

Learning support funding for apprentices with learning difficulties and disabilities

A guide for training providers

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Contents

Contents	2
Summary	3
Expiry or review date	3
Supporting learning difficulties and disabilities	4
What is learning support?	5
Who is learning support funding for?	5
What is not eligible to be funded through learning support?	6
Assessing and identifying the needs of the apprentice	8
Initial Assessment	8
Further Assessment of individual needs	8
How to claim learning support	9
Evidence and verification	10
Monthly progress	11
Excess learning support and exceptional learning support	12
Other funding to support apprentices with Learning Difficulties and Disabilities	13

Summary

This guidance details how learning support funding can provide reasonable adjustments to support active learning in an apprenticeship.

The arrangements and processes for funding apprenticeships can be found in the apprenticeship funding rules.

For the purposes of this guidance the term "training provider" refers to the main provider. Guidance for employer-providers is included separately in the apprenticeship funding rules.

Expiry or review date

This guidance will be reviewed in alignment with any changes to the apprenticeship funding rules.

Supporting learning difficulties and disabilities

Under section 20 of the Equality Act 2010, education and training providers and other related service providers have a duty to make reasonable adjustments for disabled people (which includes people with a learning difficulty) so they are not placed at a substantial disadvantage compared to non-disabled students.

What constitutes a reasonable adjustment is covered within <u>reasonable adjustments for disabled workers guidance</u>. Reasonable adjustments should also be considered for the apprentice's end point assessment, and details on this can be found in the Institute for Apprenticeships guidance and their reasonable adjustments <u>matrix</u>.

A "learning difficulty or disability" in the funding rules has the same meaning as in section 15ZA(6) of the Education Act 1996 (as amended) namely:

- "(a) the person has a significantly greater difficulty in learning than the majority of persons of the same age, or
- (b) the person has a disability which either prevents or hinders the person from making use of facilities of a kind generally provided by institutions providing education or training for persons who are over compulsory school age."

What is learning support?

Learning support is also often referred to as "additional learning support" or "additional learner support."

Learning support funding is to be used by apprenticeship providers to make reasonable adjustments to support an apprentice who has learning difficulties or disabilities so that they are able to complete their apprenticeship. This could include any reasonable adjustments to complete English and maths requirements and the end-point assessment.

Learning support is a fixed amount of £150 per month which can only be claimed by the provider for each month where reasonable adjustments are delivered, evidenced and result in a monetary cost.

These costs may be related to either the cost of staff time or specific equipment, for example:

- Additional staff to support apprentices
- Extended or more frequent assessor visits
- Specialist equipment
- Enabling additional time on exams/tests.

To claim learning support, training providers will need to claim through the Individualised Learner Record and keep <u>evidence</u> of all necessary reasonable adjustments made, when these were delivered, and the cost incurred.

In cases where reasonable adjustments require the purchase of equipment, this becomes the property of the training provider. It is suggested that providers reutilise this equipment to meet the needs of future apprentices.

For costs exceeding the monthly limit of £150 see excess learning support and exceptional learning support

Employers are expected to provide reasonable adjustments in the workplace. Learning support should not be used by employers to make these reasonable adjustments

Access to Work is available to support individuals in their workplace.

Who is learning support funding for?

Learning support must be considered on an individual, case-by-case basis where the following conditions apply:

Either

 The apprentice has either an existing or previously issued Education, Health and Care (EHC) Plan, a Statement of Special Educational Needs (SEN) or a Learning Difficulty Assessment (LDA);

Or

The provider has conducted a thorough, evidence based <u>assessment</u> which
identifies that the apprentice has a learning difficulty or disability (as defined in
section <u>15ZA of the Education Act 1996</u>) and is not able to complete the learning
associated with the apprenticeship without additional support being put in place,
due to having a learning difficulty or disability. This could include learning
difficulties or disabilities which the apprentice self-declares or have not previously
been identified;

And in both instances

The employer and training provider must reasonably expect that the apprentice
will be able to successfully achieve all other aspects of the apprenticeship
requirements before the end of the apprenticeship. Details of how to conduct this
assessment are included in the <u>Assessing and identifying the needs of the</u>
<u>apprentice section of this guidance</u> and at Initial Assessment section of the
apprenticeship funding rules.

Learning support is payable to training providers and is separate to any funding available to employers. Training providers and employers should liaise to ensure that the apprentice is fully supported. Employers may also be able to access alternative sources of support.

Learning support may be used to support people undertaking all levels of an apprenticeship, including a higher or degree apprenticeship course as these students are excluded from claiming Disabled Student Allowance.

What is not eligible to be funded through learning support?

Learning support is not available:

- to address any issues or activities which are not directly associated with the apprenticeship
- to support apprentices who have learning gaps in their learning, skills, or knowledge which are unrelated to a learning difficulty or disability
- where there are no costs incurred for putting in place reasonable adjustments.

A learning or skills gap will not always indicate a learning difficulty or disability. Learning support must only be used to support apprentices who have been assessed as having a learning difficulty or disability, it is not to be used to address learning gaps.

A leaning or skills gap is where an apprentice has a gap in their learning or knowledge due to not having obtained certain skills or behaviours. For example, if a person does not have the required GCSE/functional skills in English and maths and this is not due to them having a learning difficulty or disability it is considered a learning gap rather than a need in relation to a learning difficulty or disability. If this is the case, it may nevertheless entitle a training provider to obtain alternative funding to enable the apprentice to bridge that learning or skills gap.

Training providers should claim for funding to meet English and maths learning gaps, as described in the apprenticeship funding rules.

Where an apprentice has a learning difficulty or disability which does not require reasonable adjustments or cannot be evidenced as directly impacting on the apprentice's ability to complete their apprenticeship, the provider will not be eligible for learning support funding.

Assessing and identifying the needs of the apprentice

The training provider must undertake a thorough evidence-based assessment to identify any learning difficulties or disabilities which will directly impact the apprentice's ability to complete their apprenticeship.

Initial Assessment

An Initial Assessment to identify the apprentice's general learning needs must be conducted prior to all apprenticeships commencing. The provider guide to delivering high-quality/apprenticeships offers more detail about how Initial/Assessments inform activities in the rest of the apprenticeship. As described in the apprenticeship funding rules the Initial Assessment is now included as an eligible cost.

Further Assessment of individual needs

Where the Initial Assessment identifies that the apprentice has, or potentially has a learning difficulty or disability, a further, thorough evidence-based assessment of the individual's needs may be required to identify whether this will directly impact the apprentice's ability to complete their apprenticeship and what their individual learning support needs might be. This individual needs assessment is not included as an eligible cost.

When undertaking a thorough evidence-based assessment of the apprentice's learning difficulty or disability, careful and considered thought should be given to the individual needs of the apprentice. This should cover their ability to complete all aspects of the active learning of the apprenticeship, not just their capability in relation to English and maths. It is recommended that the assessment is not based solely upon an automated (i.e. computer-based) assessment.

Training providers can tailor the assessment process to meet the needs of the apprentice and their programme. This allows the provider to identify, consider and evidence the support and adjustments required and discuss this with the apprentice.

Any arrangements for support must be agreed and signed-off by the apprentice. If the apprentice consents to it, these should be shared with the apprentice's employer.

How to claim learning support

To claim learning support the provider should:

- carry out a thorough <u>assessment</u> to identify any learning difficulties/disabilities the apprentice may have and the reasonable adjustments which would support the apprentice to achieve their learning outcomes
- record details of the needs in the training plan
- deliver support to meet the apprentice's identified needs
- review progress and continuing needs, as appropriate
- record all outcomes in the <u>evidence pack and keep evidence</u> of the assessment of the needs; and
- report in the Individualised Learner Record (ILR) that an apprentice has a learning support need.

Providers should only make a claim for learning support funding in the months where reasonable adjustments are necessary, have been delivered and evidence has been obtained that costs have been incurred.

There may be some months where no reasonable adjustments are necessary, or any adjustments made do not incur a cost. In these instances, training providers must not make a claim for learning support funding.

For example, some reasonable adjustments like extra time to complete an assignment are cost neutral. A claim would not be necessary.

Training providers should make any claims promptly and in time for the final Individualised Learner Record (ILR) collection in any funding year to ensure payment.

There may be instances when costs exceed the monthly rate of £150. Details of how these costs may be covered are explained within the <u>excess learning support and exceptional learning support</u> section of this guide. Further information is provided in the <u>funding rules</u> in titled "Apprentices who need access to exceptional learning support (ELS)".

Evidence and verification

Where learning support funding has been claimed, all related evidence must be kept by the training provider.

The evidence pack must document and include the following:

- A copy of the assessment which identifies the apprentice's learning difficulty or disability
- Details of the reasons why the adjustments are necessary to enable the apprentice to complete the apprenticeship
- A documented assessment of how progress towards the completion of the apprenticeship would be directly impacted without the reasonable adjustments being put in place for the apprentice
- Documented evidence of how you plan to deliver the necessary reasonable adjustments throughout the apprenticeship. This plan is to be agreed and signedoff by the apprentice
- Evidence and documented details of the necessary reasonable adjustments that have been delivered in that period
- Evidence of monthly progress reviews throughout the apprenticeship to ensure
 that reasonable adjustments are necessary in respect of the content of training,
 English and maths tuition and/or end point assessment at different points during
 the apprenticeship. This evidence will need to confirm the effectiveness of the
 reasonable adjustments and how these have been adapted where necessary

It is recognised that the evidence listed here will vary in format. Training providers should ensure they capture clear evidence against each of the areas listed above.

All this evidence must be in place, and the reasons for any reasonable adjustments being delivered, to qualify for learning support funding for each month that it is claimed.

The Department for Education (DfE) and the Education and Skills Funding Agency (ESFA) reserve the right to examine and investigate claims made. Where it is appropriate to do so, action will be taken where claims do not meet the <u>eligibility criteria</u>; where evidence is not provided or where the terms and conditions of apprenticeship funding are not being met. These terms and conditions are set out in the <u>funding rules</u> (section Evidence Requirements) and the Provider Agreement.

Monthly progress

In addition to the required <u>reviews</u> of the apprentice's progress, the provider should review the apprentice's progress monthly throughout the apprenticeship to ensure that the reasonable adjustments remain necessary in respect of the content of active learning, English and maths tuition and/or end point assessment at different points during the apprenticeship.

Documented <u>evidence</u> of the progress and development must be agreed by the apprentice, collected and retained as part of the evidence pack. This evidence will need to confirm the effectiveness of the reasonable adjustments and how these have been adapted where necessary.

Where it is identified that learning support will no longer be required to provide the necessary reasonable adjustments, the mark on the Individualised Learner Record must be removed.

Excess learning support and exceptional learning support

If the cost of reasonable adjustments exceeds £150 per month, but is less than £19,000 per year, you can make a claim for excess learning support via the earning adjustment statement (EAS). Evidence must be kept of all costs. For further information see <u>Earning Adjustment Statement on GOV.UK.</u>

Training providers should ensure they can evidence total expenditure on the apprentice and demonstrate why the cost of support is greater than the total earned from the fixed monthly learning support rate. This evidence should be linked to the apprentice's assessment and clearly show any costs the training provider intends to claim from learning support. Exceptional learning support funding should not be used to cover any indirect costs or overheads and is intended exclusively for providing support to the learner.

A small number of apprentices with a learning difficulty or disability may need significant levels of support to start or continue with their apprenticeship. If support costs more than £19,000 in a funding year training providers may be able to access exceptional learning support. Where exceptional learning support is claimed additional evidence and information are required. In these circumstances, you must also include the application and supporting evidence for the claim – which includes details of the reasonable adjustments and the actual costs incurred.

Other funding to support apprentices with Learning Difficulties and Disabilities

The arrangements and processes for funding apprenticeships can be found in the <u>apprenticeship funding rules</u>.

Employers and providers taking on apprentices aged 19-24 with an Education, Health and Care Plan each receive a payment of £1,000, extending the financial support available for all 16-18 year-olds. Details of this Additional Funding is included in the Additional payments section of the Provider Funding Rules.

The Department for Work and Pensions (DWP) provides <u>Access to Work funding</u> to contribute to support beyond reasonable adjustments for people with a disability, health condition or mental health condition that affects their ability to work.



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