

ALL AMENDMENTS ARE INCLUDED IN THE 2020/21 EF RULES

CLAUSE NO.	DETAILS OF CLARIFICATION/AMENDMENT (ALL CHANGES HIGHLIGHTED IN YELLOW)	REASON FOR AMENDMENT
<p>Please note any agreement for variation to the EF Rules must be submitted for review on an annual basis. Any agreements currently in place will run to 31 March 2021 only, subject to review.</p>		
<p>Part 2 2 Eligibility</p>	<p>2.5.2 A person at the same time on any employment, training or enterprise programme funded by any UK or Scottish Government department or by SDS (subject to any exceptions published by SDS from time to time or otherwise agreed by email from the SDS assigned Skills Investment Adviser in advance and supported with evidence confirming there is no duplication of services or funding);</p>	<p>Clarification</p>
<p>Part 2 3 Employability Fund Services Content</p>	<p>3.4.1 In cases where a Provider believes a qualification is suitable for a Participant and the qualification is not included on the Approved List for Stage 4 to attract an output payment, the Provider may request SDS to add the qualification to the Approved List via their SDS Skills Investment Adviser. The Provider must research the most cost-effective delivery method and submit this as part of their request. If the Participant has any previous experience on the EF (including NTTF) this will be taken into consideration as part of the request.</p>	<p>Clarification</p>
<p>Part 2 4 Referral Process</p>	<p>4.3.3 Following receipt of the referral, the Provider shall undertake an assessment of the individual to verify the suitability of the recommended stage and/or Outputs for the individual. For the avoidance of doubt, the Provider should not accept the individual in the event that the Provider does not agree with the suitability of the recommended stage and/or Output for the individual.</p>	<p>Reviewed and updated effective from 18 February 2021</p>
<p>Part 2 4 Referral Process</p>	<p>4.5.2 For Stages 2 and 3, (i) the Provider is able to claim a Recruitment Payment for the re-entrant if he/she re-enters after 28 calendar days of leaving the Employability Fund programme, and (ii). no Recruitment Payment will be made where a Participant re-enters the same stage with any Provider within 28 calendar days of leaving that stage.                      4.5.3 For each Participant who wishes to enter the Employability Fund programme at the same Stage for a third (or successive) time, the Provider must obtain written approval (which may include approval by email) from the assigned SDS Skills Investment Advisor prior to registering the Start on FIPS. If a 16 or 17 year old wishes to enter the Employability Fund programme at the same Stage for a third or successive time, their needs and suitability must, in addition, be assessed by an SDS adviser.                      4.5.4 Without prejudice to SDS's other rights and remedies, for any Participant wishing to enter Stage 4 for the second time, SDS may at its entire discretion reject the FIPS assignment where SDS is not satisfied that (i) the Output is appropriate for the Participant, and/or (ii) the eligibility criteria have been met.                      4.5.5 Any Participant who wishes to re-enter Stage 4 (including NTTF) will have to wait for a period of at least 91 calendar days after their previous Stage 4 leaving date before a new Eligibility Confirmation is completed as in rule 4.5.1. The Provider is able to claim a Recruitment Payment for the Stage 4 re-entrant if he/she re-enters at least 91 calendar days after leaving Stage 4. No Recruitment Payment will be made where a Participant re-enters stage 4 with any Provider within 91 calendar days.</p>	<p>Reviewed and updated effective from 18 February 2021</p>