

# **Learners with Learning Difficulties and Disabilities (LLDD) and Learning Support Policy**

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## **Section 1**

# **Policy Statement Purpose and Objectives**

## 1.1 Policy Statement

- 1.1.1 Tiro is committed to actively promoting equality of opportunity ensuring that all learners reach their learning potential and achieve success in an appropriate programme of study.
- 1.1.2 Tiro aims to provide sensitive advice and guidance to all learners prior to entry to raise aspiration and assess any additional needs in a timely and comprehensive manner.
- 1.1.3 Learners are encouraged to disclose their needs confidentially at the beginning and through all stages of the learner journey.
- 1.1.4 Tiro uses a range of strategies to design an appropriate and flexible support programme to reduce significant barriers to learning. It regularly reviews the impact of its interventions to ensure that available funding is used to the best effect and impacts positively on learner progress and achievement.
- 1.1.5 It is recognised that barriers to learning can have many causes, including physical, mental, social, emotional and communication factors.
- 1.1.6 Learners are supported to develop insight into personal barriers and develop strategies and skills that will encourage them to become independent, successful learners.

## 1.2 Purpose and Objectives

- 1.2.1 The purpose of this policy is to ensure that all learners achieve their learning potential and understand their entitlement to support.
- 1.2.2 All staff must be aware of Tiro's obligations and their responsibilities to:
  - Promote equality and participation.
  - Ensure that individualised strategies are in place to support learning.
  - Monitor the impact and quality of the learning support that is delivered.

## **Section 2**

### **Disclosure and Confidentiality**

### **Supporting learning difficulties and disabilities**

**What is learning support?**

**Who is learning support funding for?**

## 2.1 Disclosure and Confidentiality

2.1.1 In accordance with the Equality Act 2010 and the Equality, Diversity and Inclusivity Policy, Tiro has a duty to anticipate needs wherever possible, to make reasonable adjustments accordingly and to treat all learners fairly. Information on a disability cannot be passed on to third parties without explicit informed consent from the learner. If a learner requests complete confidentiality, then information cannot be passed within Tiro or to external agencies from that point. It is acknowledged however that where a learner has disclosed a disability, those responsible for the learner need to be aware of their individual needs.

## 2.2 Supporting learning difficulties and disabilities

2.2.1 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.

2.2.2 What constitutes a reasonable adjustment is covered within the Reasonable Adjustments and Special Considerations Policy. 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 and Technical Education guidance and their reasonable adjustments matrix, see the link below.

<https://www.instituteforapprenticeships.org/quality/end-point-assessment-reasonable-adjustments-guidance/>

2.2.3 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."

## 2.3 What is learning support?

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

2.3.2 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.

- 2.3.3 For apprenticeships, 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.

- 2.3.4 When claiming learning support, Tiro makes a claim through the Individualised Learner Record (ILR) and keeps evidence of all necessary reasonable adjustments made, when these were delivered, and the cost incurred.

- 2.3.5 In cases where reasonable adjustments require the purchase of equipment, this becomes the property of Tiro.

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

- 2.3.7 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.

## 2.4 Who is learning support funding for?

- 2.4.1 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 assessment which identifies that the apprentice has a learning difficulty or disability (as defined in section 15ZA of the Education Act 1996) 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 Tiro 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 assessing and identifying the needs of the apprentice section of this guidance and in the Initial Assessment section of the apprenticeship funding rules.

- 2.4.2 Learning support is payable to training providers and is separate to any funding available to employers. Tiro and employers will liaise to ensure that the apprentice is fully supported. Employers may also be able to access alternative sources of support.
- 2.4.3 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.



## **Section 3**

# **The Learning Support Journey Overview**

## 3.1 The Learning Support Journey Overview

The key stages of the learning support learning journey for apprenticeships and other learners are summarised in the model below and explained in further detail.



### 3.1.1 Identify

- Identify the individual learner's learning difficulty or disability (LDD)
- **Learning Needs Assessment (LNA)**- assessment of a learning support need through structured discussion, with formal record

### 3.1.2 Plan

- Create a **Learning Support Plan (LSP)** to meet the identified needs of the learner, specifying the support and reasonable adjustments, including EPA (notify EPAO)
- Linked to ILP, Training Plan, OTJT, learning support review planned- monthly
- Authorised/signed by learner and employer (learner consent needed)

### 3.1.3 Support

- Deliver the LSP- provide the necessary support and reasonable adjustments to meet the needs of the learner
- Additional coaching, mentoring, extra time/ visits, adapted learning resource- noting/logging of costs
- OTJT- recording the substance of support

### 3.1.4 Review

- **Learning Support Review (LSR)**
- Evaluate the progress made by the learner and the implementation and impact of the support that has been provided
- Frequency- monthly reviews mandatory
- Review/update the plan of support (LSP)
- Validate LSF claim

### 3.1.5 Preparation and Progression

- Ensure the learner is prepared for summative assessment, including End Point Assessment (EPA), and ensure reasonable adjustments have been planned and implemented

- Early End Point Assessment Organisation (EPAO) engagement essential, refer to IFATE guidance (6 months prior to Gateway), contact EPSO at earliest opportunity
- Measure the impact of support. Possible outcomes; new opportunities, responsibilities, progression, promotion, extended contract.
- Ensure that CIAG is provided for the next steps in learner's career. Check that employers are aware of ongoing reasonable adjustments needed in the workplace.

### **3.1.6 Assessing and identifying the needs of the apprentice**

Tiro undertakes a thorough evidence-based assessment to identify any learning difficulties or disabilities which will directly impact the apprentice's ability to complete their apprenticeship.

### **3.1.7 Initial Assessment**

For apprenticeships and other courses, an initial assessment to identify the learner's general learning needs is conducted prior to all training commencing.

This identifies the learner's prior learning and experience. This is used to identify sector-specific and English and maths-related knowledge, skills and behaviours (KSB) that the prospective apprentice already has.

For apprenticeships, this is particularly important because the purpose of an apprenticeship is to give each apprentice substantial new KSBs that enable them to reach competence in a given occupation. Funding cannot be used to certify or refresh existing KSBs.

### **3.1.8 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.

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.

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

**Section 4**  
**Tiro's Learning Support Process**

## 4.1 Tiro's Learning Support Process

### 4.1.1 Identify

When there is a diagnosis or indication of a Learning Difficulty or Disability (LDD), the learner is referred to one of Tiro's Learning Support Tutors to conduct a Learning Needs Assessment (LNA).

Learning needs are discussed throughout the enrolment and onboarding process where learners are encouraged to disclose any difficulties or disabilities they may have or have experienced in the past.

Some difficulties or disabilities that have not been previously disclosed might be identified through assignments or discussions that take place during the apprenticeship journey.

There is a referral process on Tiro's learner management system to refer learners to additional support at any point during their programme.

### 4.1.2 Plan

Any learners identified as in need of additional support, for any reason, will have an assessment completed and a plan of support agreed with the support tutor. This will include:

- frequency of the support meetings
- any additional resources required
- signposting and/or support guides

Assessment reports are stored in line with GDPR and only shared/discussed with employers if consent is given by the learner.

### 4.1.3 Support

Support is individualised and will look different for every learner. Support is delivered in line with the LSP but also adapted to meet the needs of the learner throughout the learner journey. For apprentices, this is included in the off-the-job training that is delivered to the learners. Needs are reviewed at every meeting with relevant information discussed with practice tutors to ensure support is consistent throughout the learning journey.

### 4.1.4 Review

Learning support is reviewed formally every month with the learner to review the effectiveness of the support and reasonable adjustments that have been delivered. The support tutor will review what has been implemented throughout the duration of

the previous month and assess the impact in line with the expected progress of the learner. The review also validates a funding claim for learning support.

## 4.1.5 Preparation

Learners with additional support needs who require additional time for assessment will be requested directly to the practice tutor who will amend and adjust any training plans.

Support tutors will complete the necessary documentation required for EPA to specify what reasonable adjustments are required to fully support the learners in achieving their EPA, in line with the guidance provided by IFATE (see link below).

<https://www.instituteforapprenticeships.org/quality/end-point-assessment-reasonable-adjustments-guidance/>

## 4.1.6 External partner organisations

Where appropriate, external partner organisations are used for specialist learner support and guidance.

Appropriate measures are taken by Tiro with our partners to ensure that GDPR regulations are followed at all times, relating to learner records.

The following organisations are currently considered:

- Remploy- mental health support service  
<https://www.mentalhealthatwork.org.uk/resource/remloys-workplace-mental-health-support-service/>
- Mind- mental health support service  
<https://www.mind.org.uk/workplace/>
- Genius Within- neurodiversity specialists  
<https://geniuswithin.org/>

## **Section 5**

# **How Tiro Claim Learning Support**

## 5.1 How Tiro Claim Learning Support

- 5.1.1 To claim learning support from the Education and Skills Funding Agency for apprenticeships, Tiro will:
- a) carry out a thorough assessment to identify any learning difficulties/disabilities the apprentice may have and the reasonable adjustments which would support the apprentice to achieve their learning outcomes
  - b) record details of the needs in the training plan
  - c) deliver support to meet the apprentice's identified needs
  - d) review progress and continuing needs, as appropriate
  - e) record all outcomes in the evidence pack and keep evidence of the assessment of the needs; and
  - f) report in the Individualised Learner Record (ILR) that an apprentice has a learning support need.
- 5.1.2 Tiro will 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.
- 5.1.3 There may be instances when costs exceed the monthly rate of £150. Details of how these costs may be covered are explained within the excess learning support and exceptional learning support section of this document. Further information is provided in the funding rules in titled "Apprentices who need access to exceptional learning support (ELS)".

## 5.2 Evidence and Verification *(Linked to the Learning Support Learning Journey model)*

- 5.2.1 Where learning support funding has been claimed, all related evidence will be kept by Tiro.
- 5.2.2 The evidence pack must document and include the following:
- a) A copy of the assessment which identifies the apprentice's learning difficulty or disability
  - b) Details of the reasons why the adjustments are necessary to enable the apprentice to complete the apprenticeship
  - c) 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
  - d) Documented evidence of how you plan to deliver the necessary reasonable adjustments throughout the apprenticeship. This plan is to be agreed and signed-off by the apprentice and employer (if approved by the apprentice)
  - e) Evidence and documented details of the necessary reasonable adjustments that have been delivered in that period
  - f) Evidence of a monthly learning support review (LSR) 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

- 5.2.3 It is recognised that the evidence listed here will vary in format. Tiro will ensure they capture clear evidence against each of the areas listed above.
- 5.2.4 All this evidence will 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.

### 5.3 Monthly progress

- 5.3.1 In addition to the required reviews of the apprentice's progress, the Tiro will review the apprentice's progress monthly throughout the apprenticeship to ensure that 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.
- 5.3.2 Documented evidence of the progress and development will be agreed by the apprentice, collected, and retained as part of the evidence pack. This evidence will need to confirm the effectiveness of reasonable adjustments and how these have been adapted where necessary.
- 5.3.3 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 will be removed.

### 5.4 Excess learning support and exceptional learning support

- 5.4.1 If the cost of reasonable adjustments exceeds £150 per month, but is less than £19,000 per year, Tiro will consider making a claim for excess learning support via the earning adjustment statement (EAS). Evidence will be kept of all costs.
- 5.4.2 Tiro will 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.
- 5.4.3 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 Tiro 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.

## 5.5 Other funding to support apprentices with Learning Difficulties and Disabilities

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

5.5.2 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.

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

## Appendix A - Change Control Log Template

Version	Details of amendments /change	Author	Formal approval required	Approved by	Date of approval	Date adopted by the Board
2	N/A	Mark Care	Y	Charlotte Blant, CEO	Nov 2022	Nov 2022