

Learner Support Programme

Discretionary Funding Guidance and Requirements 2009/10

May 2009

Of interest to LSCs (National Office and regional and area LSCs), local authorities, further education institutions, schools with sixth forms and higher education institutions offering further education provision

 For information

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Introduction

1

The purpose of this guidance is to provide information to all providers and local authorities receiving allocations of discretionary Learner Support funding (dLS) from the Learning and Skills Council (LSC). The dLS is to support the costs of learning and includes Hardship, 20+ Childcare, Residential Bursaries and support with ESOL tuition fees. It forms part of the Learner Support Programme which covers a range of schemes available to support the costs of learning (full list is in [Annex B](#)).

2

This guidance document sets out the requirements and the actions that will need to be taken into account for the application of each scheme and sets out the eligibility criteria and the priorities for disbursing the funding. It explains the process for allocations and describes how the LSC will collect monitoring information and audit the schemes.

Background

3

The purpose of dLS is to provide exceptional support to learners aged 16 and above, who are experiencing financial difficulty with meeting costs associated with learning.

4

Allocations will be made through the LSC Partnership Teams. The total available for 16-18 and 19+ Hardship, Residential Bursaries and 20+ Childcare is approximately £112 million in 2009/10.

5

Approximately £31.8 million for youth, broken down as follows:

- £4,333,000: 16-18 School Sixth Form Hardship
- £22,505,000: 16-18 Hardship in FE
- £4,995,000: 16-18 Residential Bursaries
- 16-18 School Sixth Form Hardship.

6

Approximately £80.4 million for adult, broken down as follows:

- £46,667,000: 19+ Hardship in FE
- £1,200,000: 19+ Hardship FE in HE institutions
- £2,498,000: 19+ Residential Bursaries
- £30,000,000: 20+ Childcare.

7

Funds to support Post-16 Transport Partnerships and the Residential Support Scheme will be managed nationally.

8

Funding for dLS is provided by the two departments, DCSF and DIUS, with particular responsibility for youth and adult learners respectively. Budget arrangements for these groups of learners are now distinct. **There can be no vireing between 16-18 support funds and 19+ support funds.**

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9

dLS is available to support learners studying LSC-funded further education (FE) provision in colleges, external institutions (EIs), higher education (HE) institutions, school sixth forms and sixth form colleges. It cannot be used to support learners studying LSC-funded provision from personal and community development learning (PCDL), University for Industry (Ufi) or provision funded through the employer responsive model.

10

HE providers with FE learners will receive an allocation of dLS from the LSC. HE providers will be required to sign a contract schedule for the funds provided by the local LSC. The local LSC staff will also work closely with HE providers to ensure that there is a full understanding of the LSC's allocation processes.

11

The funds are allocated directly to providers to manage at their own discretion, but in line with LSC guidance and requirements. Additionally Residential Bursary Funds are allocated to 50 designated providers of specialist provision.

12

When making decisions about awarding funds, providers/LAs should consider the availability of other strands of financial support for learners (including support funding through DWP and Jobcentre Plus) ahead of consideration for the discretionary funds. Sources of further information on the other forms of financial support made available by the LSC through the Learner Support Programme are provided at [Annex B](#).

13

Providers are required to develop clear criteria showing how they will administer and distribute their funds. The policies must be available to learners.

14

Learners should exercise their entitlement to other forms of financial support before they pursue an application for dLS. In summary they comprise:

- Education Maintenance Allowance (EMA)
- Adult Learning Grant
- Residential Support Scheme
- Dance and Drama Awards
- Care to Learn
- Sixth Form College Childcare Scheme
- Free Childcare for Training and Learning for Work.

15

However, receipt of other forms of learner support is neither a pre-condition, nor an exclusion factor, for the receipt of the discretionary funds. For example, a young person can receive EMA and still be eligible for dLS to address specific hardship issues.

16

A timetable of key dates of allocations, monitoring returns and any redistribution of funds is attached at [Annex A](#).

Priorities for Funding

17

The priority target group for dLS is learners who are economically or socially disadvantaged.

18

For 16-18 year olds this includes those who need support for general hardship **and are facing financial difficulty**.

19

For those 19+ this includes those who need support for general hardship, transport, childcare (for learners aged 20+) or associated learning costs **and are facing financial difficulty**.

20

Once the primary priority (para. 17 – 19) has been established it is expected the provider will further prioritise the funding to focus on groups currently under-represented in FE, securing participation and attainment in priority learning for the following.

16-18 priorities

21

We expect providers to use these funds to support learners in financial hardship if there is no alternative scheme to provide support. Priority should be given to learners who are in danger of dropping out of learning. The funding exists to respond to hardship needs, particularly those which arise through sudden changes in circumstances, such as redundancy or a sudden drop in income, which the nationally-administered Education Maintenance Allowance (EMA) scheme cannot respond to in-year.

22

If the provider needs to further prioritise their criteria for support they should consider the following groups of at risk learners when drawing up that criteria:

- carers (own child or other person)
- Gypsy, Roma or Traveller
- young people who are homeless
- young people in receipt of Income Support
- young people with learning difficulties and/or disabilities (definitions in line with the Learning & Skills Act and CCIS)
- young people in care or leaving care
- learners who have previously been out of education, employment or training for 26 weeks or more
- medically ill
- young people who are supervised by a Youth Offender Team.

23

16-18 hardship funding is not to displace support arrangements already provided for through national policy or legislation.

19+ priorities

24

Priorities for 19+ provision are:

- those in care or recently left care (learners with learning difficulties and/or disabilities up to age 25)
- those on probation
- those eligible for fee remission because they are themselves, or they are the dependant of someone else who is, receiving a means-tested state benefit or tax credit
- adults undertaking a first full level 2
- learners aged 19-25 undertaking a first full level 3 qualification
- learners taking a skills for life programme of study
- learners with learning difficulties and/or disabilities
- those recently made redundant
- those learners supported through the 6 months unemployed training package.

All ages

25

All providers receiving allocations of dLS must have a set of written criteria describing how they will prioritise and disburse the funding for which they are given responsibility to learners, or on behalf of learners, and which should be available if required by LSC. The criteria should cover the way in which learners are assessed, using the principles set out in this guidance. We would normally expect assessment to establish financial hardship to be based on income assessment, except in exceptional circumstances.

26

dLS is provided to support learners with a specific financial need that could prevent them participating in FE. Therefore, before making an award, the specific need should be identified. It is **not** appropriate to use the funding to pay weekly attendance allowances, achievement or attendance bonuses or to make awards solely based on income without identifying whether there is any specific financial need.

Learner Eligibility

27

The residency eligibility criteria for dLS is aligned to the residency criteria addressed in the document *Learner Eligibility Guidance*, part of the overall *LSC Funding Guidance 2008/09*. This document can be downloaded from the LSC website at: www.lsc.gov.uk/publications

28

For clarity, refugees are not required to meet the three year residency rule if their refugee status was confirmed in the three years prior to starting the course.

29

Learners aged 16+ who have been accepted onto, and are studying, a programme of learning funded by the LSC, will be eligible to apply for discretionary funds. The funding should not be used for accelerated learners who are still of compulsory school age as they are the responsibility of the local authority.

30

Reciprocal arrangements exist between Wales and England; however, no such reciprocal arrangements exist with Scotland.

31

Asylum seekers aged 19 and over are not eligible to apply for discretionary funding.

32

As the majority of learning provision on Train to Gain is likely to happen in the workplace, there will be very few, if any, additional costs of learning for individual participants to bear. With this in mind, we consider it extremely unlikely that learners participating in Train to Gain will need to apply for discretionary funding. However, any individual's eligibility for learner support, within Train to Gain, should be determined by the context in which their learning is taking place.

33

When making decisions about the allocation of this funding, Student Support Managers should consider the availability of other sources of funding to which the learner might be entitled, e.g. the New Deal for Lone Parents, New Deal for Partners, tax credits. Participants in the New Deal for Lone Parents scheme may not benefit from full payment of childcare support costs from this scheme. They are eligible to apply for dLS but providers should take into account the level of individual New Deal benefits in assessing the level of need for support. Participants in all other New Deal options are not eligible for discretionary funding, as their funding needs are met under the New Deal.

34

Learners in prison or a young offender institution or who have been released on temporary licence (ROTL), for example on day release, are not eligible to apply for dLS.

35

A learner must be aged 20+ and above to receive support with childcare costs.

36

Learners on HE courses, waged Apprenticeships or provision with learning aims that are identified as wholly funded from other sources are not eligible for dLS. FE-funded learners who are classified as Programme-led Apprentices (i.e. following only part of an Apprenticeship framework) will be eligible to apply for dLS. Employer Responsive funded Programme-led Apprentices (i.e. those following a full framework) will have access to the hardship funds which are contained within the employer responsive budget.

37

From 2008/09 E2E learners are eligible to apply for dLS.

38

dLS is not to be directed as a means of support where the learner is eligible to receive support through Additional Learning Support (ALS), for the same purpose. For example, ALS can be used to fund additional teaching, specialist staffing, transport between sites for learners with mobility difficulties (but not home-to-provider transport).

39

Further details can be found in the ALS guidance, a weblink is available at [Annex E](#).

40

Exceptionally, local authorities may offer dLS to eligible learners in independent (private) schools, city technology colleges, city academies, non-maintained special schools, pupil referral units and other LA-maintained institutions. The learner must be resident in the LA area and demonstrate the special circumstances that give rise to their particular need for support.

41

Learners participating in HE access courses or courses of HE falling within paragraph 1(g) or 1(h) of schedule 6 to the Education Reform Act 1998 will be eligible to apply for discretionary funding, providing the courses are funded by the LSC.

Administration of Funds

42

LSC Partnership Teams can vire funds between providers and local authorities in their area, with their agreement.

43

Providers may vire funding into, and out of, 20+ Childcare into 19+ Hardship. However, we would not expect to see significant variations in the pattern of disbursement, without discussion/agreement with the local LSC.

44

Providers must have written criteria for how they distribute dLS, including arrangements for assessing learners' income – where relevant – and a procedure for learners to appeal. The criteria must be made widely available and must apply principles of equality and diversity.

45

Where a learner has been income-assessed for other financial support providers should avoid a second income assessment and look particularly carefully at the learner's financial situation and circumstances to ensure that dLS is being targeted appropriately.

46

The LSC's legal advisers have advised that Disability Living Allowance should be ignored when assessing disabled learners' income in relation to dLS, to avoid the risk of discrimination under the Disability Discrimination Act 1995.

47

If hardship funds are used to buy equipment for individuals in need of financial support, the equipment should remain the property of the provider and, if returned to the provider for its own use, the hardship fund should be reimbursed with an amount representing the depreciated value. Where items of equipment, tools or protective clothing may be reusable at a later date by new learners, providers should have criteria in place for enabling the return and re-use of such items. In drawing up a list of items, practical consideration should be given to factors such as hygiene, health and safety, and wear and tear.

48

Any loans made to learners should be repaid before the end of the academic year in which they are made, and providers are encouraged to make every effort to ensure that this is done. However, if loans are repaid after the end of the year, they should be treated as additional funds in the year in which they are repaid.

49

Providers may use up to 5 per cent of their total dLS allocation towards administrative costs. Where it has been agreed that a large provider will administer the funding for other providers, the former will also be able to use up to 5 per cent of the latter's total funds for administration. Bank charges may not be deducted from dLS allocations.

50

Providers will want to consider the impact of other initiatives when applying any income assessment, such as whether learners are also in receipt of EMA or ALG and the level at which those grants might be paid. Providers can take ALG and EMA income into account when considering income levels for awards of dLS. But receipt or non-receipt of EMA or ALG should not be a pre-condition, nor an exclusion factor, for the receipt of dLS. In making allocation decisions, providers should also consider the extent to which learners aged 19 and over are financially independent and they may want to review whether tax credits are payable to the learner as appropriate.

51

The Social Security Amendment (Students and Income-related Benefits) Regulations 2000 establish how dLS should be treated for benefits purposes. If a regular payment is made for other than living costs then it will be disregarded and will therefore not affect the level of benefit which the learner may be entitled to. However, it is very important that providers and local authorities make clear at the time they are making the payment to the learner, for what purpose the payment is given and whether it is one of a series, or a lump sum payment.

16-18 Hardship Support

52

Hardship funds provide support for learners in exceptional financial circumstances. They are specifically designed to respond to hardship needs, particularly those that arise through sudden changes in circumstance where nationally administered schemes are not able to respond in-year.

53

The funding is provided to increase access, retention and achievement. It can be used for course related costs including exam fees for re-sits and course trips; for books and equipment; for support with domestic emergencies and accommodation.

54

Support may be provided to a third party, or through the provision of items or services or in cash direct to the student, and may be in the form of a grant or repayable loan.

55

Institutions should decide in each case, with reference to the incidence of expenditure, whether payments would most appropriately be made as grants or as loans, and as a lump sum or regular instalments, and whether conditions should be attached to payments for example, attendance agreements.

56

Providers have discretion to provide bursaries from their hardship funds but, should they choose to do so, they should report the purpose of the expenditure alongside other monitoring and management information.

57

Funding for learners aged 16-18 is provided by DCSF, who has particular responsibility for youth learners. Budget arrangements for youth learners are now distinct from those which support adult learners. **Therefore there can be no vireing between 16-18 support funds and 19+ support funds.**

Fees

58

Hardship funding must not be used to fund fees for 16-18 learners, with the exception of re-sit examination fees and only then where there is proved financial hardship.

Childcare

59

Hardship funding must not be used to provide support with childcare costs for learners aged 16-18 as there is an expectation that these learners will be supported by the Care to Learn programme. Nor should it be used to top up childcare payments for those in receipt of Care to Learn.

Transport

60

Providers must not:

- use dLS to make a block contribution to Post-16 Transport Partnerships; or
- routinely fund transport costs for learners aged 16-18; or
- fund transport costs for learners who have chosen not to attend an institution closer to their home address offering the same provision.

61

dLS is designed to provide temporary funding to support learners in financial hardship where there is no other scheme, programme or support mechanism.

62

It must not be used to subsidise the LA's statutory duty in respect of transport for learners of sixth-form age. But in exceptional circumstances it can be used to meet individual learners' transport costs on a temporary basis.

63

Examples of exceptional circumstances:

- A learner may have to move house with their parents, but still attends their previous college to finish a course, this could result in additional transport costs that the learner cannot meet for a limited period of time.
- A learner may be in dispute with a LA over their transport needs, whilst this dispute was being settled, it would be acceptable to use dLS to support transport costs.

64

If dLS is used to support learner's transport costs in these circumstances, Providers must keep records showing the amount of support provided and why that support was necessary.

65

Further information on the LA's duty for transport for learners of sixth form age can be found in **Annex D**.

66

Further information on transport policies can be found on the LA's own website or on www.direct.gov.uk

19+ Hardship Support

67

Hardship funds provide support for learners in exceptional financial circumstances. Providers have discretion to provide bursaries from their hardship funds but, should they choose to do so, they should report the purpose of the expenditure alongside other monitoring and management information.

68

Funding for learners aged 19+ is provided by DIUS, who has particular responsibility for adult learners. Budget arrangements for adult learners are now distinct from those which support youth learners. **Therefore there can be no vireing between 16-18 support funds and 19+ support funds.**

69

The funding is provided to increase access, retention and achievement. It can be used for course related costs including fees, transport and course trips; for books and equipment; for support with domestic emergencies and accommodation.

70

Support may be provided to a third party, or through the provision of items or services or in cash direct to the student, and may be in the form of a grant or repayable loan.

71

Institutions should decide in each case, with reference to the incidence of expenditure, whether payments would most appropriately be made as grants or as loans, and as a lump sum or regular instalments, and whether conditions should be attached to payments for example, attendance agreements.

Fees

72

The government has committed additional funds to fund programmes of learning and training responding to those adults at notice of redundancy, newly redundant, or unemployed for six months or more. There is an increased need to meet the learner support needs of these learners and as such 19+ hardship is re-directed from fees to other emergency financial support needs.

73

Therefore, 19+ hardship funds cannot be used to subsidise tuition fees with the exception of learners in a priority group not currently supported through LSC fee remission policy, or the learning has been identified as responding to local skills priorities. In both instances these groups should be agreed with your area LSC, and agreement recorded for audit requirements and must not exceed 20 per cent of the 19+ Hardship allocation.

Childcare

74

Hardship funding must not be used to provide support with childcare costs for learners aged 19 as there is an expectation that these learners will be supported by the Care to Learn programme (C2L). Nor should it be used to top up childcare payments for those in receipt of Care to Learn.

75

Hardship funding must not be used to provide support with childcare costs for learners who are eligible for the Free Childcare for Training and Learning for Work Scheme. Nor should it be used to top up childcare payments for those in receipt of Free Childcare for Training and Learning for Work.

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20+ Childcare Support

76

20+ childcare funding may only be awarded to fund childcare with a provider who is Ofsted-registered (Early Years Register for children aged 0-5, Compulsory Childcare Register for 5-8 and Voluntary Childcare Register for over 8s).

77

Informal childcare, such as that provided by a relative, cannot be funded.

78

When making awards of childcare support, attention should be given to the prevailing rate of Care to Learn (C2L) and childcare awards must not exceed the C2L maximum.

79

Childcare allocations cannot be used by the college to finance the setting up of childcare places, and nor should they be used to make a financial contribution to the costs of a crèche. The awards should only be paid to, or on behalf of, individual learners aged 20 and above, who should be free to use the resource to support the childcare provision of their choice as long as it is subject to appropriate Ofsted registration.

80

20+ Childcare should not be used to provide support with childcare costs for learners who are eligible for the Free Childcare for Training and Learning for Work Scheme and is not to be used to top up any payments made from the new scheme.

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Residential Bursaries

81

A number (50) of designated providers will receive allocations of Residential Bursary Funding (RBF) to support learners attending specialist provision at land-based colleges and colleges of art and design on a course which requires a residential element.

82

RBF can be used to help learners reside in private accommodation as well as in accommodation owned or managed by the designated providers. Learners may remain eligible for RBF when they are receiving EMA or ALG.

83

It is for the 50 designated providers to decide the criteria and procedures for considering applications for support from RBF within the eligibility and administration requirements of this document. They are also responsible for making payments to eligible learners. However, priority must be given to learners who are unable to access relevant learning within daily travel from their home or where the costs of this are prohibitive. RBF have an advised maximum payment of £4,079 within London and £3,458 outside London on a pro-rata basis.

84

The 50 designated providers are allowed to use no more than 15 per cent of their 2009/10 allocation or £25,000, whichever is the greater, to support learners who are able to travel daily, where the payment of fare costs cannot be met from the provider's hardship fund. Daily travel using RBF must only be considered as a last resort.

85

General hardship needs cannot be funded through RBF and providers must record all payments including daily travel payments separately for audit purposes.

19+ Additional Funding for ESOL provision

86

A separate allocation of £3.07 million has been made available for learners who would be unintentionally disadvantaged as a result of the changes to ESOL funding policy, as set out in the LSC's Annual Statement of Priorities 2007/08, published in October 2006. This additional funding will be distributed to LSC regions on the basis of ESOL enrolments from the 2006/07 ILR data. This alternative method of funding allocation is in recognition of the regional variance in ESOL provision.

87

Allocations for ESOL course fee support will be made through local partnership teams to individual institutions in order that they can support learners identified through the Race Equality Impact Assessment 2007.

88

This additional funding that is available to support ESOL learners should be prioritised towards the two identified groups in the Race Equality Impact Assessment. These are:

- spouses, particularly in the settled communities, that are unable to evidence their entitlement to full fee remission, or are unable to make a financial contribution to their fee costs
- low-paid workers who are unable to demonstrate receipt of an income based benefit.

89

In contrast to dLS, the additional £3.07 million funding can **only** be used to support ESOL course fees and ESOL examination fees. Other support costs cannot be met from this funding.

90

This additional ESOL funding must **only** be used to support learners aged 19 and over. (Learners under 19 are eligible for fully funded ESOL provision.)

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Audit and Management Information

Financial and data monitoring

91

Providers must have administrative procedures that:

- record the details of learner applications for financial assistance (including the financial value of applications as well as the number of awards)
- account for the dLS distributed
- identify unspent funds at the end of the academic year.

92

Providers must also submit information detailing how dLS have been used. The data is used to demonstrate the efficacy of dLS and to demonstrate probity in the use of public funds. The data is collated in two ways:

- completion of mandatory field of the Individualised Learner Record (ILR). This is L34 for residential bursaries, and L49 for other support reasons (see [Annex F](#))
- financial reconciliation, completion of a monitoring form, which will be distributed separately. The return establishes the main uses of the fund and amount of awards. Additional narrative may be required to identify reasons for support (see [Annex G](#)).

93

Where a provider has not completed the required data monitoring and financial reconciliation forms by the due dates, the LSC will deem the allocation of funding to be unspent and reserves the right to recover such funding in the next payment run and this will impact future allocation of discretionary funds. Where data is incomplete, providers will be asked to revise and resend the required return.

- In order to fulfil its duty to protect public funds, the LSC may use the information it holds to prevent and detect fraud. The LSC may also share such information, for the same purpose, with other organisations that handle public funds.
- When completing the monitoring form and management information return providers need to be aware that the definition of a young person, for this purpose, is a learner aged 16, 17 or 18 on 31 August in the year in which they receive funding.

Unspent funding

94

If during the course of the academic year a provider considers that it will be unable to spend any part of its dLS allocation, it should **immediately** contact the local LSC and arrange to repay the unspent amount. It is not possible to vire funds between the youth and adult budgets.

- The LSC will aim to distribute any returned funds to other providers that can make use of further funding, and the LSC may recover funds identified by providers as undistributed at the end of the academic year.
- The LSC cannot guarantee to reimburse overspends. Institutions are therefore advised not to overspend in the expectation that there will be a reallocation of funds later in the year, as this may not be the case.
- The recovery of any dLS under-expenditure is expected to take place in October 2010 onwards.

The role of local LSCs

95

Local LSCs will:

- work with local authorities and providers locally to agree allocations and dLS agreement schedules
- work with LSC National Office to ensure up-to-date information is held
- ensure that accurate payments are made to providers and local authorities at the appropriate times
- liaise with local authorities and providers to ensure expenditure and management information will be available by the required deadline
- reconcile funds, recovering and redistributing unspent funds as appropriate
- ensure provider management information is processed accurately and is available to LSC National Office
- answer queries from providers.

Audit Requirements for dLS 2009/10

96

For audit purposes, hard copies of all documentation for dLS should be kept for a period of at least six years.

General

This excerpt is from the Education & Training Standard Terms & Conditions part of the funding agreement, paras 11.1-11.5.

Access and monitoring

THE COUNCIL shall give THE CONTRACTOR reasonable advance notice in writing of proposed visits to THE CONTRACTOR or its sub-contractors, to observe the delivery of the Services, by any person who has taken or will take no direct part in the conduct or content of the Services.

For monitoring and evaluation purposes, THE COUNCIL, the Secretary of State and his agents, the Department for Children, Schools and Families, the Department for Innovation, Universities and Skills, the National Audit Office, Representatives of the European Commission and the European Court of Auditors, the Audit Commission and the Inspectorates shall have the right to visit all or any site(s) and view operations relating to the provision and to inspect relevant documents and interview Learners and THE CONTRACTOR'S staff during these visits.

THE CONTRACTOR shall, and shall ensure that its sub-contractors shall, permit access at any reasonable time to any of the representatives listed at Clause 11.2 in order to:

- a) *examine, audit or take copies of any original or copy documentation, accounts, books and records of THE CONTRACTOR and its sub-contractors that relate to the Contract;*
- b) *visit, view or assess the design, management and delivery relating to the Contract at any Premises where those operations are carried out (including those of sub-contractors) and conduct relevant interviews, including interviews with Learners, during these visits at any reasonable time;*
- c) *carry out examinations into the economy, efficiency and effectiveness with which THE CONTRACTOR has used THE COUNCIL'S resources in the performance of the Contract.*
- d) *carry out examinations into the economy, efficiency and effectiveness with which THE CONTRACTOR has used THE COUNCIL'S resources in the performance of the Contract.*

Where reasonably required, THE CONTRACTOR and its sub-contractors shall provide copies of any relevant documents required by any of the representatives listed at Clause 11.2.

THE CONTRACTOR shall, if required by any of the representatives stated at Clause 11.2 provide appropriate oral or written explanations.

Specific to dLS 2009/10

97

Provider Financial Assurance (PFA) would audit against the Financial Monitoring Returns submitted by the institutions and local authorities. Any audit would seek to validate the funding reported via this return. There are various types of eligible funding and audit would be against these criteria.

Eligibility

- evidence that the learner meets the standard LSC Residency criteria as contained in the guidance note – LSC Learner Eligibility Guidance 2009/10
- evidence that the learner meets one of the priority groups identified in the guidance
- evidence that the learner is not eligible to receive Additional Learning Support (ALS) Funding.

Application process

- written policies describing how funding will be prioritised and dispersed
- records of application for each learner for dLS detailing the specific need and the amount required
- records of approved applications
- evidence of actual spend against each application i.e. invoices.

Equipment

- evidence that equipment is recorded and monitored for future use by other learners i.e. asset register
- evidence that the fund has been reimbursed for any equipment returned to the pool less depreciation.

Administration costs

- evidence that the administration costs amount to no more than 5 per cent of the total allocation
- evidence of actual spend on administration of the programme i.e. staff hours, invoices, overhead costs apportioned accordingly

98

In addition to the above general requirements each element of dLS has additional evidence requirements as follows:

dLS: hardship

- evidence to confirm a learner's need for a bursary
- evidence to confirm the actual spend against each application i.e. invoices.

dLS: 20+ childcare

- evidence that the childcare provider is registered with Ofsted
- evidence of actual spend against each application i.e. invoices
- evidence that the actual spend was eligible i.e. not used as set-up costs.

Transport

- evidence that the application was eligible for funding

Residential Bursary Fund (RBF)

- evidence that providers have used no more than 15 per cent of their allocation or £25,000 to support daily travel for learners
- evidence to support daily travel payments made against each learner.

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Annexes

Annex A: Key Dates for dLS

Key date	Action required	By whom
end of May 2009	Issue of final allocations via budgeting process to local area LSCs	LSC Regional Directors
Jun 2009	Issue of draft dLS agreement schedule, with proposed 2009/10 allocations to institutions	Area LSCs
1 August 2009	Funding agreement schedule agreed	Principals or heads of providers and local LSCs
Aug 2009	First payment of funds (50 per cent)	Area LSC
Dec 2009	Second payment of funds (25 per cent)	Area LSC
Mar 2010	Third payment of funds (25 per cent)	Area LSC
11 Sep 2010	Financial monitoring returns to National Policy Team	To be advised
16 Oct 2010	Monitoring returns collated and analysed	To be advised
Nov 2010	Reconciliation of funds	To be advised
Oct and Nov 2010	Recovery of under-expenditure from providers and local authorities	To be advised
Dec 2010 onwards	Redistribution of unspent funds	To be advised

Annex B: Other Forms of Financial Support

Education Maintenance Allowance (EMA)

1

Education Maintenance Allowance (EMA) is an income-assessed* weekly payment of up to £30, paid directly to young people who stay on in learning after they reach the statutory leaving age (that is, after the end of their compulsory schooling). Young people may also receive bonuses for achieving learning goals. EMA is available to young people on full-time further education courses at a college or school; LSC-funded Entry to Employment (E2E) and courses leading to an Apprenticeship (that is, Programme-led Apprenticeships). EMA can be paid for up to three years. More information about the EMA scheme is available from the EMA website: www.direct.gov.uk/ema

Care to Learn (C2L)

2

Care to Learn (C2L) supports young parents aged up to (and including) 19 when learning starts by funding the cost of their (Ofsted-registered) childcare and associated transport costs (childcare must be registered on Ofsted's Early Years Register and/or the Compulsory part of the Ofsted Childcare Register).

3

Further information for learners interested in applying for C2L can be found by telephoning the helpline on **0800 121 8989** or by accessing the following website: www.direct.gov.uk/caretolearn

Sixth Form College Childcare Scheme (6FCC)

4

Adults aged 20+ attending a school sixth form or sixth form college may be eligible to receive financial support towards the costs of their childcare and associated transport costs from the Sixth Form College Childcare Scheme, providing they have a dependent child aged under 15 (16 for children with disabilities) for whom they provide care. Support from the scheme is income-assessed. Childcare must be registered on Ofsted's Early Years Register and/or the Compulsory part of the Ofsted Childcare Register.

5

Further information for learners interested in applying for the Sixth Form College Childcare Scheme can be found by telephoning the helpline on **0800 121 8989**.

Residential Support Scheme (RSS)

6

The Residential Support Scheme helps learners access education that is not available within reasonable travelling distance of their home. Further details on the Scheme can be obtained by visiting the following website: www.direct.gov.uk/moneytolearn click on **Extra Help** then **Help if you are studying away from home**.

Career Development Loans (CDL)

7

A Career Development Loan (CDL) is a commercial bank loan which can help learners gain the experience, training and qualifications needed to improve job skills to launch a new career. CDLs can be used to fund a variety of courses with a wide range of organisations, so learners are able to choose the course that best suits their needs.

8

A CDL can be obtained through three participating high street banks, Barclays, the Co-operative Bank and the Royal Bank of Scotland. The LSC pays the interest on the loan whilst the learner is in learning and for up to one month afterwards. The learner then repays the loan to the bank over an agreed period of fixed rate interest.

9

Further information about Career Development Loans can be obtained from Learn Direct by calling the CDL information line on **0800 585 505** or visiting the following website: www.direct.gov.uk/cdl

* Learners on E2E programmes are automatically entitled to £30 irrespective of household income.

Dance and Drama Awards (DaDAs)**10**

The Dance and Drama Awards (DaDAs) are scholarships funded by the LSC, and are for talented performers and stage managers who want to work in the performing arts.

11

DaDAs offer greatly reduced tuition fees and income-assessed help with living and learning costs at some of England's leading private dance and drama training providers.

12

To apply for an award students must contact directly the participating dance and drama schools to arrange for an audition. DaDAs are given to the students who demonstrate the most potential to succeed in the profession at audition. Further information on the DaDA scheme can be found by logging on to the website:

www.direct.gov.uk/danceanddrama

Adult Learning Grant (ALG)**13**

ALG encourages improved participation, retention and attainment among adults on low incomes.

14

The scheme is intended to help adults studying full-time (more than 450 guided learning hours a year) with costs associated with learning. The grant pays up to £30 per week (subject to financial assessment) for full-time learners aged 19 and over who are studying their first full Level 2 or first full level 3 qualification. Further information on the ALG scheme can be found by logging on to the website: www.direct.gov.uk/alg

Free Childcare for Training and Learning for Work**15**

The Free Childcare for Training and Learning for Work commenced from 1 April 2009. The scheme provides childcare support for low income families, where one parent is working and the other parent (aged 20 or over), is out of work and looking to participate in training or learning that will lead to work. The scheme will provide up to £175 per child per week (or £215 in London) to help pay for childcare and transport costs.

16

Further information for learners interested in applying for this scheme is available by telephoning the Learner Support Service helpline on **0800 121 8989** or by accessing the following website:

www.direct.gov.uk/freechildcareforlearning

17

Further information for providers and partners can be found on the following LSC website:

www.lsc.gov.uk/providers/moneytolearn/childcaretraininglearning

Annex C:

Future Developments

1

Both Departments, DCSF and DIUS, are reviewing current learner support arrangements. The LSC has commissioned ACL Consulting to evaluate discretionary learner support.

2

ACL Consulting (assisted by QA Research) has been commissioned by the LSC's Learner Support Directorate to undertake an evaluation of discretionary Learner Support (dLS) that will provide up-to-date evidence of the impact and effectiveness of dLS and help to inform how such support is provided in the future.

3

Among other things the evaluation will:

- review the impact of dLS on learners, including whether and to what extent learner access, participation and retention, particularly for the most disadvantaged and socially excluded, is improved by the funding
- evaluate the extent to which the dLS schemes provide value for money
- investigate whether the funding is targeted effectively at those who need it the most.

4

The project will run until January 2010. It is being divided into two phases. Phase 1 will run from April to August 2009 and have the following main components, concluding with the production of an interim report:

- key stakeholder interviews
- detailed analysis of 2007/08 performance and other data and comparison of these with previous evaluation results
- fieldwork in all LSC regions to include review of provider policy statements, interviews with two providers and one local authority per region, piloting of a telephone survey of dLS recipients drawn from the providers interviewed in this phase, and workshops in each region for LSC and providers' staff.

5

Phase 2 will run from September 2009 to January 2010 and will have the following main components:

- further interviews with key stakeholders
- further analysis of 2008/09 performance and other data
- further fieldwork in all regions, to include an additional five provider interviews per region and three further local authority interviews, plus four focus groups per region involving respectively: LSC and local authority staff, providers, adult learners, and young learners
- completion of a full telephone survey of dLS recipients and non-recipients to cover all regions, adults and young people and all forms of dLS support (in total 3,600 dLS recipients plus a control group of non-recipients will be interviewed)
- online surveys of all relevant LSC staff and all providers
- production of case and good practice studies.

Annex D: Local Authority Duty for Transport for Learners of Sixth Form Age

1

Local authorities (LAs) have a duty to prepare and publish an annual Transport Policy Statement specifying the arrangements for the provision of transport or otherwise that the LA considers it necessary to make for facilitating the attendance of persons of sixth form age receiving education or training at schools, colleges or any establishment funded by the Learning and Skills Council (LSC). The duty applies to all local authorities in England. See para 4 below.

2

The duty relates to those attending schools and institutions of further education who are over compulsory school age but under 19 and learners who are over 19 but who began their course before they reached 19 (those of sixth form age).

3

Providers should advise learners that the LA has a duty to publish its Transport Policy Statement by 31 May each year setting out transport arrangements for learners aged 16-19. Further information on transport policies can be found on the LA's own website or on: www.direct.gov.uk

4

The original section 509 of the Education Act 1996 has been amended in subsequent legislation including the Education Act (2002), the Learning and Skills Act (2000), the School Standards and Framework Act (1998) and the Education and Inspections Act 2006.

Education Act 2002, Schedule 19

509AA Provision of transport etc. for persons of sixth form age

- (1) *A local education authority shall prepare for each academic year a transport policy statement complying with the requirements of this section.*
- (2) *The statement shall specify the arrangements for the provision of transport or otherwise that the authority consider it necessary to make for facilitating the attendance of persons of sixth form age receiving education or training –*
 - (a) *at schools,*
 - (b) *at any institution maintained or assisted by the authority which provides further education or higher education (or both),*
 - (c) *at any institution within the further education sector, or*
 - (d) *at any establishment (not falling within paragraph (b) or (c)) which is supported by the Learning and Skills Council for England or the National Council for Education and Training for Wales.*
- (3) *The statement shall specify the arrangements that the authority consider it necessary to make for the provision of financial assistance in respect of the reasonable travelling expenses of persons of sixth form age receiving education or training at any establishment such as is mentioned in subsection (2).*

Annex E: Additional Learning Support (ALS)

The document 'LSC Funding Guidance 2008/9: Principles, Rules and Regulations' can be found on the link below, ALS details are in Section 12 of the document.

www.lsc.gov.uk/publications

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Annex F: ILR 2009/10 Extract

ILR extract of relevant dLS funds fields – L34 Code 37 'Residential Support Scheme' should be used to record residential bursaries and L49 for all other forms of dLS.

Field	L34	Learner support reason – other (occurs 4)					
Required for	LR ER	Field length	2 (occurs 4)	Field type	Numeric	Field justification	Not necessary
Description	Identifies categories of other learner support for the learner						
Reason required	To identify the demand for, and participation in, learner support and to assist in the evaluation of its effectiveness.						
	24	Adult learning grant (ALG)					
	25	Education maintenance allowance (EMA)					
	32	Career development loan (CDL)					
	35	E2E / Programme Led Apprenticeships (PLA) hardship fund					
	36	Care to Learn (C2L)					
	37	Residential support scheme (RSS)					
	41	Time off for study					
	49	Learner living on campus (accommodation owned or managed by provider)					
	50	Learner living off campus (accommodation leased by provider and sub-let to learner)					
	51	Learner living off campus (privately managed accommodation on provider recommended list)					
	52	Learner living off campus (privately managed accommodation not on provider recommended list)					
	53-96	Unassigned					
	99	no learner support or no more of the above					

NOTES

All learners

- Where more than one category of learner support applies to a learner, enter up to four codes in the learner support reason fields. These different reasons should be justified from the left and 99 filled to the right.
- The same learner support reason must not be entered more than once, except an entry of 99.
- Time off for study (code 41) is the government guarantee that any young person who has not reached level 2 and who has become employed in a job without training has the right (by law) to seek time off from their employer to receive training at level 2 or higher.

Examples

- A learner with only one learner support reason should be entered in this way: **24999999**
- A learner with two learner support reasons should be entered in this way: **24259999**
- A learner with no learner support should be entered as: **99999999**

Field	L49	Discretionary support funds (occurs 4)					
Required for	LR	Field length	2 (occurs 4)	Field type	Numeric	Field justification	Not necessary
Description	Identifies categories of discretionary support funds for the learner						
Reason required	To identify the demand for, and allocation of discretionary support funds and to assist in the evaluation of its effectiveness.						
Valid entries	01	19+ Hardship – fees					
	02	16-18 Hardship - general (books, equipment, accommodation, etc)					
	03	19+ Hardship - general (books, equipment, accommodation, etc)					
	04	16-18 Hardship transport					
	05	19+ Hardship transport					
	06	20+ Childcare					
	07	Transport from local authority (LA) partnership					
	08-10	Unassigned					
	99	No discretionary support funds or no more of the above					

LEARNER RESPONSIVE RETURNS

Notes

All learners in receipt of discretionary support funds

The category of discretionary support funds entered in this field must be a valid code from above list.

The same category of discretionary support funds must not be entered more than once, except an entry of 99.

Where more than one category of discretionary support applies to a learner, enter up to four codes in the discretionary support funds fields. These different reasons should be justified from the left and 99 filled to the right

Code 01 (19+ Hardship – fees) should only be used where the provider has formal agreement from their LSC Area Partnership Team to use the funds for this purpose.

Example

A learner with only one learner support reason should be entered in this way: **01999999**

All other learners

- Code 99, 'None of the above', must be used.

Note: The use of the unassigned codes is only to be authorised by *the information authority*, and should not be used by providers unless such authorisation has been published.

Annex G: Example Provider Financial Monitoring Data Form for 2009/10 Academic Year

1 of 3

**Discretionary Support Funding - 2009/10 Academic Year
Provider Financial Monitoring Data**

Please do not alter this form in any way. Complete yellow boxes only.

Provider Name

Address

Contact Name Tel No E-mail

Please enter data and return electronic or hard copy to your Local office by 10 September 2010 for the attention of:

E-mail Local Office e-mail Tel No Local Office number Fax No Local Office fax number

Office Name eg Coventry and Warwickshire Office Code

FUNDS RECEIVED (as detailed on LSF Schedule)

Youth

16-18 Hardship	<input style="width: 100%;" type="text"/>
16-18 SSF Hardship	<input style="width: 100%;" type="text"/>
16-18 Residential Bursaries	<input style="width: 100%;" type="text"/>
16-18 Supplementary Discretionary Support Funding awarded by Local LSC/Office during the course of the year	<input style="width: 100%;" type="text"/>
Total 16-18 Funds Received	£ -

Other incoming/outgoing 16-18 funds

16-18 Discretionary Support Funding returned to the Local LSC/Office during the course of the year (outgoing)	<input style="width: 100%;" type="text"/>
16-18 Loans repaid by learners (incoming)	<input style="width: 100%;" type="text"/>
Total 16-18 funds available for learners (funds recv'd minus outgoing plus incoming)	£ -

Adult

19+ Hardship	<input style="width: 100%;" type="text"/>
19+ SSF Hardship	<input style="width: 100%;" type="text"/>
20+ Childcare	<input style="width: 100%;" type="text"/>
19+ FE Learners in HEIs	<input style="width: 100%;" type="text"/>
19+ Residential Bursaries	<input style="width: 100%;" type="text"/>
19+ Discretionary ESOL	<input style="width: 100%;" type="text"/>
Total 19+ Funds Received	£ -

Other incoming/outgoing 19+ funds

19+ Discretionary Support Funding returned to the Local LSC/Office during the course of the year (outgoing)	<input style="width: 100%;" type="text"/>
19+ Loans repaid by learners (incoming)	<input style="width: 100%;" type="text"/>
Total 19+ funds available for learners (funds recv'd - outgoing + incoming)	£ -

Total funds available for all learners (youth and adult)

	£ -
--	------------

EXPENDITURE MADE

Categories of support: Hardship

	16-18 learners			19+ learners		
	No of Awards	Learners	Amount (£)	Awards	Learners	Amount (£)
Fees (16-18 re-examination, 19+ tuition & exam)						

Further information is required in the comments box below to identify groups of learners and types of provision supported with fee remission through discretionary support funding

COMMENTS

Books & equipment (incl computer, materials etc)						
Transport to and from provider/school (exceptional circumstances only for 16-18)						

For 16-18 - further information is required in the comments box below to identify the exceptional circumstances for which transport costs are supported through the discretionary support funding

COMMENTS

Accommodation and meals						
Additional course costs (eg trips)						
Other - please specify, do not use for bursaries						

Further information is required in the comments box below to identify the expenditure in the "Other" category

COMMENTS

Total - number of awards and amount of support		-	-	£	-		-		-	£	-
Total Hardship Expenditure										£	-

Categories of support: Residential Bursary - Only applies to the 50 specialist colleges

	16-18 learners			19+ learners		
	No of Awards	Learners	Amount (£)	Awards	Learners	Amount (£)
Accommodation						
Daily travel - from residential funds						
Meals						
Other miscellaneous items, please specify						

Further information is required in the comments box below to identify the expenditure in the "Other" category

COMMENTS

Total - number of awards and amount of support		-	-	£	-		-		-	£	-
Total Residential Expenditure										£	-

3 of 3

Categories of support: 20+ Childcare

	Full-time		Part-time	
	No children supported	Amount (£)	No children supported	Amount (£)
Childminder	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Creche/mobile facility	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Nursery/day care	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total no of children supported & amount of support	-	£ -	-	£ -
Total 20+ Childcare Expenditure				£ -

Please give details of any unmet Childcare demand - please provide an estimate of additional childcare funding need for learners aged 20+

COMMENTS

Categories of support: ESOL learners - 19+ learners only (for fees, including examination, registration and tuition)

	No of eligible applications	Amount (£)	No of awards	Amount (£)
Spouses	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Low paid workers	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total ESOL Expenditure	-	£ -	-	£ -

Further information is required in the comments box below to identify the expenditure in the "Other" category

COMMENTS

	Youth (£)	Adult (£)	Total (£)
Balance of Discretionary Support Funding before administration costs (funds available minus expenditure)	£ -	£ -	£ -

Administration costs for all funds operated - maximum 5% of total allocation

Youth (£)	Adult (£)	Total (£)
<input type="text"/>	<input type="text"/>	£ -

Interest earned on funds (£) - will not be included in calculation

<input type="text"/>

Balance of Discretionary Support Funding after deduction of expenditure and administration costs

(Any underspends to be recovered by the local office)

Youth (£)	Adult (£)	Total (£)
£0.00	£0.00	£0.00

COMMENTS

DECLARATION

I confirm that this form has been completed in accordance with the Discretionary Support Funding Guidance and Requirements 2009/10

Signature (Head of Institution or Chief Finance Officer)

Name of Head of Institution/Chief Finance Officer (please print)

Date

Learning and Skills Council
National Office

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