade 1	BEC Diploma with credit
1 A-level	City & Guilds Higher Operative/Craft
2 or more AS-levels	GNVQ Intermediate
	LCCI Certificate (Second Level)
	NVQ Level 2
	PEI Stage 2
	Pitman Intermediate Level 2
	Diploma Certificate
	RSA Diploma
	BTEC First Diploma
<b>Level 3</b>	
2 or more A-levels (at grades A-E)	AVCE, VCE or vocational A-level Double/Single Awards
	BEC National ONC/OND
	BTEC National Certificate/National Diploma (ONC/OND)
	Access to Higher Education courses
	GNVQ Advanced
	LCCI Diploma (Third level)
	NVQ Level 3
	Pitman Level 3 Advanced Higher Certificate
	RSA Stage 3 Advanced Diploma
	TEC Certificate/Diploma
	ESOL and Foreign Languages Advanced Awards
	City & Guilds Advanced Craft
	* BTEC National Award
<b>Level 4</b>	
Teaching Qualification (including	BEC National HNC/HND

PGCE)	
First degree	BTEC National HNC/HND
	Higher Education Certificate
	Higher Education Diploma
	LCCI Advanced Level
	NVQ Level 4
	Nursing (SRN)
	RSA Advanced Certificate
	RSA Higher Diploma
<b>Level 5</b>	
Higher degree	Continuing Education Diploma
	NVQ Level 5
	Other high-level professional qualifications

**\* A BTEC National Award is classed as a Level 3 qualification, but not a full Level 3 qualification. Therefore if this is a learner's highest level of qualification they will be eligible to study a full Level 3 course, provided they meet the rest of the scheme criteria.**

ALG applicants are required to self-declare their highest level of qualification on the ALG application form. In order to ensure that the ALG applicants state their prior qualifications fully and truthfully, we:

- publish legal declarations on the ALG application form to ensure learner integrity when disclosing information;
- ensure that auditors examine application forms and publicity materials prior to use; and
- ensure that auditors perform an audit sample check of ALG, including Individual Learner Record (ILR) data related to ALG.

For detailed information on audit procedures for ALG, see Annex 4.

Colleges and training organisations are responsible for confirming that the course the learner intends to complete is eligible for ALG.

Prior to enrolling the learner on LAPS, the College or training organisation must:

- assess and confirm that the learner is enrolled on a course, or courses, that will lead to the achievement of a full Level 2 or full Level 3 qualification as defined on the LAD, and that it is the learner's first full level, to their knowledge; and
- confirm that the learner is studying full-time on a learning programme that requires the learner to complete at least 450 guided learning hours over the 2010/11 academic year.

Colleges and training organisations must not enrol learners who are on an Apprenticeship (including Programme Led Apprenticeships) or Train to Gain, as they are not eligible for ALG.

Following learner enrolment on LAPS, Colleges and training organisations are also requested to complete field L34 (Learner support reason) on the ILR. Code 24 identifies learners in receipt of ALG.

### **Length of entitlement**

ALG is normally payable for a maximum of two academic years. ALG can be extended for one further year, with extensions assessed on a case-by-case basis. Requests to extend ALG beyond three years – for example, for learners who have a disability – will also be considered on a case-by-case basis. No extension can be guaranteed and Colleges and training organisations should ensure that individuals are made aware of this.

Learners can contact the LSS for further advice on **0800 121 8989**.

### **Part-qualified learners**

We recognise that a significant number of learners applying for ALG are already part-qualified within a level. For example, a learner may have obtained some Level 2 qualifications but not achieved the full Level 2 standard. Under these circumstances the learner will be eligible to apply for support to achieve the full qualification.

### **Learners on courses spanning academic years**

Where learners are following courses that run across two academic years – that is, courses that commence in 2010/11 and continue into 2011/12 – the College and training organisation should contact the LSS to notify them of this and seek further advice on **0845 600 7979**.

### **Learners with overseas qualifications**

Learners with overseas qualifications should enclose a UK National Recognition Information Centre (NARIC) certificate with their application for ALG. It is important to note that the LSS will not be able to assess any applications supplied without this. Colleges and training organisations are encouraged to assist the learners in obtaining a UK NARIC certificate, where necessary. Further information on UK NARIC can be found at [naric.org.uk](http://naric.org.uk)

### **Apprenticeships and Train to Gain**

The Skills Funding Agency Funding Requirements states that learners following programmes funded via the Employer Responsive funding model 'shall not be required to contribute financially to the direct cost of learning' via this route. This means that learners should not require any further financial help with the costs of learning, such as that provided by ALG.

Individuals following Apprenticeship programmes (including Programme Led Apprenticeships) or Train to Gain through Employer Responsive funding are therefore not eligible to claim ALG.

### **Income assessment**

In order to ensure that ALG is offered to those individuals who most need financial support, an income assessment will be undertaken for each applicant.

Applicants for the 2010/11 academic year will be required to supply financial information from the 2009–10 tax year to support their application.

Parental income is not taken into consideration for the purposes of the ALG assessment even if the individual still lives in the parental home.

The ALG financial assessment has two scales:

- for a single person, the thresholds in Table 1 apply; and
- for applicants who are married or live with someone as if they are married to them, the thresholds in Table 2 apply.

The income thresholds shown in Tables 1 and 2 will be reviewed on an annual basis and are subject to change.

**Table 1: Learners who are single**

Income for the 2009-10 tax year	Weekly ALG payment
Up to £11,810	£30
£11,811-£15,521	£20
£15,522-£19,513	£10
Over £19,513	Nil

**Table 2: Learners who are married or living with a partner as if they are married**

Income for the 2009-10 tax year	Weekly ALG payment
Up to £20,817	£30
£20,817-£25,521	£20
£25,522-£30,810	£10
Over £30,810	Nil

### **Residency**

**Important: The residency criteria for ALG has changed from being resident in the UK for three years prior to the start of the learning programme in the 2009/10 academic year to being resident in England for three years prior to the start of the learning programme in the 2010/11 academic year.**

The following are the residency criteria for ALG for 2010/11. To be eligible for ALG a learner must be:

- a British citizen who has been ordinarily resident in England for at least the three years prior to the start of their learning programme; or
- a person who is 'settled' in England and has been ordinarily resident in England for at least the three years prior to the start of their learning programme ('settled' means having either Indefinite Leave to Enter (ILE) or Indefinite Leave to Remain (ILR) or having the right of abode in the UK).

A person who has the right of abode in the UK is defined as:

- someone with European Community, United Kingdom of Great Britain and Northern Ireland passports;
- a British Dependent Territory Citizen (now known as a British Overseas Territory Citizen);
- someone whose passport has been endorsed to show they have the right of abode in the UK;
- someone who has a certificate of naturalisation or registration as a British citizen;

- a national of any European Union (EU) country (including Gibraltar), or the spouse or civil partner or child of an EU national who has been ordinarily resident in England for at least the three years prior to the start of their learning programme;
  - a European Economic Area (EEA) migrant worker with the right to work in the UK, or the spouse or civil partner or child of an EEA migrant worker, who has worked or is looking for work in England and has been ordinarily resident in England for at least the three years prior to the start of their learning programme;
  - a Swiss national or the spouse, civil partner or child of a Swiss national who has been ordinarily resident in England for the three years prior to the start of their learning programme;
  - a Turkish worker or the spouse, civil partner or child of a Turkish worker who has the right to work in the UK and is a worker, has worked or is looking for work in England, and has been ordinarily resident in England for three years prior to the start of their learning programme;
- or
- someone who is recognised as a refugee by the UK Government, or the spouse, civil partner or child of a refugee, or has been granted humanitarian protection or EU temporary protection and lives in England.

The learner is required to self-certify on the ALG application form that they meet the residency criteria as outlined above. This, in combination with the residency assessment that Colleges and training organisations undertake when enrolling an individual on a learning programme (and which they will need to confirm via LAPS), will satisfy the YPLA that the proper checks have been made.

If a College or training organisation believes that an individual does not meet the residency criteria for ALG, even if they have an ALG Agreement / Notice of Entitlement (NoE), they should not enrol them on LAPS but should notify the learner and the LSS by calling the Provider helpline on **0845 600 7979**.

**Please note: Learners resident in Scotland and Wales who received ALG in 2009/10 under the previous residency criteria will be eligible for continuing support from ALG until they have completed their course. New applicants resident in Scotland and Wales in 2010/11 will not be eligible for support.**

### **Temporary absences**

Absences totalling six months in three years are counted as temporary and disregarded for residency eligibility when determining if a learner has been ordinarily resident in England for three years prior to the beginning of their learning programme.

Absences between six months and three years can be counted as temporary, provided the absence was always intended to be temporary and there is evidence to support this.

### **Military personnel**

If the learner has been on an official overseas posting, or the learner is the spouse, civil partner or child of a person who has been on an official overseas posting, they will be exempt from the requirement to be ordinarily resident in England for the three years prior to the start of their learning programme.

### **Offenders**

Individuals in prison or in young offender institutions and those released on temporary licence are not eligible to claim ALG. Individuals may apply for the scheme while serving their sentence once their expected release date is known. Payments will only commence when the individual has been released. The LSS will require the applicant to supply discharge papers as evidence that they are no longer serving a custodial sentence. If the applicant has lost their evidence they will need to speak to their probation officer and obtain replacement documentation before their eligibility can be assessed.

### **Adult Learning Grant and other sources of funding**

Learners in receipt of ALG may also receive:

- Care to Learn;
- Residential Bursaries and Adult Education Bursaries;
- Professional and Career Development Loan;
- help with hardship or childcare costs that may be available, on a discretionary basis, from colleges; and
- charitable grants.

Learners in receipt of ALG must **not** also be receiving:

- EMA;
- a Dance and Drama Award;
- European Social Fund programme allowances; or
- an NHS bursary.

# Learners in receipt of benefits

## Eligible benefits

A learner may receive the following benefits in addition to ALG:

- Working Tax Credit and Child Tax Credit: HM Revenue & Customs will disregard ALG (which is not taxable) when assessing eligibility for tax credits;
- Disability Living Allowance – however, a learner must not also be in receipt of JSA, Incapacity Benefit or Income Support;
- Carer's Allowance – however, a learner must be studying for fewer than 21 learning hours per week or their Carer's Allowance may be affected; and
- Housing Benefit, Council Tax Benefit and Second Adult Rebate.

Local authorities can disregard the first £693 of ALG funding. This disregard is detailed in the Housing Benefit Guidance Manual: Amendment 21 March 2010, Part C2 Student claims (available at: [www.dwp.gov.uk/housingbenefit/claims-processing/operational-manuals/hbqm/](http://www.dwp.gov.uk/housingbenefit/claims-processing/operational-manuals/hbqm/)), which lists the disregards separately as:

- books and equipment: £390 per annum; and
- travel: £303 per annum.

## Non-eligible benefits

If a learner is in receipt of any of the following benefits, they are not eligible for ALG:

- JSA;
- Incapacity Benefit;
- ESA; and
- Income Support.

Under joint signing arrangements, where both partners sign for JSA, neither partner is eligible for ALG. However, partners of benefit recipients are eligible to claim ALG.

Recipients of these benefits who wish to gain further skills for employment can receive support through DWP/ Jobcentre Plus routes and should contact their nearest Jobcentre Plus office for more information.

## Colleges and training organisations' role in confirming receipt of benefits

ALG applicants are responsible for confirming which benefits, if any, they are receiving and for ensuring that they have signed off any ineligible benefits

before their ALG payments can start.

Prior to enrolling the learner on LAPS, it would be helpful if the College or training organisation could remind any individuals who present an ALG Agreement / Notice of Entitlement (NoE) and who they know to be in receipt of ineligible benefits, of their responsibility towards this.

# Payment of Adult Learning Grant

ALG payments will be made directly to the learner's bank account one week in arrears.

If a learner has a disability that may cause them difficulties in administering a bank account, the YPLA will consider whether a proxy bank account can be used. This is the only reason the YPLA will accept for the use of a proxy bank account.

ALG is payable in term time only. This means that, on average, it is paid for 38 weeks of the year. However, although this is the average length of the academic year, some courses may require more or fewer weeks' attendance, depending on the study pattern. If a learner decides to take a break from learning and return to it later, ALG will only be payable for the weeks the individual is actually in learning.

## **Deciding on payments**

Where a decision not to pay has been made, Providers must ensure that this decision is reported to their ALG administrator. Details of the reason for non-payment must be retained for audit purposes.

Absences may be reviewed some time after the actual event and retrospectively agreed as an authorised absence (and thus counted as attendance). This might happen where the learner is late in submitting relevant evidence. In such cases, where this was the only unauthorised absence in the week, the learner may be eligible for back-payment of their ALG. This must be done within 28 days, and if an attendance pattern cannot be proved within this timeframe then a No decision should be made and put on LAPS.

Payment authorisation must be carried out by someone specifically authorised to do so. The decision is auditable. A No decision should be made if there is insufficient evidence on which to base a Yes decision. Decisions relating to one week should not be used to adjust payments in order to balance an earlier decision made in error.

## **Back-dating of payments**

Applications received by the LSS within 28 days of the start of a learning programme will be eligible to receive back-dated payments to the start of the programme. Applications received by the LSS in excess of 28 days after the learning programme start date will only be eligible for back-dated payments from the Monday of the week in which the application form was received.

### **Attendance and absence**

In order to receive a payment, a learner's attendance at their course must be satisfactory. Any unauthorised absence by the learner will result in payments being suspended.

ALG normally relates to a full week's attendance on a course. However, when a College or training organisation is only open for part of a week (for example, due to bank holidays, industrial action or college holidays), payment may be made for the full week of attendance.

Colleges and training organisations must record payment decisions, based on attendance, on LAPS on a weekly basis. All decisions relating to attendance in any given week rest solely with the College or training organisation.

Providers are reminded that they should make and input all decisions as soon as possible and must do so within four weeks of the payment decision being presented. From the 2010/11 ALG year, monthly reports will be run to determine the number of Not Set payment decisions at each Provider that are four or more weeks old.

### **Authorised absence**

Evidence supporting an acceptable or authorised absence should be collected and retained by the College or training organisation.

This could include self-certification forms for sickness, or notes from GPs. We advise that GPs' notes are only obtained when the learner has been absent for eight or more consecutive days.

Absences may be reviewed some time after the actual event and retrospectively agreed as authorised absence (and thus counted as attendance). To ensure payment decisions are made promptly, best practice would be to require the learner to hand in additional evidence within two weeks and make it clear that a decision to back-date a payment can only be made during this period. If an attendance pattern cannot be proved within this timeframe, then a 'No' decision can be made and input onto LAPS.

Where a learner has had three periods of illness-related absence during the academic year for which a medical certificate has not yet been provided, we recommend that the College or training organisation should arrange an interview with the learner to discuss the absences. This can act as an effective deterrent against abuse of the scheme.

### **Attendance at medical appointments**

We would encourage learners to make appointments outside course attendance times, where possible. However, appointments with medical specialists such as consultants often fall during course attendance times and these may be classed as authorised absence.

### **Other types of authorised absence**

The following list is not exhaustive and Colleges and training organisations are, of course, free to use their discretion:

- parental leave to take care of a child who is sick;
- attendance at a funeral of family/friends;

- confirmation of the breakdown of learner's travel/ transport arrangements;
- attendance at court or probation meeting;
- work experience placement (if this is prearranged and an integral part of the learning programme);
- study leave (provided this is clearly stated as an integral part of the learning programme);
- religious festivals (up to three days' absence is permitted each year, to coincide with recognised religious festivals); and
- adverse weather conditions.

### **Unauthorised absence**

All weeks where unauthorised absence has occurred must be recorded as a 'No' decision on LAPS. Payments for the affected week or weeks will then be withheld.

Learners who take holidays during term time are not eligible to receive ALG during that period. Where the holiday absence is for part of the week, no payment can be made for the full week.

# Appeals

Any appeal against a decision taken by the LSS about eligibility for ALG will be investigated by the YPLA in conjunction with the LSS. If the LSS finds that the initial assessment has been completed incorrectly, the application will be reassessed and the learner informed of the results.

All decisions on attendance and, subsequently, learner payment in any given week rest solely with the College or training organisation. Therefore, it is important that learners are made aware of the College and training organisation's procedures for reporting absences and that all College or training organisation documentation makes the learner's responsibilities clear. If a learner wishes to appeal against a weekly payment being withheld they should discuss this with their College or training organisation and not with the LSS. We expect appeals of this nature to be dealt with via the College and training organisation's normal procedures.

In the event that the payments appeal involves the LSS, for example as a result of administrative or system problems, then the College or training organisation and the LSS should discuss and agree an acceptable solution to the appeal.

Records of all complaints (and responses), both formal written appeals and notes of informal meetings or discussions about an appeal, must be retained by Colleges and training organisations and the LSS for audit purposes.

Any appeals that are not resolved via this process and any complaints about ALG policy should be raised via the YPLA complaints procedure. Details of this can be found at [ypla.gov.uk/aboutus/contactus/complaints/](http://ypla.gov.uk/aboutus/contactus/complaints/)

# Change of circumstances

Learners must notify their College and training organisation and the LSS of any change in their circumstances, for example if they have started to receive benefits that preclude them from support or if they have changed their address or bank account details.

If a College and training organisation becomes aware of a change in circumstances that affects future payments for a learner, they should inform the LSS of this.

## **Current income assessments**

The ALG financial assessment is based on income in the 2009–10 tax year. If the learner's current income has fallen by 15 per cent from their income in the 2009–10 tax year and this takes them beneath the next ALG income threshold, the learner can apply for a current income assessment. Evidence of the reduction in income must be provided to the LSS, which should be contacted by the learner on **0800 121 8989**.

## **The Disability Discrimination Act 1995**

If at the time of applying, the learner's or their spouse or partner's income is lower than it was in the 2009–10 tax year due to a disability as defined by the Disability Discrimination Act 1995 (DDA), they may be able to have their income reassessed.

The DDA defines a disability as a physical or mental impairment that has a substantial and long-term (that is, more than 12 months) adverse effect on a person's ability to carry out normal daily activities. Further information about the DDA can be found at [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

The DDA states that a person is disabled if they have a mental or physical impairment that has an adverse effect on the person's ability to carry out normal day-to-day activities, and the adverse effect is substantial and long term (meaning it has lasted for 12 months, or is likely to last more than 12 months or for the rest of the person's life).

For a person to be unable to carry out 'normal day-to-day activities', at least one of the following areas must be substantially affected:

- mobility;
- manual dexterity;
- physical co-ordination;
- continence;
- the ability to lift, carry or move everyday objects;
- speech, hearing or eyesight;
- memory or ability to concentrate, learn or understand; and
- understanding of the risk of physical danger.

There are some special provisions, for example:

- If the person's impairment has substantially affected their ability to carry out normal day-to-day activities, but no longer does so, it will still be counted as having that effect if it is likely to do so again.
- If the person has a progressive condition and it will substantially affect their ability to carry out normal day-to-day activities in the future, they will be regarded as having an impairment that has a substantial adverse effect from the moment the condition has some effect on their ability to carry out normal day-to-day activities.
- Cancer, HIV infection and multiple sclerosis are covered, effectively, from the point of diagnosis.
- People who have had a disability in the past but are no longer disabled are covered by certain parts of the DDA.

The learner will be expected to supply the LSS with medical proof of the disability in order to be reassessed.

If a learner needs further information on the DDA they should contact the LSS on **0800 121 8989**.

## Audit requirements

ALG is subject to both internal and external audit procedures.

The LSS has its own internal audit procedures to ensure that its systems are robust and that the relevant checks and separation of duties are in place to deter and detect any possible fraudulent activity.

Colleges and training organisations are expected to keep accurate, robust and up-to-date attendance records via the LSS so they can ensure that a learner's ALG payments are reconciled in line with weekly attendance patterns.

Colleges and training organisations should maintain records of approved absences and key interviews that have taken place with learners regarding absences, showing authorisations and dates. As part of audits, attendance records held by the College and training organisation may be examined.

If the auditors believe that a College or training organisation is not administering the scheme robustly, we may decide to take action with the College or training organisation to address this.

For detailed information on audit procedures and how the ALG scheme complies with these, see Annex 4.

# Support materials

The support materials for ALG change each year and we ask Providers to remove old stock and replace with new stock as soon as possible. In order to ensure you have the most recent materials, please check the website: <http://alg.ypla.gov.uk>. This is particularly important in the case of the application form as applications submitted to the LSS on the wrong year's form will be rejected, slowing down the application and assessment process for the learner.

The following support materials are available for ALG in 2010/11.

- Leaflet aimed at the learner to give clear and simple messages about ALG (ref. **YPLA-P-100019**).
- General poster to raise awareness of ALG in places outside Colleges and training organisations where there may be queues, for example the post office. Poster size is A3 (ref. **YPLA-P-100020**).
- Birthday card to be used by Colleges and training organisations to send out to individuals on their 19th birthday to promote ALG. Includes envelope (ref. **YPLA-P-100021**).
- ALG business card, which is the size of a credit card and carries useful information to assist the learner in applying for ALG. This card also includes the website address and helpline number (ref. **YPLA-P-100022**).
- ALG business card holder – a counter display card carrying up to 50 business cards (ref. **YPLA-P-100023**).
- ALG Big Picture to be used as a desk aid, providing a high-level overview of scheme eligibility (this resource is for download only).
- Application form for learners to complete to apply for ALG (ref. **YPLA-P-100002**).

The leaflets and posters can be viewed and downloaded from the YPLA ALG website at <http://alg.ypla.gov.uk>

Printed copies of materials can be ordered by contacting YPLA Publications as follows. Please quote the relevant publication reference number when ordering.

YPLA Publications

PO Box 5050

Sherwood Park

Annesley

Nottingham NG15 0DJ

Phone: **0845 602 2260**

Fax: **0845 603 3360**

Minicom: **0845 605 5560**

Email: [ypla@prolog.co.uk](mailto:ypla@prolog.co.uk)

# Sources of further information

Further information and advice on the scheme are available from the following sources:

Colleges and training organisations can contact the LSS for advice in administering the scheme on **0845 600 7979**.

Learners should be directed to the learner helpline on **0800 121 8989**.

Information on ALG can be found at two websites offering advice and guidance for both learners and Colleges and training organisations. These are:

[www.direct.gov.uk/alg](http://www.direct.gov.uk/alg)

or

<http://alg.ypla.gov.uk/> – the YPLA website link has a comprehensive list of documents evaluating the success of the ALG scheme.

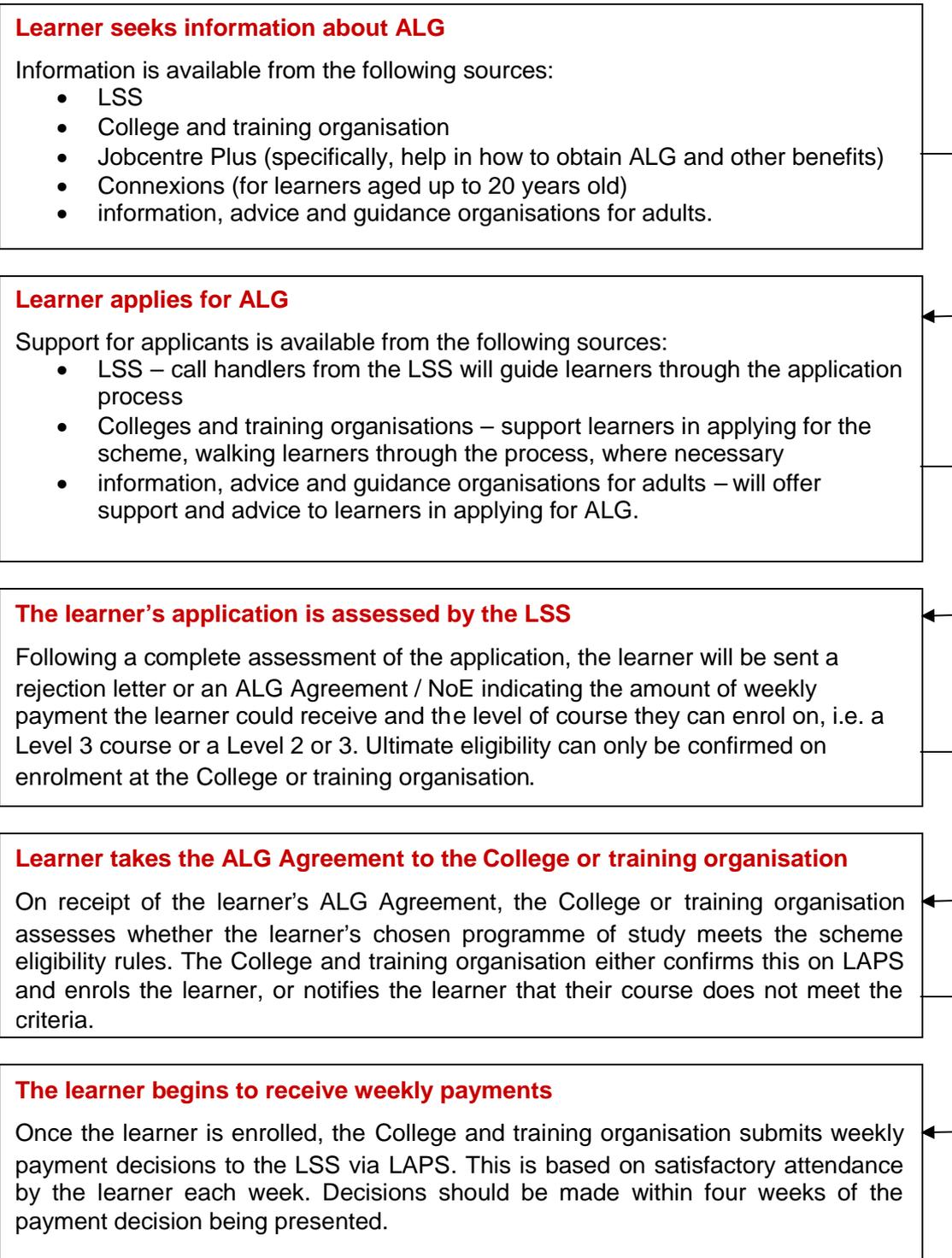
Alternatively the LSS can be contacted via email at:

[ALG@yplalearnersupport.co.uk](mailto:ALG@yplalearnersupport.co.uk)

## Annex 1

# The learner journey

This annex covers the journey of a prospective ALG learner from initially finding out about the scheme through to receiving payment. The chart indicates which stakeholders will input at key stages.



## Annex 2

# Roles and responsibilities for Colleges and training organisations

This document sets out a number of activities and responsibilities for Colleges and training organisations. For ease of reference, the following brings these together. In doing this, the YPLA acknowledges that individual Colleges and training organisations may choose to deliver ALG in slightly different ways and, as such, these activities are therefore recommendations and not prescribed ways of working.

The College and training organisation should:

- provide general advice and support to learners about ALG and help learners to complete their application forms, where appropriate;
- comply with ALG procedures as set out in this guidance and in the ALG application pack – in particular:
  - to confirm that the learner is studying for a full Level 2 or full Level 3 qualification; the individual's first at that level as far as they are aware;
  - to confirm that the learner is studying full time on a course that requires the learner to complete at least 450 guided learning hours over the 2010/11 academic year;
  - to remind any individuals who present an ALG Agreement / NoE, and who they know to be in receipt of ineligible benefits, of their responsibility to sign off these before ALG payments can start; and
  - to notify the LSS, and the individual, if they believe an individual does not meet the residency criteria for ALG;
- provide feedback to the YPLA and LSS, the latter via the field force, on any policy or delivery issues that arise;
- brief teaching and non-teaching staff about ALG and ensure that scheme standards continue to be met;
- monitor learner attendance and report payment decisions to the LSS within four weeks of the decision being presented;
- deal with queries from learners about the withholding of ALG payments because of failure to meet attendance and ALG Agreement criteria;

- maintain auditable records relating to ALG learners, for example attendance reports;
- integrate ALG publicity with the usual enrolment publicity;
- inform the LSS of any changes in primary contact details for ALG; and
- confirm that the learner is not requesting ALG support for an apprenticeship or PLA, as these are not eligible for ALG support.

Following learner enrolment on LAPS, Colleges and training organisations are also requested to complete field L34 (Learner support reason) on the ILR. Code 24 identifies learners in receipt of ALG.

## Annex 3

# The Adult Learning Grant Notice of Entitlement and ALG Agreement

The NoE will include:

- the amount of ALG the learner could receive on a weekly basis;
- confirmation of the income thresholds used for the assessment for the learner (and their partner, if applicable);
- confirmation of the level of study ALG will be payable for, depending on the prior qualifications declared by the learner;
- confirmation of the learner's bank account details;
- some brief details on scheme payments and scheme eligibility, including confirmation that eligibility cannot be finally confirmed until the learner enrolls at their College and training organisation; and LSS points of contact.

The ALG Agreement will include:

- the period of the ALG Agreement;
- the learner's ALG reference number;
- the learner's forename and surname;
- a declaration section where the learner and the College and training organisation sign to state that learning goals and attendance patterns have been agreed; and
- LSS telephone contact details.

The ALG Agreement is an auditable document and should be retained by the College and training organisation in line with the usual audit requirements.

Non-eligible learners will receive a rejection letter from the LSS, including the reasons for rejection. This will also set out their rights to appeal and advise them of other sources of help that may be available to them.

**It is important to note that the receipt of an ALG Agreement / NoE does not guarantee that an individual is eligible for ALG. Final confirmation of eligibility can only be made once the College and training organisation**

**has completed checks on the course of study to be undertaken by the individual.**

## Annex 4

# Guidance on audit arrangements for Adult Learning Grant

### Background

The following provides guidance to Providers on the audit arrangements of ALG payments to learners. It includes recommended best practice that has been informed by audit findings since the beginning of the scheme in 2003.

### Methodology

In recognition of the need to minimise the administrative burden on Providers, it is proposed generally to conduct an audit of ALG as an integral part of the existing audits at colleges and other Providers. Therefore, ALG audits will usually take place at the same time as routine audits such as providers' funding audits.

A short ALG audit programme has been developed, which will be applied consistently at all Providers that administer ALG payments. The audit programme involves an overview of the key controls over the administration of ALG payments and the testing of a random sample of learners' weekly payments across a chosen defined period (usually a month).

### Controls review

Through discussions with appropriate members of staff, auditors will identify and evaluate controls over the management and administration of ALG payments by completing a short questionnaire. This will help the auditors to establish what controls are in place and how effectively they are working. The following key areas will be reviewed:

- general management and administration arrangements for ALG, including details of any off-site provision such as sub-contracting and the recording, input, storage and security of data relating to ALG payment submission and authorisation;
- eligibility of learners enrolled by the Provider;
- completion of the ALG Agreement and confirmation of final course and qualification details, attendance requirements, minimum hours of study and the agreed outcomes;
- recording and reporting of attendance data, including authorised and unauthorised absence, and notification of payment/non-payment decisions. All decisions should be made within four weeks of the payment decision being presented; and

- advising and reporting to the LSS of any factors that may influence ALG payments or corrective actions.

### **Substantive testing**

A random sample of payment transactions will be tested for validity against evidence held by the Provider. These tests will cover the same generic areas as the controls work detailed above, that is:

- general management controls and sub-contracting;
- eligibility;
- learner contract completion;
- attendance recording;
- adjustments/recoveries; and
- accuracy and reliability of data.

As part of the substantive testing, we would expect the following evidence to be available (and held by the Provider or its sub-contractor) in order to meet the above criteria. It must be noted that the list below is a guide and, depending on the nature of the control systems operated by the Provider, other acceptable evidence may be held that has not been mentioned here.

- The College or training organisation's ALG attendance policy detailing authorised and unauthorised absence.
- A copy of the ALG Agreement signed by the learner and College and training organisation confirming fulfilment of guided study hours.
- Current and archived evidence of learner attendance to determine appropriate authorisation and reconciliation of payments issued.
- Evidence of back-dating of payments as authorised by the College and training organisation to the LSS (if applicable).
- Evidence of recoveries action (if any) undertaken as a result of overpayments.

### **Feedback and reporting**

Auditors aim to discuss audit findings with the auditee as the work progresses and they usually hold a formal meeting at the end of the fieldwork. As well as detailing any findings, the auditors will endeavour to support Providers by giving recommendations for improvement to process controls if necessary.

Part of the rationale for the controls work is to enable auditors to gain an understanding of how Providers control the administration of ALG payments to learners. Where errors are found, auditors will try to identify where controls have broken down or failed to operate as intended, so that meaningful and value-added recommendations can be made.

A formal audit report will be issued that covers all the audit work carried out, including ALG payments.

### **Summary of common pitfalls**

A number of recurring issues have been identified at previous ALG audits,

and are summarised below.

- Eligibility checks: Providers do not check that each learner meets the ALG eligibility requirements prior to enrolling the learners and/or do not hold documentation to confirm that the eligibility checks have taken place.
- A recurring weakness is that Providers do not always have a clear documented attendance policy for staff and learners, including guidance on authorised and unauthorised absences.
- Some Providers do not hold complete attendance evidence to support all the weekly payment decisions for all the learners. There are two main aspects to this: attendance evidence is missing or incomplete; and occasionally the attendance evidence held contradicts the payment decision made by the Provider.
- Occasionally, learners have been identified at audit who are ineligible to receive ALG because they are on an Apprenticeship or PLA or are in receipt of other excluded government funding such as JSA.

### **Recommended best practice**

#### **Audit trail**

Auditors will want to review evidence that Providers should already hold as part of their established systems and processes for delivering learning. This is sometimes referred to as 'normal' or 'naturally occurring' evidence. Therefore, in the interests of cutting unnecessary bureaucracy, auditors will not expect to see additional evidence prepared specifically for ALG, because appropriate underlying evidence to support attendance payments should already be held by Providers.

#### **Eligibility**

When Providers enrol learners on their learning programmes, the Provider is responsible for checking that the learners are eligible to participate in learning. It is recommended that the ALG eligibility check is completed at the same time. Providers should retain evidence to support their eligibility assessment. An eligibility checklist is included at the end of this annex, for Colleges and training organisations' reference.

#### **Attendance – authorised and unauthorised absences**

In order to help learners understand their attendance requirements, Providers should have a documented attendance policy that includes authorised and unauthorised absences.

#### **Retention of documentation**

The following documentation for each learner should be retained for audit inspection for six years following the end of the 2010/11 ALG year (28 August 2011):

- a copy of the ALG Agreement signed by the learner and the College or training organisation;
- attendance evidence to support each weekly payments decision.

## Adult Learning Grant eligibility checklist

It is recommended that the following checklist is completed by Providers for each learner at their enrolment.

Eligibility Criteria	Confirmed: Yes/No
Learner is aged 19 or over	
Learner is undertaking their first full Level 2 or first full Level 3 qualification as defined on the LAD	
Learner fulfils the ALG residency criteria	
Learner's course started and continues between 30 August 2010 and 28 August 2011	
Learner is studying full time on a learning programme that requires them to complete at least 450 guided learning hours over the 2010/11 academic year	
Learner is not in receipt of out-of-work-benefits, such as JSA, Income Support, Incapacity Benefit or ESA	
Learner is not in receipt of EMA	
Learner is not on an Apprenticeship, PLA or Train to Gain	
Learner's income falls within the ALG income threshold	
<b>Learner is eligible to receive ALG payments</b>	

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Young People's Learning Agency

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