



Community Employment Procedures Manual

Procedures for Sponsor Organisations and Department of Employment Affairs
and Social Protection Officers

Contents

CONTENTS	2
INTRODUCTION.....	6
CHAPTER 1 – INTRODUCTION/PRE-AGREEMENT	7
1.0 Introduction	7
1.1 Objectives of Community Employment.....	7
1.2 Application Process and Procedures.....	8
1.2.1 Initial Enquiry	8
1.2.2 Sponsor Briefing	9
1.2.3 Trade Union Approval	10
1.2.4 Special Conditions	11
1.2.5 Application Submitted	12
1.2.6 Community Employment Application Assessment	12
1.2.7 Procedure for Processing an Application	13
1.2.8 Managerial Approval of Applications for Monitoring Committee	14
1.2.9 Monitoring Committee Review	15
1.2.10 Issuing Contract	15
1.3 The Role of the Sponsor	15
1.4 The Project Management Committee	16
1.4.1 Responsibilities of Directors and Members:	17
1.4.2 Summary Table of Roles within Project Management Committee.....	17
1.4.3 Organisations - Delegation of day-to-day running of Scheme to a Local Management Team	18
1.5 Participant Development Officer (PDO)	19
1.6 The Role of DEASP	19
1.7 Publicising Community Employment	20
1.7.1 Publications.....	20
1.7.2 Invitation Cards.....	20
1.7.3 Representation at Official Functions.....	20
1.8 Special Provision for Care of Children or People with Special Needs	20
1.9 Sponsor Engagement.....	21
CHAPTER 2 – GETTING STARTED	22
2.0 Introduction	22
2.1 The Agreement (Contract & Schedule)	22
2.1.1 Preparing the Agreement and Other Documents.....	23
2.1.2 Completing the Agreement	23
2.1.3 Return of the Agreement and documents.....	23

2.2 Prior Administrative Requirements.....	24
2.2.1 Registration with Revenue Commissioners	24
2.2.2 Liability Insurance	24
2.2.3 The Bank Account	25
2.2.4 eTax Clearance Certificate/Charitable Status Certificate.....	26
2.3 Summary of Documentation Required	27
CHAPTER 3 – THE WORKFORCE	28
3.0. Introduction	29
3.1. Recruiting the Participants.....	29
3.1.1. Eligible Applicants.....	30
3.1.2. Eligibility Criteria	31
3.1.3. Eligibility Criteria – Service Support Stream	34
3.1.4. Eligibility Criteria for Childcare and Health/Social Care Sector	34
3.1.5. Re-engagement (Rollover) of Participants with CE.....	35
3.1.6. Re-Entry to Community Employment	36
3.1.7. Lifetime Participation Limits	36
3.1.8. Maximum Age Limits.....	37
3.1.9. Sourcing Applicants.....	37
3.1.10. Interview	38
3.1.11. Garda Vetting.....	38
3.1.12. Appointment	39
3.1.13. Appointment of an Administrative Secretary/Bookkeeper	40
3.2 Terms of Work.....	41
3.2.1 Duration of Work Period	41
3.2.2 Protection of Employees (Part-Time Work) Act, 2001.....	41
3.2.3 Hours of Work	41
3.2.4 Attendance Records	42
3.2.5 Wages	42
3.2.6 Change of Circumstances.....	43
3.2.7 Tax/PRSI/USC.....	44
3.2.8 Public Holidays.....	45
3.2.9 Flexible Rostering/Holidays	46
3.2.10 Christmas and Easter Period	46
3.2.11 Sick Leave - Certified/Uncertified	47
3.2.12 Absent Participants	47
3.2.13 Maternity Leave (Applies to CE Participants and Supervisors).....	47
3.2.14 Paternity Leave (Applies to CE Participants and Supervisors).....	48
3.2.15 Other Absences	49
3.2.16 Equality of Opportunity	49
3.2.17 Health & Safety and Other Labour Legislation	49
3.2.18 Tools, Clothing, Facilities, Outdoor Work in Poor Weather.....	50
3.2.19 Working - Time Off.....	50
3.2.20 Termination of Participants.....	50
3.2.21 Unfair Dismissals Act	50
3.2.22 Return to Live Register	51
3.2.23 Complaints Procedure.....	51
3.3 Recruiting the Supervisor	52
3.3.1 Role of the Supervisor	52
3.3.2 Sponsor and Supervisor - Commitment to the Individual Learner Plan	52
3.3.3 Project Supervisory Grant.....	53
3.3.4 Eligibility	53
3.3.5 Sourcing Applicants.....	54

3.3.6 Interview	55
3.3.7 Terms of Work	55
3.4 Responsibilities of the Sponsor	60
3.4.1 Code of Practice	60
3.4.2 Union Membership	61
3.4.3 Computer Usage Policies/Data Protection	61
3.5 Social Welfare Overpayment and Debt Recovery	61
CHAPTER 4 – TRAINING & DEVELOPMENT	63
4.0 Introduction	63
4.1 Participant Development in Community Employment	63
4.2 Quality and Qualifications (QQI) Regulations.....	64
4.3 Participant Development: Individual Learner Plan	65
4.3.1 Participant Development – Individual Learner Plans.....	66
4.3.2 Guidelines – Individual Learner Plans	69
4.3.3 Rules and Regulations.....	69
4.3.4 Insurance Cover for Training/Development Modules	72
4.3.5 Re-engaged Participants Re-engaged.....	73
4.3.6 Role of the Participant Development Officer (PDO).....	73
4.3.7 Monitoring and Recording of Participant Development	73
4.4 Progression for Participants	75
4.5 Sponsor Briefings.....	75
CHAPTER 5 – ADMINISTRATION AND FINANCE	76
5.0 Introduction	76
5.1 Administration and Finance	77
5.2 Initial Grant Instalment (Form IG)	77
5.3 Claiming the Initial Grant Instalment	77
5.4 Calculating the Initial Grant Instalment	77
5.5 Repayment of the Advance Payment	78
5.6 Application for Allowances and Supervision Grant (FORM AWS)	79
5.6.1 Prompt Submission of Claim	79
5.6.2 Community Employment Eligibility.....	79
5.6.3 Form AWS	79
5.6.4 Checking Names on Form AWS.....	79
5.6.5 Participant Wages	80
5.6.6 Supervisor Wages	80
5.6.7 Summary Details & Sponsor Signature	80
5.6.8 Return to DEASP.....	80
5.6.9 Final Payment Cycle 13	81
5.7 Application for Materials Grant Instalment	81
5.7.1 Materials Claimable	82

5.7.2 Materials Not Claimable	83
5.7.3 Materials Grant Payable.....	84
5.7.4 Capital Items	84
5.8 Application for Participant Development Grant	85
5.8.1 Basis for Payment of Fees:	85
5.8.2 Tracking and Monitoring:	86
5.8.3 Criteria for Training Provision on CE.....	86
5.9 Maintenance of Financial Records	87
CHAPTER 6 - MONITORING	88
6.0 Introduction	88
6.1 Monitoring Visits	88
6.1.1 Financial Monitoring Visits	88
6.1.2 Programme & Training Monitoring.....	89
6.2 Sponsor Duties	90
CHAPTER 7 - AUDIT	92
7.0 Introduction	92
7.1 Accountability	92
7.2 Audit	93
7.3 Who Can Sign/Undertake Audits?	93
7.4 The Auditor's Statement.....	94
7.5 DEASP Right of Access to Audited Accounts of CE Sponsor.....	94
7.6 Final Payment	94
7.6.1 Auditor's Statement Form.....	94
7.6.2 Calculation of Final Payment.....	94

Introduction

The Community Employment (CE) Procedures Manual has been devised to assist Department of Employment Affairs and Social Protection (DEASP) Officers and Sponsor organisations in the management of Community Employment.

The purpose of this **combined** DEASP Officer and Sponsor manual is to facilitate ease of cross-reference between the Sponsor and the DEASP Officer and to ensure a consistent approach by DEASP staff in responding to queries or giving advice. DEASP reserves the right to amend, alter or delete any part or element of the manual.

The material content of this manual does not purport to be a legal interpretation of;

- a) The agreement between the Sponsor and DEASP
- or
- b) Any legal requirements that must be complied with while operating a Community Employment project, as an employer

Nor is this manual intended to be a comprehensive guide to Community Employment. Before delivering the programme, Sponsors should consult with professional advisors and/or relevant Government Departments where clarification is required on technical and legal matters.

The Department of Employment Affairs and Social Protection wishes you every success in achieving the objectives of your project.

Community Employment – Procedures Manual

Chapter 1 – INTRODUCTION/PRE-AGREEMENT

- 1.0 Introduction
- 1.1 Objectives of Community Employment
- 1.2 Application Process and Procedures
 - 1.2.1 Initial Enquiry
 - 1.2.2 Sponsor Briefing
 - 1.2.3 Trade Union Approval
 - 1.2.4 Special Conditions
 - 1.2.5 Application Submitted
 - 1.2.6 Community Employment Application Appraisal
 - 1.2.7 Procedure for Processing an Application
 - 1.2.8 Managerial Approval of Applications for Monitoring Committee
 - 1.2.9 Monitoring Committee Review
 - 1.2.10 Issuing Contract
- 1.3 The Role of the Sponsor
- 1.4 The Project Management Committee
 - 1.4.1 Responsibilities of Directors and Members
 - 1.4.2 Summary Table of Roles within Project Management Committee
 - 1.4.3 Organisations - Delegation of day-to-day running of Scheme to a Local Management Team
- 1.5 Participant Development Officer (PDO)
- 1.6 The Role of DEASP
- 1.7 Publicising Community Employment
 - 1.7.1 Publications
 - 1.7.2 Invitation Cards
 - 1.7.3 Representation at Official Functions
- 1.8 Special Provision for Care of Children or People with Special Needs
- 1.9 Sponsor Engagement

1.0 Introduction

This chapter covers the objectives of Community Employment and the role of the Sponsor in meeting these objectives. It also details the role of the Project Management Committee, the Participant Development Officer, and the Department of Social Protection (DEASP), in delivering the project.

1.1 Objectives of Community Employment

The aim of CE is to enhance the employability and mobility of disadvantaged and unemployed persons by providing work experience and training opportunities for them within their communities. In addition it helps long-term unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to work routine.

CE projects are typically sponsored by groups wishing to benefit the local community, namely voluntary and community organisations and, to a lesser extent, public bodies involved in not-for-profit activities. Such projects provide a valuable service to local communities while at the same time providing training and educational opportunities to jobseekers. The Department's priority in supporting CE is having access to schemes that can provide job seekers and other vulnerable groups with good quality work experience and training qualifications to support their progression into employment.

In general, with effect from 3rd July 2017 all CE placements for entrants aged between 21 and 55 years will be for one year. However, if a CE participant is working towards a major award, their time can be extended up to an additional 2 years to complete this award. No extension will be given beyond 3 years (4 years for those on a disability-linked social welfare payment). Those aged 55 years and over can remain on CE for 3 consecutive years. Those aged 62 years and over can remain on CE up to State Pension age, once they meet the terms and conditions of the pilot scheme.

Participation on CE prior to 1 January 2007 will not be counted in the context of the overall limit of 6 years in a lifetime (7 years for those in receipt of a disability-linked social welfare payment).

1.2 Application Process and Procedures

The potential new Sponsor will go through the following Application Process and Procedure.

1.2.1 Initial Enquiry

The potential new Sponsor at initial enquiry stage should be given a copy of this Procedures Manual for information. The Sponsor should also be invited to attend a formal briefing to be given by the DEASP Officer. The key points for Sponsors are:

- Projects must be **non-commercial** and **not-for-profit**;
- Sponsors should be able to provide a varied and well-organised work programme for participants. A major requirement of Sponsors will be their ability to provide quality work experience or skills that are transferable to the open labour market and support for the unemployed person to facilitate progression;
- Sponsors should have the capacity to provide development and training for participants, geared specifically towards building the readiness of the participants for participation in the open labour market, with clear targets and supports for progression;
- Sponsors should have the capacity to administer the project satisfactorily in relation to finances, financial and non-financial records, statutory obligations, etc.;
- The work programme of the Sponsor should not involve any specific promotional/advocacy of:
 - A specific political party or the policies of a specific political party;
 - A specific religious belief or church unless clearly confined to the members/followers of that church/belief;
 - Any cult (secular or religious);
- On occasion DEASP may require projects to amalgamate.

It should be noted that no single Sponsor (other than Public Sector Sponsors) may hold more than three separate Community Employment contracts at any one time. In general, Community Employment places an emphasis on the ability of Sponsors to meet the needs of participants, as well as meeting the Sponsor's own needs in terms of undertaking useful work of benefit to the community.

1.2.2 Sponsor Briefing

Each DEASP office should arrange formal briefings for new Sponsors/initial applications only, with a fixed date and time, as necessary. This formal briefing should be scheduled when supplying the "Community Employment Procedures Manual". The formal briefing will cover the following:

- Presentation on key responsibilities of the Sponsor (Employer)
- Explanation of Application Process and Procedures
- Questions and Answers

The DEASP Officer will assess whether the proposed Project complies in outline form with the criteria for Community Employment. She/he will also assess the suitability/compatibility of the proposed Sponsor to manage the Project (based on the background of the individuals involved, their bona fides, history and former achievements). The DEASP Officer must satisfy her/himself that the potential Sponsor is a bona fide group/organisation i.e.:

- The Sponsor consists of at least 7 members, independent of each other (this is to allow for formation of a Company Limited by Guarantee (CLG) not having a share capital under the Companies Act 2014, or a co-operative) (see Section 1.3 for specific roles);
- The Sponsor is legally incorporated as either:
 1. A **Company** Limited by Guarantee (CLG) **not having a share capital** under the Companies Acts 2014, or
 2. A **co-operative**

Or will incorporate as such if successful in the application and remains incorporated for the duration of the project and has the endorsement or support of a defined community, which can be geographic or interest-based;

- **The Sponsor does not exist to benefit the Sponsor members or immediate relatives in a substantive and material manner.**

Where the DEASP Officer is satisfied on these counts, he/she will give the potential Sponsor the "Community Employment Sponsor Application Pack".

Applicants involved in Child Care Services of the need to comply with the [Child Care \(Pre School Services\)\(No.2\) Regulations 2006](#). Sponsors of Child Care Services should also be advised that they are required to submit a copy of the Schedule ([Early Years Notification of a Pre-School Service](#) PDF) being submitted to the [Child and Family Agency](#) (formerly to the HSE) to DEASP, along with a declaration that they have notified the Child and Family Agency of the service and that they are satisfied that they are in compliance with the regulations. Furthermore, all projects where the participants or Supervisor(s) may come into contact with children or vulnerable adults (whether direct or indirect access) will be subject to Garda Vetting procedures.

All completed applications from *new* Sponsors that are appraised and approved by DEASP divisions must be submitted to the DEASP Employment Programmes Policy Unit for review. This is to ensure that the proposed application is in line with the current direction of CE and that a budget allocation is available.

The Sponsor should be made aware of any deadlines for accepting Divisional applications going forward to the CE National Monitoring Committee. The DEASP Officer should also impress upon the Sponsor the necessity of completing the Community Employment Sponsor Application Form in full and attaching all the necessary back up documentation. Applications are submitted on a three year application form and contracts are issued on an annual basis.

The DEASP Officer should also utilise this (these) early meeting(s) to discuss with the Sponsor issues such as incorporation as a legal entity (if such status has not already been attained), the number of participants to be employed on the Project, the length/content of the work programme, the Individual Learner Plan system, and any other relevant issues.

Particular emphasis should be placed on quality issues. These would include Sponsor–participant relations, integration of Community Employment participants and other full time or voluntary workers; conditions of work; work practices and relevance/contribution of project to local social and economic development. Emphasis should also be placed on the requirements of the Qualifications (Education and Training) Act 1999 with regard to the requirement that training leads to a nationally accredited qualification.

The Sponsor must also be made aware that matching funds may be required to meet project costs. In addition, the Sponsor must clearly indicate how the matching funding, which is a necessary supplement to the funding received through Community Employment, will be sourced.

The DEASP Officer must also inform the Sponsor that prior to any grant monies being paid to the project, proof must be furnished by way of receipted returns, that PAYE/PRSI and VAT (where applicable) have been paid and are up to date, and that a Tax Clearance Certificate must be obtained, or alternatively a Charitable Status Certificate can be supplied (See Chapter 2.3.4).

Where a project involves a first time Sponsor who has not been previously registered for PAYE/PRSI and/or VAT purposes, evidence of payments to the Revenue Commissioners of these relevant taxes will be required after the first six months of the project. In all cases where a project contract is being renewed, approval will be subject to satisfactory evidence of payment of taxes and the existence of a current Tax Clearance Certificate.

1.2.3 Trade Union Approval

Prior to the submission of the completed Application to DEASP, a potential Sponsor shall obtain approval from the relevant Trade Union(s) for the proposed project work plan. This approval is **only** to ensure that there is no displacement, replacement or reductions of hours of permanent/established staff, by CE participants. Details of the relevant Trade Unions can be obtained from ICTU (01-8897777 or <http://www.ictu.ie/contact.htm>). Based on the three year application, the Trade Union will give approval in principal for 3 years. However, sponsors must notify the Unions if there are any significant changes in staffing levels or work undertaken.

1.2.4 Special Conditions

Prior to submission of the completed Application Form, DEASP shall ensure that the Sponsor is aware of the special conditions pertaining to the approval of project applications emanating from groups/organisations listed below. This material shall be included in the Sponsor Application Pack.

Clubs

Clubs that are making a second or subsequent application will be required to supply the following information:

- In certain circumstances, DEASP may require Clubs to submit Audited Accounts for the activities of the Club (not just Community Employment)
- Number of full-time and part-time staff
- Numbers of full-time and part-time members together with fees charged
- Whether the club has provided permanent employment as progression for any previous Community Employment Participants
- Confirmation that full membership is open to both males & females equally

Environmental Works (National Monuments)

The National Monuments Acts (1930 to 2004) requires that written notice of works at, or in relation to, a monument in the Record of Monuments & Places be sent to the National Monuments Section, Department of the Environment, Heritage & Local Government at least 2 months prior to starting work. It should be noted that under the National Monuments Acts, (1930 to 2004), it is an offence to carry out works on any National Monument in the ownership/guardianship of a Local Authority without the consent in writing of both the Minister for the Environment, Heritage & Local Government and the Local Authority concerned. In the case of a potential DEASP funded project, an application for funding will not be accepted by DEASP without:

- Permission from the property owner for work to be carried out on site.
- Letter from the National Monuments Section permitting work on site and accepting the provision for archaeological supervision of such work.

Application Stage – Notes regarding Projects with an Archaeological Aspect

Where the application from the Sponsor concerns an archaeological-based project only, and where the work-programme is **solely** concerned with work on sites covered by the National Monuments Acts (1930 to 2004), the following will apply;

- 1. Written permission to engage in the work being proposed in the project's 'Work Programme' must be sought from the National Monuments Section, by the owner of the site, and included with the completed Application Form**
- 2. The project must be supervised by a suitably qualified person with a background in archaeology. The Supervisor appointed must have an archaeological qualification and proof of same must be obtained by the Sponsor**

Where the application from the Sponsor concerns a project **that includes an archaeological site** as part of the project's 'Work Programme', the following will apply;

- 1. Written permission to engage in the work being proposed for the named site must be sought from the National Monuments Section, and included with the completed Application Form**
- 2. Evidence that the Sponsor has made provision for on-going monitoring of the work being carried out on the archaeological site by a qualified archaeologist, and that the necessary funds have been identified by the Sponsor to meet any costs that may arise from such monitoring**

The [National Monuments Section](#), Heritage & Planning Division, of the Department of the Environment, Community & Local Government is responsible for maintaining a list of all sites covered under the National Monuments Acts. DEASP advises all Sponsors or potential Sponsors of Community Employment to consult this list (Lo-Call: 1890 20 20 21 or 01 888 2000, www.environ.ie). It is the responsibility of the Sponsor to establish and declare in their application if work is proposed on any site covered by the National Monuments Act.

Projects involving Construction Work

Where a Project is involved in construction work, its activity will be covered by the [Safety, Health and Welfare at Work \(Construction\) Regulations 2001](#), as amended by the [Safety, Health and Welfare at Work Regulations 2003](#). The Project Sponsors should ensure that they are aware of, and fully conversant with, their responsibilities under these regulations. Further information is available from the Health & Safety Authority at 1890 289 389 or on their website at www.hsa.ie.

1.2.5 Application Submitted

Applications are submitted on a 3-year application form. Existing Sponsors will be notified by letter **three** months in advance of the project finish date in year 3 that they require to submit a new 3-year application. . The submission of a formal 3-year application is made to the DEASP Officer at least **two months** prior to the date of the CE National Monitoring Committee to which it is to be submitted. The Application shall consist of:

- Sponsor Application Form
- Special condition material (if applicable – see Section 1.2.4)
- Trade Union Approval Letters
- Current Certificate of Incorporation/Registration as Co-op with Friendly Societies

It is the responsibility of the Sponsor to provide DEASP with details of their current Tax Clearance Certificate prior to project start-up.

1.2.6 Community Employment Application Assessment

Using the Application Assessment Form, the DEASP Officer shall undertake an assessment of each 3-year application and recommend those applications to the Divisional AP that meet the required criteria as set out in the CE Application Assessment Form. Should a project application not warrant recommendation for approval, the DEASP Officer may:

- Refer the application back to the Sponsor for further work

OR

- Make their recommendation to reject the application to their AP and on confirmation of the recommendation, write to the Sponsor rejecting the application

Evaluation criteria will be established periodically in accordance with national guidelines adjusted to take account of Divisional priorities. The DEASP Officer may invite potential Sponsors to an interview to clarify aspects of their application prior to approval. All CE projects will be monitored on an annual basis. For years 2 and 3 the renewal of contract will be based on Financial and Training & Programme compliance on the current project.

1.2.7 Procedure for Processing an Application

Applications will be acknowledged in writing upon receipt by DEASP. This letter will be generated by the DEASP IT system and emailed to the Sponsor with the details pre-populated. A file should be opened for each application and all relevant documentation placed on this file for reference and future action.

Check Application Form and Attachments

On receipt, the application will be checked by DEASP to ensure that;

- All questions have been answered fully and accurately
- All documents including the application form and the letters of approval from the appropriate Trade Unions are attached. If Trade Union letters are not received, the Sponsor is to be advised to progress application and note section as “pending approval”. The Sponsor should request the Trade Union approval letter within a four month period of the rollover (start) date of the Project. Requests outside of this four month period will not be provided. However, it should be noted that applications can be submitted to DEASP once it is noted on the Application that the Trade union letter is pending. In these cases, the letter, when received by the Sponsor, should be forwarded to DEASP
- The number of participants applied for is realistic in light of the proposed work programme
- The Sponsor has tendered proof that sufficient funds can be accessed to meet costs other than those to be funded by DEASP
- The project duration is clearly indicated
- Special Conditions documentation is included (if applicable – see Section 1.2.4)

Where the application is incomplete or the necessary attachments absent, the application is returned to the Sponsor with a request for correction.

Where the number of participants recommended differs from the number requested by the Sponsor under each job title on the Community Employment Application Form, the DEASP Officer should provide a brief explanation for the difference. By recommending the application, the DEASP Officer verifies that the application has been fully and accurately completed and that all required attachments have been received and are in order. The completed application and required attachments will be uploaded to the IT system.

Note:

The DEASP Officer must approve the text which relates to the number of CE places recommended on the Community Employment Application Form to be inputted to the IT

System. This response describes the main tasks to be undertaken in the course of the project that will be reproduced onto the Agreement Schedule.

Sector Codes	Work Undertaken
Advice and Information	Work related to the provision of advice and information, especially to the unemployed.
Arts / Cultural	Work activity involved with the running and support of arts, heritage, film / video, music, drama, theatre, library etc. activities.
Childcare	Work activity relates to childcare services which includes crèche facilities, playschool and after-school services
Community Amenities	Work activity which involves the enhancing and provision of Community amenities and services
Drugs Rehabilitation	Work activity involves occupational and social skills training with participants in recovery from addiction. Intervention is integrated with other support services.
Environmental	Work activity involved with the improvement of the infrastructure and environment of a locality e.g. Tidy Town activities.
Enterprise Development	Work activity related to the development and running of Community Enterprise and Rural Development activities.
Health and Social Care	Work activity related to the care of the sick / disabled / special needs / elderly and health awareness activities.
Sports and Leisure	Coaching and work activity involved with improvements to facilities and support of GAA / Soccer / Rugby and all other sporting activities.
Tourism	Work related to the provision of tourist related services and work activity involved with the restoration and development of tourist attractions.
Youth Services	Work activity relates to support and developmental opportunities for young people to enhance their personal and social skills. Particular regard is given to the youth work needs of those who are socially and economically disadvantaged.

Sector codes relate to the % of participants on a project who will be working in these sectors

Once the input of the Application and scanning/upload of associated documents is complete, the next stage is Officer Review followed by the Officer Recommendation stage. This is all done through workflow on the IT system. Once the Officer has submitted the recommended Application it goes through workflow to the Manager/AP.

1.2.8 Managerial Approval of Applications for Monitoring Committee

Each DEASP Officer presents recommended applications to their AP for assessment via the IT System. Each application is reviewed and evaluated by the AP. Following this, the AP may approve or refer back to the officer any application, as appropriate, via the IT system

Applications approved by the Manager/AP go to the work list of the National Monitoring Committee (NMC) Secretary. The NMC Secretary then presents these applications to the

NMC. For years 2 and 3 when DEASP Management has approved, the status of the application will move to “Approved MC” which will allow the contract process to proceed.

1.2.9 Monitoring Committee Review

Update Monitoring Committee Outcome: After the Monitoring Committee has reviewed the applications the outcome will be updated via workflow on the IT system. The outcome will be either;

- **Approved MC** - contract can be drawn up
- **Approved Conditionally** – this/these condition(s) must be met before the contract can be issued

The date approved by Monitoring Committee will be automatically updated by the IT System.

After the NMC has met, DEASP staff can search for the application by reference number on the IT system to confirm the application has been approved (“Approved MC”). Email notification will be sent back to the office where an application is conditionally approved, in addition to being added to the relevant person’s work list.

1.2.10 Issuing Contract

Before the contract can be issued the DEASP Officer must ensure that the Contract Authorisation form is signed by the appropriate authorisation level within DEASP.

1.3 The Role of the Sponsor

The role of the Sponsor of a Community Employment project is to provide a meaningful work programme and training plan for each participant. The Sponsor is required to facilitate the participants in undertaking training and development, appropriate to their progression and employment goals.

The Sponsor will;

- Incorporate as a legal entity and remain incorporated for the full duration of the project. The Sponsor must form a **Company Limited by Guarantee (CLG)** with no share capital, or as a co-operative, which will require a minimum of 7 members for incorporation. If the sponsor is a national organisation with a central headquarters and is sponsoring projects throughout the country, it may set up a separate national legal entity for Community Employment. Public Bodies/authorities are exempt from this requirement as they are statutory legal entities
- This legal entity must be capable of keeping adequate financial records and controls for each project (See Note: Audit Exemptions). The bank accounts set up by this legal entity must be used solely for the receipt and payments of monies in relation to Community Employment Projects. Community Employment grants must not be transferred to any other bank account either within or outside of the legal entity without express DEASP approval. In the case of Public Bodies¹, where a separate CE bank account is not opened, they must be able to identify and retrieve **all** transactions

¹ Public Bodies includes City and County Councils and the HSE.

in relation to receipt and payments of monies in relation to each Community Employment project

- Be fully responsible for the management and the administration of the project
- Provide a safe and secure environment for all staff and clients of the service
- Comply with all the relevant statutory and legal obligations of a Sponsor/employer
- Comply with the terms and conditions laid down in the Agreement with DEASP
- Participate as required in Sponsor Briefings
- In conjunction with DEASP; recruit participants under the priority target groups set down by DEASP. All participants engaged must comply with the eligibility requirements
- Provide 19.5 hours work per week for participants. A critical element in the approval of the project is the capacity of the Sponsor to provide quality work experience and skills that are transferable to the open labour market
- Facilitate participant development and training that leads to employment. This includes setting clear targets for progression
- The Sponsor shall ensure that the training provided under CE leads to nationally accredited certification
- Co-operate fully with DEASP requirements

Note: Audit Exemptions. Continued funding under Community Employment is contingent upon submitting audited accounts for each CE contract year. CE schemes may not avail of an exemption (under the terms of Chapter 15, Part 6 of the Companies Act 2014) from the requirement to have the financial statements audited (which are appended to its CRO annual return).

1.4 The Project Management Committee

The Sponsoring Organisation must establish a Project Management Committee. This committee may have some (or all) of the **same members/directors** as the Sponsoring Organisation. The Project Management Committee should consist of the Sponsoring organisation's Chairperson, Company Secretary and Treasurer and at least 2 ordinary members/directors. One of the members of the Project Management Committee should be nominated as the Participant Development Officer (PDO). Management meetings should be held monthly, and minutes taken and retained on file. A written report should be presented by the CE Supervisor to the Board on the projects progress since the last meeting, including details on recruitment, progression, training and work experience. Minutes should be available for inspection by DEASP personnel, if requested.

The Chairperson, Company Secretary, Treasurer and Participant Development Officer (PDO) of this Project Management committee will take responsibility for the project on behalf of the Sponsor Organisation;

- A CE Supervisor **cannot** be a member of **any** CE project's Sponsoring Committee or CE Project Management Committee or **any** JI project's Managing Agent
- A Community Employment Participant **cannot** be a member of their CE project's Sponsoring Committee or CE Project Management Committee

The Department of Public Expenditure and Reform (DPER) has issued a Circular (13/2014) “Management of and Accountability for Grants from Exchequer Funds” (Available from the [CE download site](#)).

This Circular, which is applicable from 1st Jan 2015, aims to ensure that all exchequer funds are accounted for and properly managed. The Circular outlines the public financial management principles, procedures, and standard additional reporting requirements to be followed in the management of grant funding provided from public money. The overall principle is that there should be transparency and accountability in the management of public money, in line with the requirements of economy, efficiency and effectiveness. 2014 Financial Statements must comply with provisions of Circular 13/2014.

Your attention is drawn to specific obligations under Section 5 Grantee Responsibilities, the specific reporting requirements for grantees in relation to annual reports/accounts, compliance with vouched expenditure requirements and confirmation of adherence to the Agreement with the Department. The circular also includes an illustrative checklist for Grantors and Grantees for guidance.

Can you please review and include any new additional requirements for grant accountability in your business processes and grant requirements.

In addition, DPER Accounts Branch consider it prudent to issue the “Statement of Principles for Grantees” to those organisations in receipt of grant funding under the aegis of DEASP. This is also available from the [CE download site](#).

1.4.1 Responsibilities of Directors and Members:

The following responsibilities must be assigned to specific members/directors of the Project Management Committee;

- Signing of cheques/authorisation of online banking payments and all other financial documentation relating to the project and the maintenance of all financial records (Treasurer). There must be at least 3 authorised cheque/online banking signatories, with at least 2 of the 3 signing at any one time. **The CE Supervisor or Bookkeeper/Administrator cannot be a cheque signatory or Approver/Authorised Person for online banking**
- Ensuring compliance with all statutory and legal obligations
- Liaising with experts who can advise on the work being undertaken (where necessary)
- Ensuring that Individual Learner Plans are completed and up-to-date for each participant. Identifying local job opportunities and assisting with contacts. (Participant Development Officer)
- Ensuring the work programme is carried out in compliance with the terms and conditions of the CE Contract of Agreement and the Project Plan

1.4.2 Summary Table of Roles within Project Management Committee

Role on Project Management Committee	Company Director¹	Cheque Signatory²	Project Responsibility
1. Sponsor Chairperson	Yes	Yes	Yes
2. Sponsor Secretary (Company Sec.)	Yes	Yes	Yes
3. Sponsor Treasurer	Yes	Yes	Yes
4. Participant Development Officer	Can be	Can be	Yes
5. Member	Can be	Can be	No
6. Member	Can be	Can be	No
7. Member	Can be	Can be	No

1. Legal minimum number of Directors is two – Chairperson and Treasurer **must** be Company directors. The Project Management Committee Secretary must also be the Company Secretary and preferably a Director too.
2. Minimum of 3 authorised cheque signatories/banking online signatories (specifically the Chairperson, Secretary, Treasurer) drawn from the Project Management Committee **only** (at least two signing at all times). All signatories to bank account/banking online must be **current** members of Committee as notified to DEASP.

All changes/alterations to the Directors/Company Secretary of the Project Management Committee should be notified to DEASP immediately by forwarding a hard copy of the Companies Registration Office B10 document (Notice of change in directors or secretaries or in their particulars). This may also necessitate notification to DEASP of changes to the bank account signatories.

1.4.3 Organisations - Delegation of day-to-day running of Scheme to a Local Management Team

It may be allowable for an organisation to delegate the responsibility of the day-to-day running of the Scheme to a Local Management Team. This must be agreed locally between the DEASP Division and the organisation.

The proposed delegates on the Local Management Team should be in a position of responsibility within the organisation. The Chairperson of the organisation must send details of the proposed delegates, on headed paper, to the relevant Divisional DEASP Officers (HEO and AP level) for consideration. DEASP Approval/Disapproval will be sent to the Chairperson.

The following details of the delegates should be included in the letter from the Chairperson of the national organisation;

- Delegate's Name
- Delegate's Work Address
- Delegate's Position in organisation
- The duties that have been delegated to each person

Only the following duties can be delegated to the Local Management Team;

- Approving AWS, Materials and Development Claims
- Approving Payroll, Bank Reconciliations, Payments Book and Receipts Book
- Approving Expenditure (Invoices)
- Signing Cheques, Authorising Bank Transfers (Wages and Suppliers) and Direct Debits (Utility Bills only – See Chapter 5.7.1.2)

Although the above duties can be delegated once approved by DEASP, the ultimate responsibility resides with the Chairperson and Board of the organisation. Any items not listed above (e.g. CE Agreement Forms, Agreement Schedules, Renewal Applications, etc.) are still required to be signed and approved by the Chairperson and Board of the organisation.

N.B.: The Supervisor/Assistant Supervisor or a Participant on the Scheme cannot be a delegate on the Local Management Team.

1.5 Participant Development Officer (PDO)

Each Sponsor must nominate a member of the project management committee to be the Participant Development Officer (PDO). He/she will work with the Supervisor in respect of Participant Development. It is envisaged that the PDO will;

- Be responsible within the Committee for the participant development (see Participant Development - Chapter 4 for details)
- Give full support to the Supervisor in the preparation and delivery of the Individual Learner Plan for each participant and liaise with the Supervisor on all related matters;
- Provide support to the supervisor in meeting the progression and employment targets of the project
- Be the contact person for participant development with DEASP
- Keep the other members of the Project Management Committee up-to-date on the development and progress of participant development
- Ensure that CE Supervisor complies with all requirements of the ILP system with respect to participant development

Note:

Local Authorities must appoint a dedicated Participant Development Officer (PDO) who must take responsibility for Participant Development and who must complete any relevant briefings/training. The appointed PDO should be of a higher grade than clerical officer.

1.6 The Role of DEASP

DEASP will provide advice and grant aid to the approved project for a period of 52 weeks towards;

- Wages for project participants
- Wages for full-time supervision where applicable
- Certain overheads (described as Materials Grant)
- Development and training, as approved within the Individual Learner Plans

DEASP will conduct project monitoring visits on the implementation of the Individual Learner Plan and work programme. DEASP will also conduct financial monitoring of the project. (See Chapter 6 - Monitoring).

1.7 Publicising Community Employment

1.7.1 Publications

If a Community Employment Project results in the publication of a book, booklet, pamphlets etc., the Sponsor must ensure that the title page contains the following inscription:

“This publication is supported by the Department of Employment Affairs and Social Protection, which is funded by the Irish Government.”

1.7.2 Invitation Cards

Sponsors should endeavour to ensure that invitation cards to official openings, launching of publications etc., bear the following inscription;

“Supported by the Department of Employment Affairs and Social Protection, which is funded by the Irish Government.”

1.7.3 Representation at Official Functions

In this context, official functions are deemed to be: official openings of Community Employment Projects; official openings of exhibitions; launching of publications etc. resulting from Community Employment Projects. When a ceremony is performed by the President, An Taoiseach, An Tánaiste, a Government Minister, or a Minister of State, the official DEASP representative shall be the Secretary General or an Assistant Secretary General nominated by the Secretary General.

When the ceremony is performed by someone other than those listed above, the official DEASP representative shall be the local Divisional Manager (PO). The official DEASP representative must be included on the list of speakers at the function.

1.8 Special Provision for Care of Children or People with Special Needs

In working with children, the elderly or people with special needs, the protection and welfare of the child/young person must always be the first priority of the Sponsor. Sponsors are required to have procedures in place to deal with the protection of these vulnerable groups.

It is the responsibility of the Sponsor to draw up and implement clear and precise procedures to deal with any allegation, disclosure or suspicion of abuse of children or vulnerable clients. Assistance is available from the [Child and Family Agency](#) in your local area. The HSE has developed a Handbook ([The Child Protection and Welfare Practice Handbook](#)) to assist Sponsors. DEASP also has developed guidelines ([Appendix 1](#)) to assist Sponsors to draw up such procedures.

Sponsors involved in Pre-School Child Care Services are required to be familiar with the Childcare (Pre School Services) (No. 2) Regulations 2006. Sponsors must also complete a Schedule of Notification ([Early Years Notification of a Pre-School Service PDF](#)) for the [Child and Family Agency](#) and provide a copy of said notification to DEASP, along with a declaration that (i) they have submitted the Schedule to the Child and Family Agency and (ii) that they are satisfied that they are in compliance with the regulations. Please note further information regarding the above can be obtained on the [Child and Family Agency](#) website.

Where the project/programme involves contact with children and/or vulnerable adults (whether direct or indirect access), applicants/participants on DEASP-funded Community Employment projects must go through the Garda vetting process.

1.9 Sponsor Engagement

Each DEASP Division must organise a briefing for all **new** Sponsors prior to the issue of a contract. In addition, DEASP will provide updates of Community Employment for existing and new Sponsors. The format selected should ensure that there is consistency across Divisions in the DEASP approach to Sponsors regarding the operation of Community Employment. Sponsors who fail to attend such briefings should not be approved for support under Community Employment, nor should they have their Community Employment contract renewed.

Community Employment – Procedures Manual

Chapter 2 – GETTING STARTED

2.0 Introduction

2.1 The Agreement (Contract and Schedule)

2.1.1 Preparing the Agreement and Other Documents

2.1.2 Completing of Agreement

2.1.3 Return of Agreement and documents

2.2 Prior Administrative Requirements

2.2.1 Registration with Revenue Commissioners

2.2.2 Liability Insurance

2.2.3 The Bank Account

2.2.4 eTax Clearance Certificate/Charitable Status Certificate

2.3 Summary of Documentation Required

2.0 Introduction

This chapter will assist the Sponsor in getting the project up and running. A guide to completing the agreement with DEASP is included along with a checklist of the administrative tasks that must be undertaken prior to project start-up.

2.1 The Agreement (Contract & Schedule)

The Agreement, which is made up of an Agreement Contract and Agreement Schedule, determines the relationship between the Community Employment Sponsor and DEASP. It sets out the terms and conditions that will apply to the operation of the Community Employment project. In the Agreement, specific reference is made to;

- The name of the Sponsoring body
- The location of the project
- The commencement date of the project
- The maximum number of participants
- The main tasks which will be undertaken
- The name and address of the person who will be responsible for the management of the project

It is important that the Insurance Checklist is fully completed, signed and stamped by the Sponsor's Insurer or Insurance Broker (see Section 2.2.2 Liability Insurance).

READ THE AGREEMENT CONTRACT AND SCHEDULE CAREFULLY. If you become aware of any inaccuracies in the Agreement, you should bring them to the attention of your local DEASP office **immediately**.

2.1.1 Preparing the Agreement and Other Documents

The DEASP Officer will prepare two copies of the Community Employment Agreement and Agreement Schedule which must be individually signed for and on behalf of DEASP and witnessed before sending out to the Sponsor. The DEASP Assistant Principal will;

- ensure that the proper DEASP contract authorisation is in place
- sign, and have witnessed, all individual copies of Agreement and Agreement Schedule in ink/biro
- forward the two sets of DEASP-signed Agreement documents to the Sponsor

The other documents issued with the Agreement/Schedule are as follows;

- Contract Approval Letter
- Initial Grant Instalment Form
- Participant Development Grant Form
- Insurance Checklist
- Bank Authorisation Form
- Motor Contingency Letter and Form of Undertaking
- Freedom of Information

2.1.2 Completing the Agreement

The Sponsor will receive **two** copies of the Community Employment **Agreement and Agreement Schedule**. **The Chairperson of the Sponsoring body must sign and have witnessed both copies of the Agreement and Agreement Schedule separately in ink/biro**, thereby confirming acceptance of the Agreement as a whole.

The Sponsor should retain one copy of the Agreement & Schedule for their own records. Return the other signed copy of the Agreement & Schedule to the local DEASP Office.

The project cannot commence until DEASP receives a completed Agreement & Agreement Schedule that have been properly signed and witnessed.

2.1.3 Return of the Agreement and documents

When returned to DEASP the Officer will check the following;

- That the Agreement and Agreement Schedule has been duly signed and witnessed
- Initial Grant Form has correct reference number, employer's registration number, the wage advance applied for is correct, signature of Sponsor and date is present
- The Insurance Checklist is fully completed, signed and stamped by the Sponsor's Insurer or Insurance Broker
- A new Bank Account has been set up (new projects only)
- The Bank Authorisation Form has been received and signed by the authorised signatories. N.B. Ensure that no Supervisor, Assistant Supervisor, Administration/Clerical participant or other participant is a signatory
- In projects where 15 or more participants have been applied for, one participant may be assigned to carry out the Administration/Clerical duties
- eTax Clearance Certificate (and Charitable Status Certificate, if applicable) has been received and is current

Where, due to unavoidable circumstances, the project does not start within the dates specified in the Agreement Schedule, DEASP must issue a letter amending the start date and this letter must be signed by the **original** signatories to the Agreement. This letter must be filed with the copy of the original Agreement and Agreement Schedule.

Note:

If for whatever reason an Agreement and Agreement Schedule has to be cancelled it **must not** be torn up or discarded. It must be placed on file and noted as cancelled.

Before any payment can be made, the necessary eTax Clearance Certificate or Charitable Status Certificate must have been received.

The **Sponsor** should ensure the authorised signatories sign the Bank Authorisation Form **before** giving it to the bank. After the completed Bank Authorisation Form is returned to the local DEASP Office by the bank, the DEASP Officer should check that the Bank Authorisation Form is fully and appropriately completed by the Sponsor group, signed and stamped by the bank. Bank details must be entered on to the IT system.

Supervisors, Assistant Supervisors, Administrators/Bookkeepers or participants cannot be authorised signatories or Approvers/Authorised Persons for online banking on the Bank account.

2.2 Prior Administrative Requirements

2.2.1 Registration with Revenue Commissioners

You must register with the Revenue Commissioners. If you have not already done so, you should apply for registration immediately on notification of approval from DEASP (your local Tax Office will supply details: Website – www.revenue.ie).

- **The project cannot commence until the Sponsor is registered with the Revenue Commissioners and the registration number has been submitted, in writing, to DEASP**
- **Future funding of the project is conditional on continued tax compliance**

2.2.2 Liability Insurance

Adequate insurance is required to cover project legal liabilities, including;

- Employer's Liability
- Public Liability
- Employment Practices Liability
- Directors/Officers Liability

The project cannot commence until this requirement has been complied with. The insurance must;

- Meet the standards as required by DEASP
- Cover the full period of the project (where the period of the project is changed, cover must be amended)
- Be prepaid and a receipt produced

- Specify the name of the project and type of work being undertaken and the locations involved - this should coincide with the approval given by DEASP
- Indemnify DEASP against any liability that may arise
- An Insurance Checklist Form is provided for completion by the Insurance Broker/Company on behalf of the Sponsor. **Completion of the checklist is compulsory**

An Insurance Checklist must be completed by the Insurance Broker/Company on behalf of the Sponsor. The Sponsor must endeavour to obtain the best value when procuring project insurance.

Written evidence of at least two insurance quotations (per project year) must be held on file for inspection by DEASP.

If a difficulty is experienced in obtaining insurance, the local DEASP AP office should be consulted and may be able to assist in securing cover. A copy of the Insurance Certificate for the project **must** be forwarded to DEASP.

Note:

You should ensure that the Participants **do not**, under any circumstances, undertake work that has **not** been disclosed to insurers. To do so could result in the Sponsor having **personal liability** for loss or injury to participants and/or third parties. Any infringement will render the agreement with DEASP open to revocation. If any difficulty is encountered as to the interpretation of cover, consult with your broker or insurer and obtain confirmation in writing that the work undertaken is covered by the policy. In the event of any incident or injury occurring, the insurers involved should immediately be informed and their instructions followed. The DEASP Officer should also be informed of any incidents.

Please note that CE participants on external work experience will be covered for insurance under the external organisation's Employer's Liability insurance.

2.2.3 The Bank Account

All Sponsors must have a single **dedicated** bank account for each project that will be used solely for that project on a rolling year-to-year basis. Therefore, prior to the commencement of a **new** project, a new bank account number must be submitted to DEASP on a Bank Authorisation Form. Existing projects can retain the use of their current project bank account henceforth.

- This project Bank Account must be used **solely** for the lodgement and payment of monies for the specific project
- Where an organisation uses a central payroll/payments system via a central bank account, **on approval from DEASP**, the organisation may transfer funds to this central account to pay CE payroll and expenditure. A full audit trail must be maintained for all monies transferred and be available for inspection
- All authorised cheque signatories or online banking Approver/Authorised Persons (for EFT) must be members of the **current** Sponsoring Committee, as notified to DEASP
- At least **three** authorised cheque signatories are required for the project bank account, including all of the following (see below for exclusions to signatories):
 - Treasurer
 - Chairperson

- Secretary
- A minimum of 3 Approver / Authorised Persons to be set up for online banking (EFT)
- Online (EFT) payments cannot be made unless a minimum of 2 Approvers or Authorised Persons approve the payment **online. Under no circumstances** should any Sponsor give their online password/authorisation to the Bookkeeper/Administrator or Supervisor. The Bookkeeper/Administrator or Supervisor can be granted limited access to input details for payment, but cannot authorise payments
- Each person who is an authorised signatory to the bank account must sign the Bank Authorisation Form in the space provided and complete her/his name in BLOCK capital letters and state position held. A new bank authorisation form must be completed for each new contract
- Ensure that the **all** authorised signatories on the Bank Account are on the Bank Authorisation Form **before** sending it to the bank
- Your Bank must complete, sign and stamp the Bank Authorisation Form, and return it directly to the local DEASP Office. **This must be done at the earliest possible date to avoid delays in making payments to you**
- All payments should be made by crossed cheque or Electronic Funds Transfer (EFT) and drawn in favour of a third party. Debit/credit cards are not permitted for the CE bank account
- All cheques must be signed by at least **two**, authorised signatory members of the Management Committee i.e. the Treasurer/Chairperson/Secretary and/or one other authorised signatory (if applicable) who must be a member of the Management Committee. A Supervisor, Assistant Supervisor, Admin/Clerical participant or other participant cannot be a signatory to the account
- The bank account set up for the purposes of managing the Community Employment project must not be changed without prior written agreement with DEASP
- Projects must notify DEASP immediately of any changes to the authorised signatories/Approvers
- Projects should carry out **monthly** bank reconciliations, as per best practice. These may be inspected by DEASP Officers on monitoring visits
- Projects must provide evidence at project rollover/audit of up-to-date bank reconciliations

2.2.4 eTax Clearance Certificate/Charitable Status Certificate

A copy of the current eTax Clearance Certificate must be supplied to DEASP to confirm the Sponsoring body's tax affairs are in order. Details on how to obtain this document are available from the Revenue Commissioners website at www.revenue.ie.

If the Sponsor is a registered charity (with a CHY number), then confirmation of this fact with a Charitable Status Certificate supplied by the Charities Section of the Revenue Commissioners will not suffice for DEASP purposes. DEASP require a current eTax Clearance Certificate. (Office of the Revenue Commissioners Charity Section, Government Offices, Nenagh, Co. Tipperary, LoCall 1890-254565, Fax 067-32916 or email charities@revenue.ie).

2.3 Summary of Documentation Required

To summarise, the following completed documents must be forwarded to DEASP prior to the start-up of any project:

- A fully signed/witnessed copy of the Agreement Contract and Schedule
- Insurance Certificate and Insurance Checklist
- Bank Authorisation Form (via the bank)
- Copy of eTax Clearance Certificate or Charitable Status Certificate
- Initial Grant Application Form – fully completed
- Completed Motor Contingency Letter, if appropriate

Community Employment – Procedures Manual

Chapter 3 – THE WORKFORCE

3.0. Introduction

3.1. Recruiting the Participants

3.1.1. Eligible Applicants

3.1.2. Eligibility Criteria

3.1.3. Eligibility Criteria – Service Support Stream

3.1.4. Eligibility Criteria for Childcare and Health/Social Care Sector

3.1.5. Re-engagement (Rollover) of Participants with CE

3.1.6. Re-Entry to Community Employment

3.1.7. Lifetime Participation Limits

3.1.8. Maximum Age Limits

3.1.9. Sourcing Applicants

3.1.10. Interview

3.1.11. Garda Vetting

3.1.12. Appointment

3.1.13. Appointment of an Administrative Secretary/Bookkeeper

3.2. Terms of Work

3.2.1. Duration of Work Period

3.2.2. Protection of Employees (Part-time Work) Act, 2001

3.2.3. Hours of Work

3.2.4. Attendance Records

3.2.5. Wages

3.2.6. Change of Circumstances

3.2.7. Tax/PRSI/USC

3.2.8. Public Holidays

3.2.9. Flexible Rostering/Holidays

3.2.10. Christmas and Easter Period

3.2.11. Sick Leave - Certified/Uncertified

3.2.12. Absent Participants

3.2.13. Maternity Leave

3.2.14. Paternity Leave

3.2.15. Other Absences

3.2.16. Equality of Opportunity

3.2.17. Health & Safety and other Labour Legislation

3.2.18. Tools, Clothing, Facilities, Outdoor Work in Poor Weather

3.2.19. Working-Time Off

3.2.20. Termination of Participants

3.2.21. Unfair Dismissals Act

3.2.22. Return to Live Register

3.2.23. Complaints Procedure

3.3 Recruiting the Supervisor

3.3.1. Role of the Supervisor

3.3.2. Sponsor and Supervisor–Commitment to Individual Learner Plan

3.3.3. Project Supervisory Grant

- 3.3.4. Eligibility
- 3.3.5. Sourcing Applicants
- 3.3.6. Interview
 - 3.3.6.1. Garda Vetting
- 3.3.7. Terms of Work
 - 3.3.7.1 Duration of Work Period
 - 3.3.7.2 Hours
 - 3.3.7.3 Supervisor Wages Grant
 - 3.3.7.4 PAYE
 - 3.3.7.5 PRSI/USC
 - 3.3.7.6 Holidays
 - 3.3.7.7 Sick Leave
 - 3.3.7.8 Maternity Leave
 - 3.3.7.9 Equality of Opportunity
 - 3.3.7.10 Health & Safety and other Labour Legislation
 - 3.3.7.11 Supervisor's/Participants Car Insurance
 - 3.3.7.12 Assistant Supervisory Support
 - 3.3.7.13 Supervisors: Membership of Public and Statutory Bodies
 - 3.3.7.14 Supervisors: Employee (Union) Representatives
- 3.4 Responsibilities of the Sponsor
 - 3.4.1 Code of Practice
 - 3.4.1.1 Grievances
 - 3.4.1.2 Discipline
 - 3.4.1.3 Sexual Harassment
 - 3.4.2 Union Membership
 - 3.4.3 Computer Usage Policies
- 3.5 Social Welfare Overpayment and Debt Recovery

3.0. Introduction

This chapter details the steps to be taken in recruiting/appointing the project participants and the project supervisor and the terms and conditions of work applicable to both. The responsibilities as a project Sponsor are also covered here.

3.1. Recruiting the Participants

The selection of participants will take account of unemployment figures and priority cohorts as identified by Government. Sponsors should be encouraged to recruit participants from priority client groups and should refer to [Appendix 2](#) for details relating to interview panels and person specifications. **All CE candidates must be referred to the Sponsor by DEASP Intreo Office. Only CE places filled by those referred via DEASP Intreo Office will be funded.**

Sponsors must ensure that written Contracts of Employment are in place for Supervisors, Assistant Supervisors and Participants. Please refer to Department of Jobs, Enterprise & Innovation regarding [Terms and Conditions of Employment](#). Project Sponsors must register all Community Employment vacancies with DEASP National Contact Centre, Phone 1890 800024 (Fax: 01 8940033) or on DEASP JobsIreland at www.jobsireland.ie.

Interview arrangements for any DEASP Intreo referrals should be made between the Sponsor and those referred. It is important to ensure that the Sponsor has a clear understanding of the eligibility requirements (see Section 3.1.1) before the interviews. When DEASP Intreo Office send the submission list of eligible interviewees to the Sponsor, a CE Vacancy Feedback Form must also be issued asking the Sponsor to note on the Feedback form those who attended, those who failed to attend and those who are to be offered a position.

The Sponsor must notify the DEASP Officer of the selected candidate(s) immediately and return (within 1 week of selection) the completed Vacancy Feedback Form to the DEASP Intreo Office.

DEASP Intreo Office confirms the allowance rates currently being paid to the selected person(s) and sets their CE rate accordingly.

DEASP Intreo Office sends the list of the new participants to the Sponsor together with their applicable CE rate. Details of those starting on the Project should be processed on the IT System. The relevant original payment sections in DEASP must be notified by the HEO/CDO of the PPS number and proposed start date on CE of the new participants (2 weeks' advance notice required by Disability Allowance, Invalidity Pension and Blind Pension sections). Participants must also notify their original DEASP payment section or Local/Branch Office (as applicable) individually of their commencement on CE.

3.1.1. Eligible Applicants

With effect from 3rd July 2017 eligible applicants may be recruited via DEASP Intreo Office or the Local Employment Services (LES) as follows;

Aged between 21 and 55 years

Following 12 months in receipt of a qualifying Social Welfare payment (see 3.1.1.2), CE placements for those aged between 21 and 55 years will be for one year. However, if a CE participant is working towards a major award/industry recognised equivalent (see 4.2) their time on CE can be extended by up to an additional 2 years to complete this award i.e. total participation of 3 consecutive years in which to complete any outstanding modules. This should be reviewed each year to establish evidence of achievement and ensure continued progress toward achieving the major award. No extension will be given beyond 3 years (4 years for those on Disability-linked payments). It will be possible to re-qualify for CE after a further 12 months in receipt of a qualifying payment. See 3.1.2.1 regarding lifetime participation limits.

Aged 55 years and over

Following 12 months in receipt of a qualifying Social Welfare payment, those aged 55 years and over can remain on CE for a maximum of 3 consecutive years. After this 3 year period, it may be possible to re-qualify for CE after a further 12 months in receipt of a qualifying Social Welfare payment. A person aged 55 years and over should be given access to training and development and supported with addressing any barriers to employment. See 3.1.2.1 regarding lifetime participation limits.

Aged 62 years and over

Under the Service Support Stream pilot initiative announced in December 2015 participants aged 62 years and over who meet the CE eligibility requirements (see 3.1.1.3) may remain continuously on CE up to the State pension age.

Saver clause

Participants who commenced on CE prior to 3rd July 2017 will be entitled to remain under their existing CE eligibility rules, where this is to their advantage.

3.1.2. Eligibility Criteria

Eligibility for CE is determined by the following;

- Persons aged 21 years of age or over who are currently in receipt (i.e. payment received within the 7 days preceding CE commencement²) of any combination of the following payments for 12 months or more;
 - Jobseekers Benefit (JB) (See Note 1)
 - Jobseekers Allowance (JA) (See Note 1)
 - Jobseekers Allowance Transition (JST)
 - One-Parent Family Payment (OPFP)
 - Widows/Widowers or Surviving Partner's Contributory Pension
 - Widows/Widowers or Surviving Partner's Non-Contributory Pension
 - Deserted Wife's Benefit (DWB)
 - Farm Assist (FA)
 - Time spent in receipt of Basic Supplementary Welfare Allowance (BASI) can also count towards the 12-month period provided the claimant is currently in receipt of one of the above listed payments (i.e. no breaks between payments), e.g. 2 months on SWA followed immediately by 10 months on Jobseekers Allowance
 - Time spent in receipt of Carer's Allowance/half rate Carers Allowance/Carers Benefit can also count towards the 12-month eligibility period, but **caring responsibilities must have ceased** and the person must **currently** be in receipt of JA, JB or OPFP
 - Time spent on a CE-qualifying disability-related payment can count towards the 12 month period provided it is contiguous with the current social welfare payment, as listed above (i.e. no breaks), e.g. 3 months on Illness Benefit followed immediately by 9 months on Jobseekers Allowance
- Persons aged 18 years or over who are currently in receipt of any of the following payments from the Department of Social Protection (DEASP);
 - Disability Allowance
 - Blind Pension
 - Invalidity Pension*
 - Illness Benefit for 6 months or more*

² Persons successful at interview and whose payment/benefit has exhausted while awaiting Garda vetting retain their eligibility to commence CE. This saver clause does **not** apply where a person is disqualified from the payment or if they sign off voluntarily before their payment exhausts while awaiting Garda vetting.

- Travellers aged 18 years or over, unemployed, and in receipt of Jobseekers Benefit or Jobseekers Allowance **for any length of time**, or One Parent Family Payment for **one year or longer**
- Refugees aged 18 years or over, as authenticated by the Department of Justice and Equality (i.e. Department of Justice letter of confirmation of refugee status **plus** valid Green Card or GNIB with Stamp 4) in receipt of **any DEASP payment for any length of time** can qualify for CE
- CE Drugs Rehabilitation Places (DRP's) are available to persons aged 18 years or over who are in recovery and referred for a rehabilitation place on CE. Application for a drugs rehabilitation place is based on evidence of an appropriate referral following an assessment of the applicant attending a recognised addiction support service within the last year within the context of the National Rehabilitation Framework of care and case management. This includes HSE addiction services and treatment centres, GPs and other relevant statutory, community and voluntary support services. The DEASP 9 Point Agreement specifies the conditions for access, eligibility and delivery of the CE drug rehabilitation places (see [Appendix 3](#))
- Ex-offenders aged 18 years or over and referred by the following agencies: the [Probation Service](#); [IASIO's Services](#) - the [Linkage Service](#), the [Gate Service](#) and [Resettlement Service](#); and the [Irish Prison Service](#). Also, Ex-offenders aged 18 and over and not referred by these Services and in receipt of Jobseekers Allowance or Jobseekers Benefit for a period of 12 months or more. Time spent as a prisoner is regarded as reckonable when considering duration unemployed. In addition, prisoners released on Temporary Release are considered eligible for application
- Persons aged 18 years or over inhabiting the offshore islands that are currently in receipt of a CE-qualifying payment for 6 months or more. Islander positions will be reviewed annually and subject to demand and the number of jobseekers seeking activation

Note 1:

- Persons engaged on the JobPath programme are ineligible for CE
- For those in receipt of JB or JA breaks off the Live Register/worked days up to a maximum of 30 days in the 12 months prior to application are allowed in assessing eligibility.
- Time spent on a recognised training course e.g. SOLAS/ETB, a VTOS course, Youthreach or in prison may count as part of the qualifying period
- Time spent as a qualified adult dependant on another person's claim does **not** count towards CE eligibility
- The Spousal Swap option ceased with effect from 16th September 2013 for new entrants. Participants currently on this eligibility criterion are unaffected.
- Time spent on CE no longer counts towards continued time on CE for new entrants who commenced on or after 8th October 2012.
- Where a person has been found to have been ineligible subsequent to CE commencement, the Department has the right to cease grant-aiding that person's position

Note 2:

- Persons availing of Tús, Gateway, Rural Social Scheme, Springboard, Momentum or JobBridge programmes, or receiving Back to Education Allowance (BTEA), Back to

Work Enterprise Allowance (BTWEA) or Part-Time Education Option (PTEO) may not commence or simultaneously participate on Community Employment (CE)

- Time spent on Tús, Gateway, Rural Social Scheme, Springboard, Momentum, JobBridge, Back to Education Allowance or Back to Work Enterprise Allowance will **not** count towards the qualifying period for eligibility to CE. Entry to CE following any of these programmes is not considered as a suitable or valid progression. The only exceptions to this rule are;
 - If the BTEA was being received for **second-level** education purposes
 - Tús participants aged 21 or over who have completed 52 weeks on that programme can progress **directly** onto CE for a maximum of **one** year where it is considered appropriate within the context of an agreed progression plan mediated by Intreo/DEASP Employment Services/Local Employment Service (LES). Applications for CE vacancies can be made up to 12 weeks in advance of the Tús finish date to allow for CE positions that require Garda vetting. As Tús participants are selected by the Department from the long-term unemployed, they already meet the standard eligibility requirements for CE
 - Ex-Tús participants who sign back on the Live Register can have their previous time on the Live Register combined with their current claim and qualify as Jobseeker clients for CE in the normal way (Tús participation is disregarded)
 - Gateway participants aged 21 or over who have completed 22 months on that programme can progress to CE for a maximum of one year where it is considered appropriate within the context of an agreed progression plan mediated by Intreo/DEASP Employment Services/Local Employment Service (LES). They must also continue to fulfil the criteria for their underlying payment, in this case JA and this will be verified by the Intreo office
 - Ex-Gateway participants who sign back on the Live Register can have their previous time on the Live Register combined with their current claim and qualify as Jobseeker clients for CE in the normal way (Gateway participation is disregarded)
 - Time spent on Part-Time Education Option (PTEO) can count towards the CE qualifying period
- Progression from CE to any of these programmes (excluding Tús or Gateway) is considered as a suitable and valid progression. Please note a person cannot have a JobBridge placement with the same employer that they have already had a CE placement with
- Current CE participants **can** avail of 3rd level [Springboard](#) programmes at zero cost. The CE Supervisor will follow the ILP process and on reaching agreement with the CE participant on the course choice, the CE Supervisor should refer the participant to the appropriate Intreo/Employment Services Case Officer. The Springboard course can then be input and approved by the DEASP Community Development Officer via the ILP system

***Rules of Behaviour pertaining to Illness Benefit and Invalidity Pension recipients**

Persons in receipt of Illness Benefit and Invalidity Pension who were employed on CE as at 13/01/2012 and who remain on CE are bound by the Department of Social Protection (DEASP) Rules of Behaviour for these payments. In applications involving Illness Benefit/Invalidity Pension recipients, the DEASP must grant a **written exemption from the Rules of Behaviour** before the recipient is allowed to recommence employment.

Participants in continued receipt of Illness Benefit or Invalidity Pension may **not** commence on CE without having this **written** exemption in place, otherwise they are breaking the rules for continued receipt of the disability payment. A letter from DEASP granting permission to continue working pending 12-month exemption review is insufficient for the purposes of re-engaging/rolling-over a participant on CE. Only when the exemption is granted in writing can a participant re-commence CE. For more information please see www.welfare.ie.

Participants commencing CE after 16/01/2012 who were in receipt of Illness Benefit or Invalidity Pension at the time of application do not require an exemption as their original disability payment will cease on commencement to CE.

On completing their CE placement, former Invalidity Pension, Disability Allowance and Blind Pension clients can be re-instated for payment (providing they still meet the qualifying criteria) by sending in a “[CE Participant Form to DA-IP Section re Return to Payment](#)” form to the address stated. This form can be downloaded by the CE Supervisor from the [CE Documents website](#). The client must also furnish their P45 to enable re-commencement of the payment (this can be facilitated by the DEASP Local Office scanning/faxing the P45 to relevant Section. Former Illness Benefit clients will have to make a fresh claim by visiting their GP.

3.1.3. Eligibility Criteria – Service Support Stream

Provision has been put in place under the Community Employment programme for older jobseekers, aged 62 years and over, on a pilot basis. The places under this option will be limited to 1,600 nationally and limited to 7% of participants per individual scheme. Participants on this option will have an annual contract of employment, renewable up to the Friday before the participant reaches State Pension age, subject to availability of a place.

The following will be eligible to participate on the **Service Support Stream Option**:

- Participants currently on CE who have reached age 62 and who have exhausted all the activation options available (depending on place availability)
- New entrants (defined as those who have not participated on CE in the preceding 12 months) who are aged 62 and over who meet the CE eligibility requirements i.e. currently in receipt of a relevant qualifying payment and satisfying the relevant qualifying period)
- Former CE participants aged 62 and over who have exhausted their standard CE lifetime participation limits, and who meet the CE eligibility requirements i.e. currently in receipt of a relevant qualifying payment and satisfying the relevant qualifying period. Previous CE participation will be disregarded for Service Support Stream purposes

3.1.4. Eligibility Criteria for Childcare and Health/Social Care Sector

For dedicated Childcare, and Health and Social Care vacancies (i.e. those working **directly** with service users only) there is a requirement for the applicant to demonstrate a commitment to engage in certified training during their time on CE, leading to the achievement of a QQI

(FETAC) Major Award at Level 5. The Childcare, and Health and Social Care Programme Guidelines (see links below) outline the timeline and minimum standards of QQI (FETAC) modules to be achieved in the Childcare Programme and Health and Social Care Programme leading to the completion of the relevant Major Award.

For those working in support roles and ancillary staff in childcare or health/social care projects, the standard CE eligibility criteria apply regarding age, qualifying payments and the qualifying period (see 3.1.2 above).

All referrals to these CE placements will be made by the Intreo Case Officers who will have a critical role in determining the appropriate referrals. The Case Officers will identify clients that meet the eligibility criteria and will submit only those applicants who are suitable for the programme and who match the profile of the particular placements. Scheme Sponsors will then select from the candidates submitted by the Case Officers.

The duration of participation will be 1 year to 2 years to facilitate the achievement of a Major Award with an optional 3rd year to assist weaker participants to achieve the required standard of qualification needed to become job ready. The option of a third year will require the approval of the DEASP Officer.

Please see links to the Programme Guidelines for the Childcare Programme and the Health and Social Care Programme below.

[Programme Guidelines for the Health and Social Care Programme](#)

[Programme Guidelines for the Childcare Programme](#)

3.1.5. Re-engagement (Rollover) of Participants with CE

Where DEASP has approved a further project period, after the initial 1st year, and the Sponsor wishes to re-engage participants for additional years, the Sponsor must submit a written proposal for the re-engagement and obtain DEASP approval. The proposal should be received by the local DEASP office at least **eight** weeks prior to the completion date of the project's current term, or **eight** weeks prior to the completion of the individual's contract. In this written proposal, the Sponsor must identify the reasons for the re-engagement of each participant, in line with the following;

Aged between 21 and 55 years

A participant must be working towards a QQI Award on the NFQ Framework of Qualifications/or industry equivalent* to be eligible for up to an additional 2 years on CE (maximum total of 3 consecutive years). The Sponsor must seek approval from DEASP, in writing, at the end of each year, and provide evidence of the following;

- Current and past ILP records for the participant detailing career planning, training undertaken, progression planning /and or work plans, including details of training outcomes and Award(s) achieved to date
- Details of work experience planned or completed

- Details what the additional time will offer to participant i.e. what accredited training will be achieved and evidence that this is in keeping with ILP records and career planning for the participant. The modules proposed should link to a major award and cannot be a number of minor components with no link to a career/progression path

All mandatory training must be completed. The track record of the CE project should be reviewed by DEASP in relation to getting people placed and progressed. Project compliance with DEASP financial, training and programme monitoring procedures must be evidenced. The Sponsor should reference the accrediting /lead body that is associated with the industry standard for the nominated sector.

Aged 55 years and over

Participants aged 55 and over may remain on CE for 3 consecutive years. Participants should be given access to training and development and supported with addressing any barriers to employment.

Aged 62 years and over

Participants aged 62 years and over recruited under the Service Support Stream pilot initiative may remain on CE continuously up to the State pension age. Participants should be given access to training and development and supported with addressing any barriers to employment.

Note:

Where completion of a project has been delayed for a short time for reasons outside the control of the Sponsor, e.g. disruption due to bad weather re-engagements will be considered on an exceptional basis.

3.1.6. Re-Entry to Community Employment

For a person who has exited CE to be considered for re-entry to Community Employment, **12** months need to have elapsed since any previous participation and he/she must have been in receipt of a qualifying DEASP payment for that 12-month period. This is subject to availability of places and compliance with the lifetime participation time limits. Participants being re-engaged (rollovers) are excluded from this requirement of a 12-month break between projects.

3.1.7. Lifetime Participation Limits

Participation on CE prior to 1st January 2007 is not counted. Lifetime participation on Community Employment is limited to;

- 6 cumulative years (312 weeks) up to State Pension age
- 7 cumulative years (364 weeks) for persons in receipt of a qualifying disability-linked Social Welfare payment
- Service Support Stream participants, who are approved by DEASP within the budget cap, are permitted to exceed the standard limits of participation

- Offshore island residents are exempt from this participation cap, subject to the availability of places on island-based CE schemes

3.1.8. Maximum Age Limits

Funding for participation on Community Employment has an upper age limit of the age at which the State Pension becomes available to that person, as per Section 7 of the Social Welfare and Pensions Act 2011; 66 for those born before 1 January 1955

- 67 for those born on or after 1 January 1955
- 68 for those born on or after 1 January 1961

A CE participant can remain on CE until the Friday before their birthday at which they will reach State Pension age, provided they meet all other eligibility requirements. DEASP will not make funding available to a Sponsor for any participant or Supervisor who has reached State Pension age.

All CE participant ‘Terms and Conditions of Employment’ should include a clause stating that participants must retire on the Friday prior to the birthday at which they reach State Pension age.

3.1.9. Sourcing Applicants

- Firstly, the Sponsor must register as an employer with DEASP by calling the DEASP National Contact Centre (NCC) at 1890 800024 (Fax: 01 8940033) or on www.jobsireland.ie.
- In advance of recruitment of applicants onto the project, the Sponsor will submit details of **all** the vacancies (participant and Supervisor) to the National Contact Centre (NCC) at 1800 611 116 (see the CE Vacancy documentation on the [CE Download](#) site for full details). Full job descriptions for each job type must be supplied to DEASP Community Services. The DEASP Officer must be immediately notified of the vacancy reference numbers and closing dates
- The Sponsor **MUST** seek assistance with recruitment from the local DEASP Intreo office
- **All applicants for places must be referred via DEASP Intreo office** Only CE places filled by those referred via DEASP Intreo office will be funded
- DEASP Intreo office will provide the Sponsor with a list of eligible candidates
- DEASP Intreo office referrals, including Employment Action Plan participants (EAPs), must be given full consideration and if not offered a place this should be advised to DEASP Intreo office
- The Sponsor has to notify DEASP Intreo office of the outcome within one week of completion of the selection process. This information should include details of unselected and non-attendees, the successful applicant(s), and details on the CE Vacancy Feedback Form

3.1.10. Interview

An interview panel with independent members must interview candidates. This panel must interview in accordance with procedures and practice as stated in [Appendix 2](#).

- Only referred, eligible applicants (as advised by DEASP) should be invited to attend for interview
- The applicant should be fully briefed on the type of work and the training opportunities available on the project and how this experience can enhance their employment prospects
- During the interview, the suitability of the applicant for the position should be determined and an indication should be sought as to the applicant's level of interest in accepting a place on the project if offered. It should also be stated that payment on CE is by EFT **only**
- Selected applicants should be formally offered a place in writing subject to their final eligibility being confirmed
- If Garda vetting is required the Sponsor must immediately issue a blank Garda vetting form for completion by the selected candidate
- The Sponsor should inform DEASP of those who attended for interview, those who failed to attend and those offered a position using the vacancy referral form

On selection of participants, the Sponsor must provide DEASP with the name, address, date of birth and proposed start date of each person. The Department of Social Protection will verify the person's dependency status and allowance rate. A participant may not commence on a project until the Sponsor has been notified in writing by DEASP of the person's eligibility and the allowance rate.

3.1.11. Garda Vetting

The statutory obligations for employers, including CE Sponsoring Organisations in relation to Garda vetting requirements for persons working with children and vulnerable adults are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012–2016 or as amended.

The CE Sponsoring Organisation must ensure full compliance with all the requirements of the legislation.

The decision on the suitability of a CE applicant for a CE place lies with the CE Sponsor, as the employer. The results of vetting form an essential part of the recruitment decision.

Applicants for positions that require Garda vetting cannot commence work on the project until Garda vetting process is completed.

3.1.12. Appointment

All participants must be recruited within the first eight weeks of the project year. Participants must be recruited within the approved numbers relevant to each option. After this 8 week period the number actually recruited will become the 'approved' number, and only participants who leave may be replaced within the approved numbers subject to agreement by DEASP.

Upon appointment of participants the Sponsor is obliged to:

- Provide the participant with an Induction Programme: this should include Health & Safety in the workplace
- Ensure the Supervisor completes an Individual Learner Plan in consultation with each participant

Under the [Terms of Employment \(Information\) Act, 1994 and 2001](#) (pdf), the following items are also obligatory for the Sponsor;

- Provide the participant a written statement of gross to net wages (payslip) itemising each deduction with every wage packet (under Section 4 of the [Payment of Wages Act, 1991](#)). If wages are paid by credit transfer, the statement of wages should be given to the employee soon after the credit transfer has taken place. Complaints regarding non-provision of payslips/written statements of gross wages, itemising each deduction, should be made to the [Workplace Relations Customer Services](#).
- Provide the participant with a statement of terms and conditions covering work conditions of employment ([Written Statement of Terms of Employment](#)). While the complete contract of employment does not have to be in writing, the Terms of Employment (Information) Act, 1994 and 2001 provide that certain terms of the contract must be available to the employee in writing. This requirement does not apply to employees who have been employed for less than a month. For all other employees, the following terms should be available in writing;
 - The full names of the employer and the employee
 - The address of the employer in the State or, where appropriate, the address of the principal place of the relevant business of the employer in the State or the registered office (within the meaning of the [Companies Act, 2014](#))
 - The place of work or, where there is no fixed or main place of work, a statement specifying that the employee is required or permitted to work at various places
 - The title of the job or nature of the work for which the employee is employed
 - The date of commencement of the employee's contract of employment
 - In the case of a temporary contract of employment, the expected duration thereof or, if the contract of employment is for a fixed term, the date on which the contract expires
 - The rate or method of calculation of the employee's remuneration
 - The length of the intervals between the times at which remuneration is paid, whether a week, a month or any other interval

- Any terms or conditions relating to hours of work (including overtime)
- Any terms or conditions relating to paid leave (other than paid sick leave)
- Any terms or conditions relating to—
 - Incapacity for work due to sickness or injury and paid sick leave, and
 - Pensions and pension schemes (e.g. PRSAs)
- The period of notice which the employee is required to give and entitled to receive (whether by or under statute or under the terms of the employee's contract of employment) to determine the employee's contract of employment or, where this cannot be indicated when the information is given, the method for determining such periods of notice
- A reference to any collective agreements which directly affect the terms and conditions of the employee's employment including, where the employer is not a party to such agreements, particulars of the bodies or institutions by whom they were made

The written statement, should be signed and dated by or on behalf of the employer, and must be given to the employee within two months of the date of commencement of employment.

3.1.13. Appointment of an Administrative Secretary/Bookkeeper

For projects of 15 or more participants, one of the approved number of participants may be assigned to the specific post of secretary/administrator/bookkeeper for all or part of his/her hours on the project as required. This person must have the capacity to do the task. Training can be funded from the Training Grant.

A person engaged in this capacity may not sign any official documents such as grant claim forms, insurance certificates, Revenue returns etc., and must not be a signatory on the bank account.

Once appointed, this person's duties should not be changed without prior consultation with DEASP.

3.2 Terms of Work

When applicants are appointed, as the employer, the Sponsor is fully responsible for all aspects concerning the management and welfare of participants. An employment contract and description of work tasks must be drawn up between the Sponsor and each participant. The Sponsor will agree to release each participant to participate in any training/development that has been identified and approved in the participant's ILP.

3.2.1 Duration of Work Period

The maximum single contract period of work for any participant is 52 weeks and this should be stated on their contracts of employment. A participant may be re-engaged for subsequent periods, where approval has been authorised by DEASP, subject to re-engagement procedures outlined at Section 3.1.1.3 (Part Time Integration Option) and Section 3.1.1.5 (Part Time Job Option) above.

Participants (and Supervisors) are **excluded** from the provisions of Section 9 of the [Protection of Employees \(Fixed-Term Work\) Act 2003](#) as they are “employees with a contract of employment which has been concluded within the framework of a specific public or publicly-supported training, integration or vocational retraining programme” under Section 2 of this Act. This means that CE contracts for participants or Supervisors **cannot** be of indefinite duration.

3.2.2 Protection of Employees (Part-Time Work) Act, 2001

The above [Act](#) covers all part-time workers including those on Community Employment. A regular part-time employee is one who has been in the continuous service of an employer for at least 13 weeks.

The Act applies the same rights and entitlements to part-time employees as apply to full-time employees, and will ensure that such entitlements are applied to part-time employees on a pro-rata basis. The Act states that a part-time employee cannot, in respect of their remuneration and conditions of employment, be treated in a less than favourable manner than a comparable full-time employee.

It is the Sponsors responsibility to be familiar with all relevant employment legislation. Further details on aspects of employment law and regulations can be obtained from the Department of Jobs, Enterprise and Innovation at 65a Adelaide Road, Dublin 2, Telephone (01) 6312121 or LoCall 1890 220222, or www.enterprise.gov.ie . Information is also available from the Workplace Relations Commission (www.workplacerelements.ie, LoCall 1890 80 80 90 or 059-9178990)

3.2.3 Hours of Work

Participants are required to work for a period of 19.5 hours per week (excluding breaks) for the Sponsor to be eligible for a grant towards the cost of wages. The Sponsor may agree with

DEASP for this period of work to be arranged in various combinations, e.g. 39 hours every second week, or 19.5 hours every week, in combinations of full or half days or 2.5 days per week. To facilitate monitoring of the project, DEASP must be informed of these working arrangements and any subsequent changes thereto. Work rosters must be submitted to DEASP on commencement and whenever such rosters change.

3.2.4 Attendance Records

All participants must sign an attendance record for each daily work period they work (under [Section 25 of the Organisation of Working Time Act 1997](#)) and this record must be available for inspection by DEASP on request. There are examples of attendance record formats, provided in [Appendix 4A \(Participant\)](#) and [4B \(Supervisor\)](#). Names should be in same sequence as in the Community Employment Application for Wages and Supervision (AWS) sheet (see Chapter 5.6.4). A single project can use a bound book or single sheets, ruled as per the example provided.

For multi-location projects, loose sheets are preferable at each location and these must be collated every week and placed on a central file. Notes should be checked by the Supervisor/Sponsor and back-up documentation for Sick Leave etc., should be attached to the relevant sheet. Notes should cover items in procedures 3.2.9 to 3.2.14 following.

Employers are obliged to keep records of holidays and public holidays for a period of 3 years. The manner in which records must be kept is prescribed by the [Organisation of Working Time \(Records\) \(Prescribed Form and Exemptions\) Regulations, 2001](#). Generally these records must be in such form as will enable an Inspector to understand the particulars contained in them without difficulty. These records must be available for inspection by Inspectors of the [Workplace Relations Commission](#).

3.2.5 Wages

Wage grant rates for participants are set by the Government in consultation with the Department of Social Protection (see the [DEASP website](#)). Participants are paid the appropriate weekly rate for a maximum initial period of 52 weeks irrespective of the specific working arrangement. Wages should normally be paid every week on a current week basis by Electronic Funds Transfer (EFT). **N.B. All** participant payments are to be made by EFT from 1st December 2013. As per [Section 20\(2\) of the Organisation of Working Time Act, 1997](#), pay in respect of an employee's annual leave shall be paid to the employee in advance of his or her taking the leave.

The payment cycle may differ, with DEASP and the participants' permission, in projects sponsored by the Public Sector (e.g. fortnightly).

The written employment contract between the Sponsor and their employee should state that in the event of funding for the Project ceasing, it alone shall be grounds for terminating the contract of employment.

Participant wage rates are determined by the underlying social welfare entitlement (called the **scheduled rate**) at the time of commencement, subject to the standard personal rate CE payment as a minimum allowance. The social welfare scheduled rate is the rate payable to a

claimant (inclusive of any adult and/or child dependants, less assessed household means) and is exclusive of fuel allowance and exclusive of deductions for social welfare overpayments.

- Where the scheduled rate is **equal to, or less than**, the applicable social welfare **personal** rate, the rate payable on CE is the equivalent CE personal rate **only**. (Dependants are considered to be included in this payment due to means)
- Where the scheduled rate **exceeds** the applicable personal rate, the CE allowance rate will match the scheduled payment, plus €22.50

Examples:

- 1) Claimant in receipt of jobseekers allowance, including personal rate, adult dependant and one child (full rate) with €200 household means. $€193.00 + €128.10 + €29.80 = €350.90$ less €200 means = €150.90. The participant would receive $€193.00 + €22.50 = €215.50$ on CE as €150.90 is less than the applicable jobseekers allowance personal rate of €193.00
- 2) Claimant in receipt of invalidity pension, personal rate only, no dependants @ €198.50. The participant would receive the equivalent applicable personal rate on CE of $€198.50 + €22.50 = €221.00$
- 3) Claimant in receipt of jobseekers allowance, including personal rate, adult dependant and one child (full rate) – no means. $€193.00 + €128.10 + €29.80 = €350.90$. The participant would receive $€350.90 + €22.50 = €373.40$ on CE

Officers can establish the correct payment rates for Jobseeker clients by accessing ISTS screens 1, 3 and 12. Fuel allowance eligibility can be checked on ISTS Screen 7. Other social welfare payments may be checked on their respective systems.

N.B. Where the adult dependant of a CE participant is in receipt of a half-rate carer's allowance and/or has applied for full-rate carer's allowance, the CE participant must be paid at the rate applicable at the time of CE commencement (inclusive of any increase for an adult dependant and/or child dependants) **until the full-rate carer's allowance has been awarded**. At that point, the participant's CE allowances should be revised to **personal rate only** plus applicable children **at half-rate** (carer's allowance can only pay half-rate child as a maximum). Individual instances will be dealt with on a case-by-case basis by the Divisional staff.

3.2.6 Change of Circumstances

All participants are required to declare any change in their circumstances **immediately** to their Supervisor and DEASP Intreo office (using Form [EP1](#)), which may require a change in the calculation of their total weekly payment and a clause to this effect **must** be included in the participant's Contract of Employment. DEASP will request appropriate documentary evidence of any change in dependency status. If excess payments occur, they will be recovered by the Sponsor/employer as a deduction from wages under [Section 5\(5\) of the Payment of Wages Act 1991](#). Once the overpayment has been fully recovered by the Sponsor, the monies must be repaid to the Department.

The Department may request confirmation of dependency status at participant contract renewal time.

The level of pay may vary during the participant's period of employment on Community Employment if there are changes to;

- The value of any underlying social protection payments to which they were in receipt of, prior to employment on CE having increased or decreased
- Civil status, as a result of marriage, entry into a civil partnership, divorce or death of a spouse/civil partner/cohabitant
- The employment or self-employment (gained or lost) status of spouse/civil partner/cohabitant
- The imprisonment or absence from the State of the spouse/civil partner/cohabitant
- Spouse/civil partner/cohabitant have applied for or have been awarded a Social Welfare Payment in his/her own right. (e.g. Carers Allowance/Benefit, Maternity Benefit, Paternity Benefit, Jobseeker's Benefit/Allowance, Illness Benefit, etc.)
- Spouse/civil partner/cohabitant is no longer in receipt of a Social Welfare Payment in his/her own right
- Birth, adoption or death of a child dependant
- Child dependant turns 18 years of age and is no longer in full-time education or a child dependant in full-time daytime education turns 22 years of age
- Where a child between the age of 18 and 22 is attending a course which includes paid work experience for a period in excess of 6 months
- Where a qualified child is no longer resident in the State, is detained in a reformatory or an industrial school or no longer lives with the participant;
- A child dependant increase is not payable in respect of a child in receipt of a Social Welfare payment in their own right

Late Claims: Where a claim for an increase in payment is notified to the Department, the maximum back-dating period possible is 6 months and only then with good reason and subject to evidence of qualification for such payment. Normally claims must be made when the change of circumstances arises. Please note that **no** backdating of a claim for fuel allowance is permitted.

Note: In the event of the death in service of a CE participant, CE allowances will cease immediately.

3.2.7 Tax/PRSI/USC

PAYE - All Community Employment payments to participants are assessable for Income Tax (PAYE) purposes. However the actual amount payable by any individual will depend on her/his Tax Credits and Standard Rate Cut-Off Point. Participants should contact their local Tax Office to secure a Certificate of Tax Credits and Standard Rate Cut-Off Point. The Sponsor must make the necessary returns to the Revenue Commissioners on a monthly basis.

PRSI - Employment under Community Employment is currently insurable under the Social Welfare Acts for all Social Welfare benefits and pensions. Participants joining Community Employment are insured at special Class A8/A9 PRSI, which will give them a paid contribution for each week, as with other Class A workers.

Weekly Income Band	PRSI Subclass	How much of weekly income	Employee's %	Employer's %
Up to €352.00	A8	All	nil	0.5%
More than €352.00	A9	All	4%	0.5%

The Department of Employment Affairs and Social Protection has produced a special leaflet outlining the arrangements and benefits relating to PRSI. Further information is on the [DEASP website](#).

A weekly tapered PRSI credit of €12 has been introduced for employees insured at Class A whose earnings are between €352.01 and €424.00 in a week. The maximum PRSI credit of €12 per week applies to gross weekly earnings of €352.01. A participant earning €352.01 pays €14.08 PRSI (4%). After the €12 credit is deducted they will pay PRSI of €2.08. For employees earning between €352.01 and €424.00, the credit of €12 is reduced by one-sixth of earnings over €352.01. There is no PRSI credit once earnings exceed €424.00.

USC – Community Employment-related payments to **participants** are exempt from USC. Any employment outside of the CE placement **is** liable for USC.

3.2.8 Public Holidays

Under [Section 21 of the Organisation of Working Time Act, 1997](#), participants are entitled, without loss of pay, to all public holidays that fall on days they would normally work. The Sponsor cannot alter working arrangements to avoid public holidays.

There are nine (9) public holidays in Ireland each year. Good Friday is not a public holiday. The list of public holidays is as follows:

- New Year's Day (1st January)
- St. Patrick's Day (17th March)
- Easter Monday
- First Monday in May
- First Monday in June
- First Monday in August
- Last Monday in October
- Christmas Day (25th December)
- St. Stephen's Day (26th December)

There are four possible arrangements in relation to the entitlements of participants **not** normally required to work on the day on which the public holiday falls. These are:

- a) A paid working-day off on that day
- b) A paid working-day off within a month of that day
- c) An additional working-day of annual leave
- d) An additional working-day's pay

The Sponsor will select the appropriate option from the possible arrangements as listed (a) to (d) above. It should be noted that DEASP will not provide Sponsors with any additional

funding in relation to the above. That said, the arrangement with the least-cost implication for Sponsors would be to give an additional ‘working-day’ of annual leave (i.e. 4 hours).

The 4 hours provision derives from [S.I. 475 of 1997](#), Organisation of Working Time (Determination of Pay for Holidays) Regulations, 1997 that allows for one fifth of the working week as public holiday benefit.

For clarity, a CE participant that is rostered to work 8 hours on a Monday that happens to be a public holiday, receives the full 8 hours as a paid day off. They only have to work the remaining 11.5 hours of their 19.5 hours per week. A participant that works 4 hours on Monday that happens to be a public holiday, will get those 4 hours as a paid “day” off, but will have to work the remaining 15.5 hours. Persons **not** scheduled to work on that public holiday are entitled to one fifth of a working week off, which is 4 hours leave (regardless of their weekly working pattern).

Please note that under [Section 23 of Organisation of Working Time Act 1997](#), where an employee ceases to be employed during the week ending on the day before a public holiday and the employee has worked for at least 4 weeks preceding cessation, the employee, as compensation for the loss of entitlements under Section 21 of the Organisation of Working Time Act 1997 in respect of the public holiday, is to be paid by the employer an amount equal to an additional day’s pay calculated at the appropriate daily rate (i.e. 4 hours pay).

3.2.9 Flexible Rostering/Holidays

A participant engaged for the full duration of a 52-week project is entitled to **81 hours** holidays per project year (or on a pro-rata basis 8% of time worked). Where a lesser period is worked, holidays should be calculated on a pro rata basis.

A formal process of recording annual leave is required for the Supervisor(s) and participants. A leave sheet for each DEASP-funded employee (Supervisors, Assistant Supervisors and participants) signed by the Sponsor should be made available to the Officer.

Holidays must be taken within the 52-week project period. Holiday pay/time off is earned against time worked and CE participants have an entitlement to pay in lieu of any untaken holidays at the end of their CE placement under [Section 23 of the Organisation of Working Time Act 1997](#), similar to other workers. Since 1 August 2015, an employee can accumulate statutory annual leave entitlement during a period of certified sick leave. Employees on long-term sick leave can retain annual leave they could not take due to illness for up to 15 months after the end of the year in which it is accrued. It is a matter for the Sponsor/Supervisor to ensure that all holiday entitlements are taken as leave before the end of the participant’s contract. Holiday arrangements are a matter of agreement between the Sponsor and the participant.

3.2.10 Christmas and Easter Period

You may re-arrange the work schedule immediately before/after Christmas or Easter to allow a short block of time off in addition to the Public Holidays. However, no such arrangement shall have the effect of reducing the overall amount of time (26 weeks full-time equivalent)

that each participant works over the 52 weeks of the project or of postponing the project completion date.

3.2.11 Sick Leave - Certified/Uncertified

- a. **Certified** - Each participant is eligible to claim up to 56 hours certified sick leave during their 52 weeks of participation for which DEASP provides grant support. Payments to any participant on certified sick leave beyond this will not be grant-aided by DEASP. All medical/doctor certificates must be available for inspection by DEASP until the audit is complete. If an instance of sick leave extends beyond 6 consecutive days (from 6th January 2014), an application can be made for [Illness Benefit](#) using the application form (MC1) supplied by the GP who furnished the medical certificate.
- b. **Uncertified** - There is no provision for grant payment in such circumstances. However, the local DEASP Officer may exercise some discretion in relation to a participant on uncertified sick leave. Payment may not, in any circumstances, exceed 2 working days (i.e. 8 hours total) in any 12-month period for any participant.

Please note that from 1st August 2015 employees will be able to accrue annual leave when they are absent on long-term sick leave (under [Section 86\(1\) of the Workplace Relations Act 2015](#)). Employees will be able to carryover such accrued annual leave for a period of 15 months after the leave year in question.

3.2.12 Absent Participants

A person can be temporarily replaced while on sick or maternity leave (of whatever duration). Priority must be given to a person who is using the period of substitution to complete an earlier broken or incomplete 52-week period on Community Employment. The substitute must leave the project when the original participant returns. The replacement participant must be eligible to participate on the CE Scheme.

It is recommended that participants who are absent for a prolonged period of time due to illness (4 weeks or more) be suspended from the project otherwise their period of participation on CE is still being counted. There is no provision for a participant to continue to access a childcare place if they are absent from CE for a prolonged period.

3.2.13 Maternity Leave (Applies to CE Participants and Supervisors)

The Maternity Protection Acts ([1994](#) and [2004](#)) apply to all CE participants and Supervisors.

A participant should be facilitated in completing the 52 weeks of paid CE work in addition to any maternity leave taken (i.e. CE time suspended for the duration of maternity-related leave).

Details of maternity leave entitlements are on the CitizensInformation.ie website, and details of Maternity Benefit entitlements are on the welfare.ie website.

If a Sponsor elects to pay a participant while on maternity leave, it is on the clear understanding that DEASP cannot provide grant support for such payments.

Participants are entitled to leave for any public holidays that occur during their maternity leave (including additional maternity leave). The right of employees to leave for public holidays is set down in Section 21 of the [Organisation of Working Time Act 1997](#). (See Section 3.2.8 above).

N.B.: Under no circumstances should a P45 be issued to a person availing of their entitlements under the Maternity Protection Acts. Persons whose current contract expires before their return date will have to have their contract of employment finish date extended up to their return date from maternity leave. Failure to do so is deemed to be an automatic case of unfair dismissal.

N.B. Participants concurrently in receipt of either **Illness Benefit** or **Invalidity Pension** and a CE payment need to inform the Department of Social Protection to have their Exemption (from the Rules of Behaviour) amended to account for the break off the CE scheme whilst on maternity/additional maternity leave, i.e. the exemption finish date will have to be extended.

3.2.14 Paternity Leave (Applies to CE Participants and Supervisors)

The [Paternity Leave and Benefit Act 2016](#) applies to all CE participants and Supervisors.

A participant should be facilitated in completing the 52 weeks of paid CE work in addition to any paternity leave taken (i.e. CE time suspended for the duration of paternity-related leave).

Details of paternity leave entitlements are on the CitizensInformation.ie website, and details of Paternity Benefit entitlements are on the welfare.ie website.

If a Sponsor elects to pay a participant while on paternity leave, it is on the clear understanding that DEASP cannot provide grant support for such payments.

Participants are entitled to leave for any public holidays that occur during their paternity leave. The right of employees to leave for public holidays is set down in Section 21 of the [Organisation of Working Time Act 1997](#) (See Section 3.2.8 above).

N.B.: Under no circumstances should a P45 be issued to a person availing of their entitlements under the Paternity Benefit Leave and Benefit Act 2016. Persons whose current contract expires before their return date will have to have their contract of employment finish date extended up to their return date from maternity leave. Failure to do so is deemed to be an automatic case of unfair dismissal.

3.2.15 Other Absences

If a participant is not available because of the opportunity of full-time work elsewhere, the participant can take one period of temporary unpaid leave with the Sponsor's agreement for up to 26 weeks (N.B. CE time suspended for the absence duration) This absence period allows a participant to cover a maternity leave/long term sick absence arising *externally* to CE. No P45 need be issued by the CE project in this instance, but the participant **must** contact Revenue to transfer their tax credits to the new employer for the duration of the employment. The tax credits can then be transferred back to the CE employment when returning. If the work opportunity continues beyond this, the participant must leave the project (P45 to be issued by the CE project at that point) and may not return to Community Employment unless they re-qualify (see Section 3.1.2 above). A *temporary* replacement participant can backfill the CE place for the duration of the absence of the original participant. This replacement must leave if/when the original participant returns.

3.2.16 Equality of Opportunity

Sponsors must comply with all relevant legislative provisions in relation to Employment Equality and ensure that at the recruitment and operational stages of the project, no act is committed which could constitute direct or indirect discrimination, which will be in contravention of either: the Employment Equality Act 1998; the Equal Status Act 2000; the Equality Act 2004 (see www.equality.ie). All facilities and amenities provided on a project by the Sponsor should be equally available to all persons.

Information on related issues may be obtained from the Department of Justice and Equality, 72-76 St. Stephen's Green, Dublin 2. Telephone (01) 6028202 Fax (01) 6615461 or www.justice.ie.

3.2.17 Health & Safety and Other Labour Legislation

The Sponsor is responsible for ensuring that all relevant health and safety requirements under the [Safety, Health and Welfare Act 2005](#), and subsequent enactments, Regulations and Orders are adhered to and must respond to requests from DEASP staff or the Department of Jobs, Enterprise & Innovation officials to ensure proper standards. Non-compliance with the Act may be deemed non-compliance with the Community Employment Agreement.

Information on related issues can be obtained from the Health & Safety Authority, 10 Hogan Place, Dublin 2, Telephone (01) 6147000, Fax (01) 6147020 or www.hsa.ie. The HSA also has a website called www.BeSmart.ie that may be of use. The Department of Jobs, Enterprise & Innovation (65a Adelaide Road, Dublin 2, Telephone 01 6312121) will inform the Sponsor of other legislation that may be relevant, and its sources (www.djei.ie).

3.2.18 Tools, Clothing, Facilities, Outdoor Work in Poor Weather

The Sponsor is responsible for supplying necessary tools, equipment and protective clothing for participants to undertake their work. The Sponsor must provide adequate eating, washing and indoor facilities for inclement weather in accordance with standards available to full-time participants in similar local employment.

3.2.19 Working - Time Off

Community Employment participants are encouraged to seek other work, or engage in any other activity which would enhance their work options, while on their time off the project, without any fear of losing their Community Employment income for any part of the full 52 week period. Payment for any such work is subject to normal PAYE/PRSI conditions (A rate) but does not alter their PRSI status for their Community Employment work (A8/A9, as applicable). However, where a participant is taking up paid employment they should check with the DEASP if there are any implications in relation to receipt of DEASP payments/secondary benefits etc.

Community Employment Participants must only be engaged by the Sponsor in achieving the work programme submitted and agreed by DEASP. No tasks outside this agreed work programme may be allocated to or undertaken by participants during project time.

A Sponsor may, at their own expense, employ a participant under a separate contract of employment for additional hours outside of the participant's normal Community Employment hours, on the sole condition that the participant is not employed for more than an additional 234 hours in any given 12 month employment contract. The Sponsor must declare all such hours to DEASP on a monthly basis using the format provided in [Appendix 4A](#). **N.B.** The PRSI rate payable for these additional hours is at the applicable PRSI **A** rate.

3.2.20 Termination of Participants

When terminating a participant's employment on a project, Sponsors should do so in accordance with the Minimum Notice and Terms of Employment Acts, 1973 to 2005. No DEASP-funded extension beyond 52 weeks is possible on grounds of Sponsor non-compliance with this section. An Exit Interview should be conducted by the Supervisor when the participant is leaving (see Individual Learner Plan process). The exit planning part of the ILP should commence no later than 12 weeks before the exit date of the participant. The exit plan should be held on the participant's ILP file for DEASP monitoring purposes.

3.2.21 Unfair Dismissals Act

In relation to expiry of participant contracts, Sponsors are advised that since all engagements are limited to one year, subject to re-engagements on new contracts for additional periods of one year maximum, the provisions of Unfair Dismissals Act 1977 and the Unfair Dismissals

(Amendment) Act 1993 legislation, does not apply. This Act gives rights to compensation for wrongful dismissal. Where a Sponsor wishes to rely on the expiry of a fixed term contract as grounds for dismissing an employee the Unfair Dismissals Act requires that the contract states that the provisions of Unfair Dismissals shall not apply to such a dismissal, and that the contract must be signed by both the Sponsor and the Supervisor/Assistant Supervisor/participant.

The written employment contract between the Sponsor and their employee should state that in the event of funding for the Project ceasing, it alone shall be grounds for terminating the contract of employment. Sponsors are liable under the Common Law to pay damages to any employee who is wrongfully dismissed, and such rights exist independently of rights under the Unfair Dismissals Act.

3.2.22 Return to Live Register

Time spent on Community Employment is disregarded for linking purposes with regards to those who were in receipt of Jobseeker's Allowance (JA) immediately prior to commencing the programme. This means that regardless of the duration of CE participation, the JA claim can be re-opened without serving a waiting period, provided the person still meets the criteria for receipt of Jobseeker's Allowance.

Contact should be made with the DEASP Local/Branch Office and also with DEASP Intreo Office on the first day of unemployment.

3.2.23 Complaints Procedure

Complaints related to employment matters should be addressed to the complainant's Supervisor. If the complaint remains unresolved, it should be referred to the complainant's employer, i.e. the Sponsor of the project.

Complaints related to DEASP management of the programme or to decisions relating to eligibility should be referred to the DEASP Officer in the local Intreo Office with responsibility for the project. If the complaint remains unresolved it should then be referred to the Divisional DEASP Assistant Principal (DEASP Office contact details [here](#)).

3.3 Recruiting the Supervisor

3.3.1 Role of the Supervisor

The quality of a Supervisor can be the single most important factor in the success or failure of a Community Employment Project. Therefore it is essential that the person chosen is the best available and that every care is taken with the recruitment. A Supervisor must be competent to oversee the administrative, technical and participant development aspects of the project.

In recruiting for the position of the Supervisor (See Appendix 2, or Appendix 2A for CE Drugs Rehabilitation Supervisor), where applicable, consideration should be given to any available Supervisors in the locality who have successfully completed the Supervisor Development Programme.

Each Supervisor must attend all Community Employment Supervisor training/briefings organised by DEASP as part of his/her supervisory duties. DEASP will cover the cost of Supervisors attending training/briefings. The Supervisor has the responsibility for developing an Individual Learner Plan for each participant employed on the project, and for its implementation. It is the responsibility of the Supervisor to ensure that a profile of each individual participant's needs is drawn up through one-to-one consultations, and that this profile is reflected in the Individual Learner Plan.

The Supervisor should keep the Sponsor's Participant Development Officer (PDO) informed of the progress of the planning and delivery of participant development and should consult with the PDO for support.

Supervisors may not sign any official documents such as grant claim forms, insurance certificates, cheques, Revenue returns etc., or be a signatory to the bank account.

No offer of appointment should be made until DEASP has been informed of the proposed appointee, and has agreed in writing to funding the post and the starting salary point.

3.3.2 Role of Assistant Supervisor

3.3.2 Sponsor and Supervisor - Commitment to the Individual Learner Plan

The Sponsor is responsible, through the Supervisor, to ensure that the development needs of each participant on the project are catered for in the Individual Learner Plan for each participant. The Sponsor must also make the Supervisor available to attend all Supervisor training/briefings (See - Chapter 4 of this manual for full details).

Following the completion of training on the Individual Learner Plan system (See Chapter 4), the grant for supervision can be adjusted in accordance with DEASP procedures and with the Community Employment Grant [Allowances](#). This should be retrospective to the date that Supervisors commenced employment under the current project contract.

For Supervisors on their second or subsequent year of employment, the higher rate will continue **provided the ILP system is being utilised correctly (as per the Benchmarking/Sustaining Progress/T16 Pay Agreements requirement)**. Failure to submit Learner Plans using the online ILP system will result in the Supervisors grant being reduced to the non-developmental rate and remaining at that rate until the Learner plans are submitted.

3.3.3 Project Supervisory Grant

Projects may be entitled to Supervisor wage grant. In order to claim a Supervisor wage grant the Sponsor must retain on file; (a) a satisfactory and comprehensive job and person specification, and (b) a copy of the Supervisor's signed contract of employment. The DEASP Officer will confirm these documents are in place as part of the formal monitoring process. Grants in respect of participant development may be claimable in respect of a Supervisor/Assistant Supervisor. No grant in respect of Materials is claimable.

3.3.4 Eligibility

Supervisors should preferably be recruited from the Live Register, and should be between 25 years of age and State Pension age as detailed below (the retirement age for all CE Supervisors is the age they can avail of the State Pension, therefore they can work on CE up to the working day before the relevant birthday).

Participation on Community Employment has an upper age limit of the age at which the State Pension becomes available to that person, as per Section 7 of the Social Welfare and Pensions Act 2011, i.e.:

- 66 for those born before 1 January 1955.
- 67 for those born on or after 1 January 1955.
- 68 for those born on or after 1 January 1961.

A CE Supervisor can remain on CE until the working day before their birthday at which they will reach State Pension age. **DEASP will not make funding available to a Sponsor for any Supervisor or Assistant Supervisor (or participant) who has reached State Pension age.**

All CE Supervisor and Assistant Supervisor 'Terms and Conditions of Employment' should include a clause stating that Supervisors must retire on the working day prior to their birthday at which they reach State Pension age.

Please note, where the Supervisor's birthday falls on a Saturday, Sunday or Monday, they should be finished by the Officer on IT system on the *preceding* Friday. Where the Supervisor's birthday falls on a weekday (other than Monday), they should be finished the Friday *of the same week* with the final week's payment adjusted to reflect the actual finish day, e.g. if they turn 66 on Wednesday, they can be paid up to the Tuesday of that week.

Candidates (including temporary replacements) must have attained a Major 3rd level qualification (NFQ Level 6 or higher) in Business/Financial Administration, Training, Human Resources, Project Management or related disciplines and have 3 years' supervisory

experience (1 year experience for assistant Supervisors). ICT skills are also essential (e.g. MS Office). Minor/component awards at Level 6 or higher are insufficient.

Note:

- The qualification/experience criteria above apply to all **new** applicants and to those who were previously employed as a CE Supervisor/Assistant Supervisor, but who are no longer employed as such.
- The qualification/experience criteria will also apply to current assistant supervisors applying for a full Supervisor position (promotion).
- The only exception to the above criteria will be if a current Supervisor or Assistant Supervisor is transferring **directly** to another position *of the same rank* (e.g. due to an amalgamation/transfer of undertakings). Additionally, if a current Supervisor or Assistant Supervisor wishes to apply for a vacant position *of the same rank* in another CE scheme, they are eligible to submit an application and be considered for the position.

Eligible Major Awards

Level 6	Advanced Certificate, Higher Certificate
Level 7	Ordinary Bachelor Degree
Level 8	Honours Bachelor Degree, Higher Diploma
Level 9	Master's Degree, Post-Graduate Diploma
Level 10	Doctoral Degree, Higher Doctorate

Prior to appointment, the original award certificate(s) must be sighted by the Sponsor, photocopied and the copy held on the Supervisor's file.

Where a member of the main Sponsoring body or Project Management Committee is offered the position of Project Supervisor, he/she **must resign** their office from all project-related committees prior to commencing work as a Supervisor.

Where an employee of the Sponsor (other than a Community Employment Project participant) is appointed as Community Employment Project Supervisor, he/she must resign their former position with the Sponsor.

The Sponsor must then replace this employee and continue to pay the new employee from their own private funds. DEASP must be satisfied that this replacement has taken place before the Supervisor wage grant can be paid.

3.3.5 Sourcing Applicants

- All Community Employment Supervisor vacancies, complete with a full job description, should be registered and advertised with DEASP National Contact Centre, Phone 1890 800024 (Fax: 01 8940033) or www.jobsireland.ie.

- If necessary, and with the specific agreement of DEASP, advertising in relevant publications may be undertaken on the understanding that any costs incurred will be borne by the Sponsor.
- Where available, the Sponsor should seek assistance with recruitment from DEASP Intreo/Employment Services.

3.3.6 Interview

The panel of interviewers should consist of 3 people with at least one independent person invited to participate based on their experience in appointing staff of a supervisory or higher nature and/or because they are not directly involved with the Sponsoring organisation. The DEASP Officer must be invited to sit on the panel. All members of the panel must disclose to the other members of the panel any relationship that exists between themselves and any of the candidates and abstain from participation in that particular interview if appropriate.

As a minimum, 2 employment references must be sought for all persons who are appointed as Supervisors/Assistant Supervisors (prior to their appointment) and copies of these references must be filed on the Project. In addition, the Sponsor should obtain telephone/verbal confirmation of the content of any written references.

No offer of appointment should be made until DEASP has been informed of the proposed appointee, and has agreed in writing to funding the post and the starting salary point. An offer of the position should then be made in writing to the person concerned. (See also [Appendix 2](#) re. Guidelines and Procedures for Interview Panels)

3.3.6.1 Garda Vetting

All potential Supervisors (post interview) may be subject to Garda vetting procedures when applying for positions. In circumstances where one or more participants on their project have to be Garda vetted, the Supervisor(s) of the project must also be Garda vetted.

3.3.7 Terms of Work

3.3.7.1 Duration of Work Period

The period for which the Sponsor contracts with the Supervisor is a matter between the Sponsor as the employer, and the Supervisor as the employee. However DEASP funding is only provided for the duration of the Agreement that DEASP has with the Sponsoring organisation (1 year). As per employment law, Community Employment Sponsors must provide the Supervisor with a job description and a written contract of employment. It is recommended that such contracts reflect that the position is subject to continued funding from the Department of Social Protection for the project. It is recommended that such a contract should cover the termination arrangements, retirement age (i.e. **on the working day before the birthday that they can claim the State Pension – see 3.3.3 above**), remuneration, hours of work and other conditions of employment.

Supervisors (and participants) are **excluded** from the Section 9 provisions of the [Protection of Employees \(Fixed-Term Work\) Act 2003](#) as they are “employees with a contract of employment which has been concluded within the framework of a specific public or publicly-supported training, integration or vocational retraining programme” under Section 2 of this Act. This means that CE contracts for Supervisors **cannot** be of indefinite duration.

A “Job Performance/Appraisal Review” form ([Appendix 5](#)) must be completed at each 3-monthly interval for the initial 12 months contract period of a new Supervisor and maintained on file locally for monitoring purposes. The Sponsor must agree to the release of the Supervisor to participate in any training or briefings organised by DEASP from time to time.

3.3.7.2 Hours

The post of Supervisor is a full-time 39-hours per week position, (every week), irrespective of the specific work arrangements for the participants. The hours should coincide with the hours worked by participants except where work is scheduled to cover more than 39 hours per week. In this instance the Supervisor should be available at peak and essential times to suit the nature of the work being done. The above hours should include a weekly schedule of tasks relating to the supervision and support of participants - implementation of the Individual Learner Plan, administration of the scheme, co-ordination of training and other duties related to the work experience provided by the project. The 39 hours **exclude** time off for lunch periods.

N.B. [Section 15 \(1\) The Organisation of Working Time Act 1997](#) states that the maximum average working week for many employees cannot exceed 48 hours.

All employees (including Supervisors) must sign an attendance record for each daily work period they work (under [Section 25 of the Organisation of Working Time Act 1997](#)) and this record must be available for inspection by DEASP on request.

The supervisory role must be designated on a full-time basis to the support of CE participants, administration of the scheme and to meeting the key output indicators contained in the application approved by the Department. No additional work or duties outside of the approved project whether remunerated or not can be undertaken during the scheme 39-hour contractual period for this post. Any additional CE-schemework outside of the 39 hours contractual period will not be funded by DEASP but may accrue as time off in lieu (TOIL).

Any Supervisor engaged in additional non-CE scheme work with their Sponsor or for another employer outside of the 39-hours CE work must have written approval from their Sponsor organisation (signed off by 2 Board Members minimum) stating the nature of the work and there must be no conflict of interest with the CE post.

3.3.7.3 Supervisor Wages Grant

DEASP provides a grant to cover the cost of employing Supervisors for a full time 39 hour week exclusive of lunch breaks (see Community Employment [Supervisor Grants](#)). This grant can only be used to fund Supervisor wage costs for the 39 hour contractual week. Any additional scheme work outside of the 39 hours contractual period will not be funded by DEASP.

All **new** Supervisors, defined as a person who has never been employed as a CE Supervisor previously, will initially commence on Point 1 of the appropriate scale and move by annual increments on the anniversary of their commencement date thereafter, subject to satisfactory performance. **N.B.** Supervisor wage payments are to be made by EFT only.

Supervisors (and Assistant Supervisors) who move to another scheme at the behest of the Department or Sponsor will retain their point of scale on a personal basis if the scheme to which they transfer falls into the lower paid category. If the scheme has the same or more participants, they will retain their point of scale and progress on through the incremental scale.

Where the number of participants on the scheme is reduced below the higher payscale threshold by DEASP, the Supervisor will retain his or her rate at their existing point of the scale on a personal-to-holder basis.

3.3.7.4 PAYE

The gross wage payable to a Supervisor is assessable for Income Tax (PAYE) purposes. However the actual amount payable by a Supervisor will depend on his/her Tax Credit/Standard Rate Cut-Off status.

3.3.7.5 PRSI/USC

The Sponsor must pay employers PRSI, at the A1 rate, in respect of the Supervisor. The Supervisor must pay employee PRSI at the A1 rate. This also applies to Assistant Supervisors. Supervisors and Assistant Supervisors are liable for the Universal Social Charge (USC).

3.3.7.6 Holidays

A Supervisor qualifies for the statutory holiday entitlement, which is 8% of the hours an employee works in a leave year (but subject to a maximum of 4 working weeks) plus public holidays (see Section 3.2.8). Holidays **must** be taken within the 52-week period of the project. Details can be obtained from the Department of Jobs, Enterprise & Innovation, Tel: (01) 6312121 or www.enterprise.gov.ie.

The Sponsor must make satisfactory arrangements to cover for essential supervisory tasks during periods of Supervisor's leave and periods of absence and in respect of any time off in lieu. DEASP will not provide additional funding towards any allowance granted to a participant who is temporarily acting as a Supervisor in such instances. The DEASP Officer dealing with the project should be informed of a Supervisor's holiday and time off in lieu arrangements.

CE Supervisors have an entitlement to pay in lieu of any untaken holidays on cessation of their CE employment under [Section 23 of the Organisation of Working Time Act 1997](#), similar to other workers.

See Section 3.2.8 regarding Public Holiday entitlement, which also applies to Supervisors. Please note that a Supervisor's "working day" under [S.I. 475 of 1997](#), Organisation of Working Time (Determination of Pay for Holidays) Regulations, 1997, allows for one fifth of the working week as public holiday benefit, and pro-rata that for lesser weekly hours worked.

3.3.7.7 Sick Leave

With effect from 12th March 2018 DEASP will provide grant support for up to 15 days certified and 4 days uncertified for any full-time supervisor during the 52 week project period- the certified sick leave is in respect of the 5 days worked each week and does not apply to the 2 days off. Work sharing/part-time supervisor sick leave will be on a pro-rata basis to that of a full-time supervisor.

Where the supervisor is paid Illness Benefit (IB) during this 15 day period the rate of IB paid must be repaid by the supervisor to the sponsor and in turn repaid to the Department.

3.3.7.8 Maternity Leave

For details on Maternity leave for Supervisors and participants see Section 3.2.13 above.

DEASP will allow a Sponsor to claim a grant towards the additional wages paid to an existing participant who acts for a Supervisor on Maternity or long-term sick leave (i.e. more than 10 days). The maximum level of grant aid will be the difference between the participant's gross wage and the relevant DEASP supervisor rate payable in this case. The maximum period for which DEASP will accept an acting Supervisor claim is 26 weeks on any project. **DEASP cannot provide grant support for any payments which you choose to make as a Sponsor to a Supervisor while absent on maternity leave.**

3.3.7.9 Equality of Opportunity

The Sponsor must comply with all legislative provisions in relation to Employment Equality and ensure that at recruitment and operational stages of the project no act is committed which could constitute direct or indirect discrimination, which will be in contravention of the Employment Equality Legislation.

All facilities and amenities provided on a project by you should be equally available to all persons.

3.3.7.10 Health & Safety and other Labour Legislation

The Sponsor is responsible for ensuring that all health and safety requirements are adhered to and must respond to requests to ensure proper standards Department of Jobs, Enterprise & Innovation officials. Information on related issues can be obtained from the Health & Safety Authority, 10 Hogan Place Dublin 2, Telephone (01) 6147000, Fax (01) 6197020 or www.hsa.ie. The Department of Jobs, Enterprise & Innovation at 65a Adelaide Road, Dublin 2, Telephone (01) 6312121 or www.enterprise.gov.ie will inform you of other relevant legislation and its sources.

3.3.7.11 Supervisors/Participants Car Insurance

Where an agreement has been made between a Sponsor and the project Supervisor/participant that the Supervisor/participant may use his/her car to carry out their approved project-related duties, it is imperative that the Supervisor/participant inform their motor insurers that they are using their car for business purposes and have their car insurance policy adjusted accordingly (Motor Contingency letter). It is the responsibility of the Community Employment Sponsor to ensure that this is done.

3.3.7.12 Assistant Supervisory Support

Where a project maintains an approval level of 26 or more participants, additional supervisory grant support may be allocated for an Assistant Supervisor to enable you provide

assistance with additional supervision. DEASP will only consider such grant support when the Sponsor submits, with the project application, a detailed job description for the additional supervision tasks and the intended salary levels (See [Appendix 2](#)). In this respect you must ensure:

- That the job descriptions involved differ from and are supportive to that of the Supervisor and;
- That the proposed salary and other conditions as appropriate, differ from that of the Supervisor and are reflective of the post as supportive to and reporting to the Supervisor.

The DEASP HEO/CDO will decide the nominated Assistant Supervisor's starting salary point.

3.3.7.13 Supervisors: Membership of Public and Statutory Bodies

Supervisors who are also members of Public and Statutory Bodies may apply to the Sponsor for time off to attend meetings. Requests should be made in writing, giving relevant details.

Staff members, depending on the demands of their job at the time of the request, will be eligible for up to 5 days leave **without pay** in the project year.

Public and Statutory Bodies considered under this procedure are:

- County Councils
- ETBs
- Health Service Executive and similar public and statutory bodies.

3.3.7.14 Supervisors: Employee (Union) Representatives

Time off During Work

Employee representatives may be granted time off with basic pay to undertake routine duties arising from their position. Time off to attend union duties is at the discretion of the Sponsor and is contingent upon service needs being met. Requests for such leave will not be unreasonably withheld. The Labour Relations Commission's Code of Practice (see link below) should be used for guidance.

Special Leave with Pay

Special leave with pay may be granted to non-full-time representatives to attend conferences/meetings who are duly authorised in writing by the Sponsor to attend such meetings. The following time limits apply;

- **Association / Union Meetings**
 - Annual delegate conferences: 2 days per annum
 - Special delegate conferences: 1 day per annum
 - National Executive meetings: 20 days per annum (excludes Branch Executive / Committee Meetings, and it also excludes meetings of sub-committees etc. of the National Executive)
- **Conference of the Irish Congress of Trade Unions**

- Annual conferences and special delegate conferences: No Limit

The grant of time off during work and special leave as outlined above should be extended to time necessarily spent travelling to and from the meeting in question. The granting of such leave is also subject to the representative's Sponsor's ability to release the representative, having regard, to the exigencies of work.

In relation to special leave with pay, a representative will have to submit a written application for the leave to the Sponsor, giving details of the purpose for which the leave is sought and other relevant information at least **two weeks** (except in exceptional circumstances) before the date on which the leave is due to commence.

The Code of Practice determining the parameters for employers and employee representatives is under S.I No. 169 of 1993, cited as the Industrial Relations Act 1990, Code of Practice on Employee Representatives (Declaration) Order 1993 and is detailed in the booklet "[Duties and responsibilities of employee representatives and the protection and facilities afforded them by employers](#)".

3.4 Responsibilities of the Sponsor

The Sponsor organisation is the legal employer of the CE Supervisor and the participants. As the employer, the Sponsor should be fully aware of all relevant legislation and be committed to fully implementing its spirit and letter at all times (see www.enterprise.gov.ie). All positions must be open to men and women (disabled and able bodied) and the project should have a written equal opportunities policy.

3.4.1 Code of Practice

As part of the Induction process, new participants to the project must be made aware of procedures for dealing with the following:

3.4.1.1 Grievances

A grievance may be described as something that gives grounds for complaint. When a complaint arises it is highly desirable that a direct discussion takes place between the parties and that every endeavour is made to seek a solution. (See www.workplacerelements.ie).

3.4.1.2 Discipline

All matters of discipline must be dealt with in a manner that protects the dignity of the individual and must not be administered in the presence of other participants. Before action is taken, the individual must be given the opportunity to provide an explanation and unless the circumstances are exceptional, be allowed at least 24 hours to furnish it. (See www.workplacerelements.ie).

3.4.1.3 Sexual Harassment

The Sponsor has the responsibility to ensure that all participants are assured of a training/working environment that is free from threat, harassment or intimidation. Sexual harassment may be defined as unwanted conduct of a sexual nature, or other conduct based on gender, affecting the dignity of women and men at work. (See Equality Authority [Code of Practice on Sexual Harassment and Harassment at Work](#) – PDF).

3.4.2 Union Membership

Union membership is entirely a matter for individual participants. Project Sponsors are encouraged to facilitate access to trade union membership by participants where this is their expressed wish. **Trade Union membership is not a condition for approval or re-approval of projects.**

3.4.3 Computer Usage Policies/Data Protection

The Sponsor is responsible for having in place adequate computer usage and data protection policies to prevent misuse or abuse of the project computer facilities or loss/misuse of data. The policies should as a minimum cover the following headings:

- Computer Acceptable Usage Policy
- Email Acceptable Usage Policy
- Internet Acceptable Usage Policy
- Information Security Policy (ILP, etc.)
- Data Protection Policy

Security measures to ensure security/integrity of the computing facilities:

- No generic accounts on the computer; each user with a unique account name and password.
- Desktop security to ensure that machines cannot be accessed if left turned on (Ctrl+Alt+Delete).
- Not ticking “Save my password” on desktop shortcuts e.g. ILP system.
- A commercial anti-virus product loaded and kept up to date.
- Operating system and application updates and patches applied regularly.
- PC Firewalls, anti-phishing software, etc. are in use and turned on.

Computer facilities are provided primarily for business use. Computers may not be used to waste services (including time) or cause or be likely to cause disruption to the service or damage to the resource or resources accept, download, print or distribute in any way material which is pornographic, defamatory, offensive, racist, sexist, discriminatory, obscene, intimidating, or otherwise inappropriate.

Information security is defined as “the process of protecting data from unauthorized access, use, disclosure, destruction, modification, or disruption.” The Sponsor must ensure that it provides the utmost protection for all information which it holds.

3.5 Social Welfare Overpayment and Debt Recovery

Where a person commencing CE has an outstanding debt arising from an overpayment of a DEASP *social welfare payment* (**N.B not an overpayment from CE**), it is the responsibility of the original payment section to ensure that the person is engaging **directly** with the

Department to repay the debt (i.e. **not** via the CE Sponsor), as per Section 3.8 of the [Overpayment Recovery Guidelines on the Recovery of Debt](#).

The Central Overpayments and Debt Management Unit (CODMU) of DEASP is responsible for coordinating the implementation of the debt recovery strategy in the Department and for monitoring the operation of the strategy.

The Department uses the Debt & Receipts Accounting System (DRAS) system (since November 2014) to trace all debts owed and any transactions made in respect of those debts. DRAS is also the system through which the Department reports its overpayments to its annual accounts.

For these reasons it is crucial that all overpayments raised and all recoveries in respect of debts are recorded on the DRAS system.

Community Employment – Procedures Manual

Chapter 4 – TRAINING & DEVELOPMENT

- 4.0 Introduction
- 4.1 Participant Development in Community Employment
- 4.2 Quality and Qualifications Ireland (QQI) Regulations
- 4.3 Participant Development
 - 4.3.1 Participant Development – Individual Learner Plans
 - 4.3.2 Guidelines – Individual Learner Plan
 - 4.3.3 Rules and Regulations
 - 4.3.4 Insurance Cover for Training/Development Modules
 - 4.3.5 Participant re-engagement under the Part-time Integration Option
 - 4.3.6 Role of Participant Development Officer
 - 4.3.7 Monitoring and Recording of Participant Development
- 4.4 Progression for Participants
- 4.5 Sponsor Briefings

4.0 Introduction

All eligible CE participants can avail of up to one year on the programme. The duration of participation can be extended, on approval by the Department, by up to 2 more years if the participant is working towards a major award/industry recognised equivalent to support progression to employment. During their time on CE, participants are given access to training and development opportunities and supported with addressing any barriers to employment, including literacy and numeracy needs, in order to maximise progression opportunities.

4.1 Participant Development in Community Employment

Participant development is the central feature of Community Employment. This includes development opportunities provided through the scheme work programme and through education and training provided under the Participant Development Grant. All participant activities and achievements are recorded on the CE Individual Learner Plan (ILP).

The following stages should be addressed in progressing participant development:

- Participant Induction and Support: this includes participant briefings; guidance; career planning; training, and other development opportunities needed to support progression.

- Planning Learning Activities:: this involves the identification of individual training needs; the identification of training Provider(s) and the procurement of training delivery
- Programme and Learning Reviews: this involves the completion of quarterly programme and learning reviews with individual participants
- Reporting to DEASP on progress and outcomes through the ILP Welfare Partners IT system
- Engaging with DEASP in all programme and training monitoring procedures

DEASP staff will be directly responsible for the following areas in relation to Community Employment:

- Approval of the Participant Individual Learner Plan (ILP)
- Monitoring of implementation of the ILP
- Ensuring the appropriate drawdown and use of the training budget, as per the DEASP procurement guidelines
- Approve training requests in line with the participants career plan as per the individuals ILP
- Undertake a minimum of one Training & Programme monitoring visit per project year
- Ensuring qualifications, placement and progression statistics are up to date and correct

4.2 Quality and Qualifications (QQI) Regulations

Under the Qualifications and Quality Assurance (Education and Training) Act 2012 and as part of the quality assured accredited training providers must adhere to the [Quality and Qualifications Ireland](#) (QQI) Awards Councils' (formally FETAC; HETAC) procedures. Please consult the [QQI website](#) for details of the Awards available under the National Framework of Qualifications (NFQ).

Useful links include

- <http://qsearch.qqi.ie/WebPart/Search?searchtype=awards>
Searchable listing of all 2011 QQI awards offered
- <http://qsearch.qqi.ie/WebPart/Search?searchtype=providers>
Searchable listing of providers which also sets out the programmes that this provider can offer (which lead to QQI awards)
- The site at www.qualifax.ie is also a comprehensive database of course information targeted at learners and their guidance personnel. It includes all programmes and courses including QQI and other providers in Ireland and further afield. Part-time, full-time, etc are also included in this database

4.3 Participant Development: Individual Learner Plan

A key objective of Community Employment involves the provision of development opportunities for participants to assist them to secure job placement and progression opportunities after Community Employment. These guidelines refer explicitly to such participants. In all Community Employment schemes, the Sponsor is required to provide structured development and training opportunities for each participant on the scheme, based on the daily work plan and approved training activities. This process requires the preparation of an ILP for each participant. The planning, development, management, delivery and review of the plans are part of the day-to-day responsibilities of the Supervisor, acting on behalf of the Sponsor, as per the ILP Operational Guidelines.

The needs of each participant emerge from an analysis of needs undertaken by the Supervisor, through job analysis and informal and formal one-to-one discussions with each participant. Having identified the individual's development/training needs, the Supervisor records the details in the participant's ILP of training to be undertaken: the training provider(s), the training costs; the training schedule, and details of expected outcomes, including accreditation details.

DEASP staff have overall responsibility for approval of training activities and ensuring the participant Individual Learner Plan procedures are adhered to by the Sponsoring Organisation. **Please refer to the Community Employment Individual Learner Plan Operational Guidelines – Working with the Learner and Guide to Documentation for further information which can be found on [CE Documents website](#)** The development and training undertaken by each participant must be recorded in the format as laid down in the Individual Learner Plan documentation. The Supervisor (on behalf of the Sponsor) must notify DEASP in writing of agreement to the contents of the training plan prior to DEASP assessing and approving participant development activities and costs. The ILP reporting system for Supervisors is available on the Welfare Partners IT system.

For a Scheme to be eligible for the DEASP Participant Development Grants, the Sponsor must also comply with the following:

- The Supervisor must develop an Individual Learner Plan for each participant which he/she manages and ensures its implementation.
- The Supervisor (on behalf of the Sponsor) must submit the proposed training activities to DEASP for approval as soon as the ILP process has commenced with each participant on the project.
- Adhere to DEASP training and programme monitoring procedures.
- Plan, procure and ensure the delivery of the approved training activities in accordance with DEASP procedures

Failure to operate the ILP in accordance with the guidelines and agreed procedures will result in the Supervisor being placed on the non-developmental pay scale until such time as the ILP is being operated correctly.

Continued/persistent failure to operate the ILP in accordance with the guidelines and agreed procedures may result in the non-renewal of the Scheme contract The Participant Development Grant, which is calculated on the basis of a grant per place per annum, is available for all participants

4.3.1 Participant Development – Individual Learner Plans

The Supervisor will identify the development and training needs of each participant on the project. This identification of needs is based on:

- The skills required by the participant to carry out the duties/role that has been assigned to the individual on the scheme
- The participant’s personal development and career planning needs and goals
- The participant’s progression options, including the achievement of relevant QQI Awards, (Major and Minor) and other industry-recognised certification, to assist the participant in seeking full-time employment after completing Community Employment.

The above are incorporated into the participant's Individual Learner Plan.

The Supervisor is required to source and cost the relevant development for the participants on the scheme (as per the procurement guidelines below), and to agree the

delivery dates with selected training provider(s). This information will also be included in the ILP. When all of the necessary details have been recorded regarding each participant’s development, the planned ILP activities should be submitted by the Supervisor to DEASP for approval through the Welfare Partners IT system.

Once the Plan has been agreed it should be submitted immediately by the Supervisor to DEASP for approval using the Welfare Partners IT system.

The ILP records must be maintained on file on the project showing:

- How each Participant’s Plan was devised, and
- How each element of development and training in the plan will be organised and scheduled. This should include a record of:
 - Training approved and completed.
 - Minor and Major Awards achieved.
 - Industry-certified awards achieved.
 - Exit and progression planning.

The ILP will record how participants will be provided with development within the Project through:

- Mandatory training, including Health & Safety-related training (e.g. Manual Handling, Occupational First Aid)
- Job-Related Training (Skills required to do the assigned job)
- Specific Skills Training leading to recognised qualifications

Training should address both personal and future job-related skill needs of participants as per their career plan and the specific job/work-related skills required for the project.

- Sponsors should note that DEASP expect all Plans to identify and detail training/education opportunities to be provided for participants in areas which do not relate necessarily to the work they carry out on the project, but is project-related.
- The completion of Minor Awards leading to the achievement of a Major Award is a key objective
- Sponsors are required to use the Participant Development Grant funds available from DEASP as a resource to provide incremental training to participants leading to Awards on the NFQ or industry recognised equivalent

Each Sponsor is obliged to train participants in the essential skills of the job. This includes job-specific and technical skills, which may or may not be project related. Training should also include Induction, Team Meetings and Personal/Employment needs, e.g. personal development, planning skills and job search skills, etc. Skills training can be delivered to participants using a variety of training methodologies, which include:

- Coaching/mentoring (one-to-ones)
- Demonstrations and talks
- Supervised practice
- Work experience –internal and external

4.3.1.1. Job-Related Training

Job-related training specifically means training necessary to do the job a participant has been assigned to and as recorded in the ILP. This includes mandatory training such as Health and Safety; Manual Handling etc. In general, participants carry out this training **in working time** unless this directly conflicts with work commitments, e.g. working in a crèche that has to maintain certain ratios of staff to children. In this instance, the participant and Supervisor must come to a mutually agreed solution (**in writing**) in advance of the submission to DEASP for approval and the training commencing as to the proportion of working time to own time for that particular piece of training.

4.3.1.2. Specific Skills Training

Specific Skills Training undertaken throughout the project and identified in the Training Plan should link to the potential for employment after the project. This involves the participant, in consultation with the supervisor, sourcing and undertaking identified and approved training/education opportunities. Participants will generally carry out this training **in their own time** unless the participant and Supervisor come to a mutually agreed solution (**in writing**) in advance of the submission to DEASP for approval and the training commencing as to the proportion of working time to own time for that particular piece of training.

4.3.1.3. Work Experience

It is recommended that a period of up to 6 weeks external work experience be built into the training programme over the 3 year participation period, on approval from DEASP. (See Section 4.3.4 for details of insurance cover).

4.3.1.4. Individual Learner Plan – Activities Submitted

Activities will be submitted by the Supervisor online via the ILP system. Each activity will be carefully examined and assessed by DEASP and any queries arising will be returned to the Supervisor for clarification. The Plan should be examined under the following headings:-

a) Content:

- Does the proposed development match the profile of the participant and their potential for improving employment prospects/career options?
- Is it relevant to the Project and the participant's needs? Does it progress the individual's development?
- Does the nature and variety of options chosen indicate adequate consultation with the participant?
- Is the Job Title; Job Description Career Goal present and linked to the training activity requested? If not, **return** the activity back to the Supervisor for review/amendment.
- Is the Training Type and Certifying Body/industry standard recorded correctly?
- Is the Award level and Type (Major/Minor/Supplemental/Special Purpose/ Industry standard (non-QQI) recorded correctly?
- Does the Module Award title match the QQI code?
- If inputted from drop down menu/cut and paste option/manual input – is the data correctly recorded and matched to the request?

- Are the ILP procedures followed correctly?

b) Training Providers (Procurement):

- The DEASP Procurement Guidelines must be followed for all training activities
- Is the Trainer from an accredited training Provider? See Section 4.3.3.4 below for a link to the QQI list of eligible trainers under [Registered Providers](#) and 4.3.3.8 for lists of ineligible trainers
- Is anyone accredited person or Provider getting a large volume of business? If so, check relationship/validity/procurement issues.
- Are the ILP procedures followed correctly?

c) Cost:

- In following the training procurement procedures, look at each cost. Is it the cost per person or a group basis? Does the proposal represent value for money?
- Is any participant being allocated a disproportionate amount of the participant development grant?
- Where a Supervisor is providing development, this must be on a **no-cost** basis. Material costs can be claimed, if reasonable.
- Are the ILP procedures followed correctly?

d) Development Time:

- Are the times allocated for each session/topic/planned experience appropriate to the training objectives?
- Learning supports need to be built into the Plan, where required

e) Certification/Assessment:

- Do not approve non-certified courses where a certified alternative is available. QQI-certified training is recommended but in some cases certification to industry standards may be a relevant option.

- What is the status of such certification? Is it nationally/internationally accredited?
- **Certificates of attendance/completion are not permitted and have no currency**

4.3.2 Guidelines – Individual Learner Plans

Please refer to the Community Employment Individual learner Plan Operational Guidelines – Working with the Learner and Guide to Documentation **for specific details.** .

4.3.3 Rules and Regulations

4.3.3.1 Introduction

In any workforce there needs to be provision made for employee development. In Community Employment this is achieved through the Participant Development Grant and the Individual Learner Plan system.

4.3.3.2 Participant Development Grant

All Participant Development Grants are conditional upon satisfactory submission and approval of the Individual Learner Plans by DEASP.

4.3.3.3 Grant for Participant Development

Each project fulfilling the above conditions is eligible for a Grant which is allocated in respect of all approved places on a “per-place, per annum” basis. Any proposed expenditure is approved on a year by year basis by DEASP in line with the Scheme contract. The amount/allocation of the training grant is advised on an annual basis [directly by the DEASP Division](#).

Any proposed training that causes the annual grant amount per place to be exceeded must be approved by the DEASP Officer (HEO/CDO, whether it is due to participants’ cumulative costs (for the project year) exceeding the annual per place grant amount, or a single piece of training that costs in excess of the annual per place grant amount.

4.3.3.4 Procurement of Training

N.B.: See [Appendix 6: Procedure for Procuring Training](#).

Training should be procured, in the first instance, from the local Education and Training Boards (ETB’s) as part of overall provision at low or no cost to the Scheme.

Choosing a trainer

- For QQI accredited modules/Awards, the trainer can be sourced on the QQI website from their list of [Registered Providers](#). The scheme must be able to show the training provider was chosen in a fair and equitable manner, as per the procurement procedures. Trainers must be verifiably qualified to deliver the training programmes.

Value for Money

- It is the responsibility of the scheme to ensure that training is procured at the best price and value for money has been achieved.

- Where a scheme wishes to select a Trainer that is not the lowest priced, the scheme must notify the DEASP Officer seeking approval of same and detail the rationale for selection.

Quotations

- Where the total cost of the training exceeds €500, one written quotation is required.
- Where the total cost of the training, or payments to one particular trainer in one year, exceeds €1,000, two written quotations are required.
- Where the total cost of the training, or payments to one particular trainer in one year, exceeds €5,000, three written quotations are required. Prior written approval must also be sought in these instances.

These values are not “per person” specifically, but the total cost of delivering the desired module/course to one or more participants, e.g. if 10 participants want to do a specific course and it costs €120 per person, then two written quotes would need to be obtained as the value exceeds €1,000. **Where quotes are required they must be retained for inspection by DEASP.**

Invoices for Training

The Scheme should request that all invoices from their suppliers meet the following criteria in compliance with Revenue requirements.

- Name, address, email address/website and contact telephone number of the Trainer.
- PPS No., Tax Registration No. of the Trainer
- Name and address of the Scheme to whom the training was supplied.
- Date of issue of the Invoice.
- Invoice Number – sequential number, based on one or more series, which uniquely identifies the Invoice.
- The details of the training delivered, including a breakdown of costs.
- The date(s) and time(s) on which the training was delivered.
- The Total Amount of Invoice

4.3.3.5 Training Expenditure

All expenditure must be accounted and vouched for by way of receipts/receipted. Invoices are to be held on file by the Project and made available to DEASP upon request. The following conditions will apply to the above grant elements:

- All expenditure must be in accordance with the Individual Learner Plans agreed with DEASP. Any change in an Individual Learner Plan must receive prior approval by DEASP.
- All expenditure must be limited to:
 - A training fee which is paid to the 3rd party trainer hired to deliver/provide development. This is to facilitate the use of local resources.
 - Travel and subsistence towards the cost of attending training at an external location as long as it does not exceed the rates per person, per day, and is in respect of vouched and receipted expenditure as determined from time to time by DEASP. Any such claim should include the following details:
 - The name and address of the employee

- The date of the journey
 - The reason for the journey
 - The distance travelled in kilometres
 - The starting point, destination and finishing point of the journey
 - The basis for the reimbursement of the travel expenses (e.g. temporary absence from normal place of work to attend training course)
 - Original expenses receipts must be retained on file for inspection
 - Please note the retention period for such travel records is 6 years after the end of the tax year to which the records refer
- Public transport where available must be used. In cases where public transport is not available, the use of private transport may be allowed - subject to approval by the Sponsor. The maximum allowable for such transport will be as determined by DEASP from time to time.

N.B. Community Employment participants are exempt from having to pay “Certification Fees” associated with QQI qualifications at NFQ Levels 1 to 4. If participants have a medical card, they are also exempt from QQI Certification Fees for awards at NFQ Levels 5 and 6. Please ensure with Training Providers that this is not being charged.

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4.3.3.6 Accredited Training

It is a requirement that all training delivered must lead to nationally accredited awards. In circumstances where the accredited option is not available, training to recognised industry-standards may be submitted for approval. In all cases, evidence of procurement procedures must demonstrate that such training is effective and focused on value for money.

Given the profile of participants on CE, only programmes accredited up to and including Level 6 in the National Framework of Qualifications (NFQ) will be funded. This is in line with the stated target group for Community Employment of long term unemployed with low educational qualifications and the many disadvantaged groups with similar characteristics.

Any training leading to awards at higher levels (NFQ 7 or higher) require the approval of the Community Services Manager (i.e. Assistant Principal or higher).

All [training providers](#) that can deliver and process nationally accredited certification under the NFQ are listed under QQI [Registered Providers, see Section 4.3.3.7 below](#).

Access to the **Springboard Programme** which provides access to 3rd level courses without incurring fees is now available to CE participants, once the criteria are satisfied and approved by an Employment Services Case Officer. The CE Supervisor will follow the ILP process and on reaching agreement with the CE participant on the course choice, the CE Supervisor should refer the participant to the appropriate Employment Services Officer or Job Facilitator.

In addition, there are other nationally accredited Awards such as the Driving Licence, and other awards that are formally mapped to the National Framework of Qualifications (these include some City & Guilds and professional qualifications). The training provider can provide further details on accreditation available.

Projects with authorised drugs rehabilitation places (DRP) have a concession under the 9-points Programme Framework for CE Drug Rehabilitation Schemes, 06 October 2015 which can be found on [CE Documents website](#) to allow up to 30% of ILP activities for DRP

participants to be non-accredited, pending periodic review by DEASP. This is to address the range of uncertified personal development and rehabilitation activities undertaken.

Certificates of Attendance/Completion have no value or currency. Training that does not offer a nationally recognised/accredited award (with the exception of statutory-based, non-accredited training such as Safe Pass; Manual Handling) should be declined under the ILP system with the exceptions as noted above for DRP clients.

4.3.3.7 Eligible trainers:

- All [training providers](#) that can deliver and process nationally accredited certification under the NFQ.

4.3.3.8 Ineligible Trainers:

The Sponsor cannot hire/contract with the following for the purpose of Development/Training delivered under this CE training grant, nor make a payment to:

- any project Supervisor;
- any member of the Sponsor committee/sub-committee;
- any staff member of the Sponsor organisation;
- any project participant, while they are under contract on the Project.

It should be noted that:

- The provider supplying training for the project participants is responsible for his/her own tax returns.
- The provision of training room/facilities by the Sponsor for in-house training is not claimable under the training grant.

A record of all development provided by the project must be kept in the format required by DEASP (i.e. the ILP system – hardcopies and online records). DEASP reserves the right to request and inspect such records at any time. The Sponsor is obliged to submit records when requested for DEASP inspection.

4.3.3.9 General

These “Rules and Regulations” govern the operation of the Individual Learner Plan. DEASP reserve the right to amend/update these rules and regulations at any stage throughout the programme.

Each Community Employment project will, as an absolute condition of Project funding approval, submit participant Individual Learner Plans. The Supervisor, on behalf of the Sponsor, must submit the Individual Learner Plans to DEASP. DEASP must agree with and approve the Individual Learner Plans.

4.3.4 Insurance Cover for Training/Development Modules

All insurance contracts must allow for mobility between the organisations participating in the schemes, whether or not it is anticipated this will happen.

In respect of the training modules, the Insurers must have agreed to provide cover for the liability of the Sponsor in respect of such training carried out for or by any supervisor or employee of any scheme but only to the extent of the existing terms, conditions and limitations of the Policy and certificate. Where training is carried out by a company, organisation or person outside the project, insurance should be provided by such company, organisation or person. A copy of this must be made available upon request.

Furthermore, any participant engaged in *external* work experience will be covered under the host employer organisation's Employer's Liability (EL) insurance. There is no additional insurance cost to the host employer of having a CE participant engaged on work experience on their premises. Sponsors should confirm with the host employer that they have Employer's Liability insurance cover before any placement commences.

4.3.5 Re-engaged Participants Re-engaged

Where a Participant is re-engaged for a second or third year on CE they are to continue with their (updated) Individual Learner Plan as agreed. This will enhance the training provided on the participant's first year in Community Employment. The training provided should be specifically targeted at supporting the progression of the participant into full time employment/training/education.

4.3.6 Role of the Participant Development Officer (PDO)

Each project must designate a member of the Project Management Committee to fulfil the role of the Participant Development Officer (PDO). This person should be nominated by the Sponsoring Committee and be assigned the following tasks:

- Be responsible within the Committee for the Participant Individual Learner Plans;
- Give full support to the Supervisor in the identification, preparation, procurement and delivery of all relevant training modules as outlined in the Individual Learner Plans, leading to recognised qualifications;
- Liaise with the Supervisor on all development and training matters;
- Be the contact person from the Sponsor Group with DEASP in matters relating to the Individual Learner Plans;
- Keep the other members of the Sponsor group up-to-date on the progress of the Individual Learner Plans;
- Support the Supervisor in progressing the participants to further work and learning opportunities.

4.3.7 Monitoring and Recording of Participant Development

The Department of Social Protection (DEASP) undertakes periodic Programme & Training Monitoring visits of all Community Services funded schemes in accordance with standard procedures.

This visit will involve monitoring all aspects of training, programme administration, and management. The Sponsor must show evidence of programme delivery, participant career

and progression planning, training leading to Awards, evidence of exit planning and follow-up after CE exit. This should be in line with the project contract targets agreed with DEASP.

The following documentation should be available for inspection on the day:-

- Attendance records and Contracts of Employment for all CE participants;
- Weekly work plans or activity plans for participants;
- Evidence of contact with local Employers;
- Evidence of a review of learning for participants;
- CE Application Form for the last completed contract and for the current contract;
- A list of Major Awards achieved by participants for the last completed contract;
- A list of Major and Minor Awards planned in the current contract period;
- Placement detail forms, including late placement forms;
- Exit plans;
- 4-month follow-up records;
- Minutes of Sponsoring Committee Meetings;
- Documentation in relation to procurement of training for participants.

It is important that a member of the Sponsor Group and the Supervisor is available on this day. Part of the monitoring visit will also involve meeting with 3-4 participants.

The primary purpose of a monitoring visit is to ascertain compliance with DEASP CE Procedures.

In order to achieve this it is important that the DEASP Officer looks for:

- Evidence of programme delivery
- Evidence of Career and Progression Planning
- Evidence of Training provided
- Evidence of exit planning and follow-up.

Each Officer must complete one Training and Programme Monitoring Visit per scheme per year. **It is important to note that renewal of a scheme is dependent on a scheme achieving compliance during a Training & Programme Monitoring Visit and a Financial Monitoring Visit.**

The Programme and Training monitoring visit will involve meeting with the Sponsor, the Supervisor and a sample of participants on the scheme. Desk preparation should also be undertaken by the Officer before going out on a monitoring visit (see Chapter 6 Monitoring for further information).

Following a training and programme monitoring visit the completed monitoring form (available on Stór) should be uploaded onto the BOMI by the Officer.

The CE Policy Unit reserve the right to monitor a sample of CE schemes on an annual basis (schemes will be selected randomly). This is in addition to the requirement of each Officer to carry out one training and programme monitoring visit per scheme per year. Following a Policy Unit monitoring visit a report of the visit will be compiled and sent to the relevant AP and Officer.

4.4 Progression for Participants

With the focus on participant-centred learning and in keeping with the objectives of Community Employment, all efforts must be made to assist participants to **progress to employment or further training**. The rate of progression and placement is established by DEASP. Consideration of individual circumstances and external factors, especially availability of job opportunities in the labour market is a factor in placement targets. The role of Community Employment in this regard will be to assist participants to compete more effectively for available opportunities. The Supervisor is obliged to maintain a 4-month follow-up for all participants

There are specific points at which special attention should be given to the employment prospects of the individual, e.g. when planning development and training, when reviewing progress, when approaching the final quarter of the work contract or when the individual decides to explore other options i.e. job offers. DEASP Employment Services will, provide:

- Advice, support and periodic inputs for job-seeking information;
- Information on education, training and other development opportunities;

Immediately prior to leaving a project, unplaced participants should be directed to their local Intreo Office.

Guidance

The Sponsor is required to ensure the provision of job-focused guidance for participants, as an integral part of participant development under the Individual Learner Plan to access employment and other progression options. Please refer to the ILP Guidelines for further details, including intensive job search and exit planning.

N.B.: The progression outcomes for participants while on CE and after CE into further education/training and placement into jobs are factors in the assessment of Schemes at contract renewal time.

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4.5 Sponsor Briefings

Briefings will be provided to Sponsors as and when required to assist them in the management and delivery of the project, specifically in participant development, scheme governance, including legislative requirements e.g. scheme administration and controls; financial management and the ongoing development of participants,

Community Employment – Procedures Manual

Chapter 5 – ADMINISTRATION AND FINANCE

- 5.0 Introduction
- 5.1 Administration & Finance
- 5.2 Initial Grant Instalment (Form IG) (i.e. Allowances Advance)
- 5.3 Claiming the Initial Grant Instalment
- 5.4 Calculating the Initial Grant Instalment
- 5.5 Repayment of the Advance Payment
- 5.6 Application for Wages and Supervision Grant (Form AWS)
 - 5.6.1 Prompt Submission of Claim
 - 5.6.2 Community Employment Eligibility
 - 5.6.3 Form AWS
 - 5.6.4 Checking Names on Form AWS
 - 5.6.5 Participant Wages
 - 5.6.6 Supervisor Wages
 - 5.6.7 Summary Details & Sponsor Signature
 - 5.6.8 Return to DEASP
 - 5.6.9 Final Payment Cycle 13
- 5.7 Application for Materials Grant Instalment
 - 5.7.1 Materials Claimable
 - 5.7.1.1 Invoice Criteria
 - 5.7.1.2 Direct Debits
 - 5.7.2 Materials Not Claimable
 - 5.7.3 Materials Grant Payable
 - 5.7.4 Capital Items
- 5.8 Application for Participant Development Grant
 - 5.8.1 Basis for Payment of Fees
 - 5.8.2 Tracking and Monitoring
 - 5.8.3 Criteria for Training Provision on CE
- 5.9 Maintenance of Financial Records

5.0 Introduction

This chapter will assist the Sponsor in correctly completing the necessary grant application forms in a timely manner. It details items that may be claimed and the amounts involved. It also identifies items that are not allowable under Community Employment support. For further details on financial best practice, please refer to the [Financial Best Practice Guidelines for Sponsors](#) on the CE download [site](#).

5.1 Administration and Finance

On receipt of a signed Agreement/Agreement Schedule the DEASP Officer will process the application via the IT system. This will allow Participants to be registered on the project.

No payment will be made unless a signed copy of the agreement is available on the IT system. The grant rate payable to the Sponsor for a participant will always be based on the person's Social Welfare scheduled entitlement.

5.2 Initial Grant Instalment (Form IG)

The sponsor will be required to pay the participants (employees) on a weekly basis (current week). At the end of each four-week period/cycle, the Sponsor can claim a grant from DEASP towards the cost of wages paid over the previous four weeks. Wage grants are therefore paid in arrears and only on receipt of the correctly completed claim forms.

To assist Sponsors with cash flow prior to the start-up date of the Community Employment Project, Voluntary Sector Sponsors can claim an Initial Grant equivalent to eight weeks advance of employee wages. Public Sector Sponsors can claim an advance equivalent to four weeks wages. This once-off advance is intended to ease any cash-flow difficulties that may otherwise be encountered in the first weeks of the project and can be used to cover participant wages, Supervisor wages, materials or training expenses. The advance payment will be recouped or "clawed-back" by DEASP in instalments over the remaining life of the project. (as detailed in Section 5.5)

5.3 Claiming the Initial Grant Instalment

At least two weeks prior to the project start-up date, an [Application for Initial Grant Instalment](#) (Form IG) should be submitted to DEASP. This form should be completed with care. All information given (especially Employers Registration Number, Project Reference Number etc.) should be checked to ensure that it agrees with the Agreement Contract. Sponsors should note that incorrect completion of this form will cause delays in paying this grant.

To facilitate the payment, DEASP must receive:

- A Bank Authorisation Form, detailing the bank account number.
- A Certificate of Insurance/Insurance Checklist, which must be fully completed to the satisfaction of DEASP.
- Current eTax Clearance Certificate/Charitable Trust Status

Form IG must be signed by the person responsible for the project (or their named deputy) as shown on the original project Application Form. **A Supervisor may not sign this, or any other claim form.**

5.4 Calculating the Initial Grant Instalment

Form IG facilitates the calculation of the wage advance to be claimed. The calculations will be based on:

- The number of current participants by the rate on the Initial Grant Form;

- The amount to be paid to the Supervisor;

If Form IG is fully and accurately completed, a payment will normally be lodged directly to the project's bank account within 7 to 10 days of receipt of the form by DEASP.

On receipt from the Sponsor the Initial Grant (IG) form will be checked by DEASP to ensure:

- Employer's Number is correct;
- Project Reference Number is correct;
- Insurance Reference Number is in accordance with Certificate;
- Start Date is correct and in accordance with date on system;
- That it is signed by the responsible person from the Sponsor Committee;
- Calculations for Public Sector employers are based on 4 weeks, Voluntary Sectors are based on 8 weeks (see Section 5.2).

Note:

- In all Projects of over 11 Participants where the Project has already implemented the Participant Individual Learner Plans, the calculation of the advance will be made on the assumption that, subject to the continuing delivery of participant development, the full rate of Supervision and Material Grant (reflecting provision of participant development) will be paid.
- In Projects of over 11 Participants where the Supervisor has no previous experience of delivering the Participant Individual Learner Plan the initial calculation of the advance will be made on the basis of the lower rate of Supervision (reflecting non-provision of Participant Development).

Following the Project Supervisor's participation in Supervisor training/briefings the submission and approval of the Participant Individual Learner Plans, the subsequent grant allocation will be calculated on the basis of the full rate of Supervision (reflecting provision of participant development) and the difference between the full and lower rate of grant will be paid in respect of the initial grant payment and included in the transfer of funds made by DEASP.

When submitting the Initial Grant form, the Sponsor should also include a Certificate of Insurance/completed Insurance checklist and ensure a Bank Authorisation form, duly completed (including the signatures of authorised signatories) has been submitted by their Bank.

[Bank Authorisation Form](#) - The Account Number should be checked to ensure it is correct, and that the form is properly authorised by the Bank. The form should be signed by the same person as on the application form or by a person duly authorised to do so. The signatures of authorised signatories should also be on the form. The Bank details should be inputted together with the Insurance details on the IT system.

5.5 Repayment of the Advance Payment

The wages advance will be repaid as follows:

- On production of Cycle 4, if the initial current number of participants is lower than the number approved, the full advance for the difference between the initial current

number and the approved number will be clawed back, i.e. if an advance was paid for 20 participants and only 15 are employed on the project at the end of cycle 3, a deduction equal to the wages of 5 participants for eight weeks will be made from cycle 4 (four weeks in the case of a public sector sponsor).

- The outstanding advance will be recovered as follows:
 - Cycle 10 – 15%
 - Cycle 11 – 15%
 - Cycle 12 – 35%
 - Cycle 13 – 35%
- The amount to be deducted is printed on the Application for Wages & Supervision sheet (AWS) sheet.
- With this method of repayment it is important that a check is kept on the advance at all stages to ensure that there is enough in unpaid funding claims to fully recoup the advance. This is especially important if a project is going to close or if the number of participants on the project falls. To recoup an advance outside of the above IT system method, a call can be put up on the IT Helpdesk by DEASP staff to recoup an amount/additional amount on any AWS cycle.

5.6 Application for Allowances and Supervision Grant (FORM AWS)

5.6.1 Prompt Submission of Claim

In order to manage the project Bank Account and to avoid unnecessary interest charges, the Sponsor should ensure that the procedures outlined below are completed on time. The importance of the submission of accurate and complete claims cannot be overstated.

5.6.2 Community Employment Eligibility

All candidates sent from DEASP Employment Services for shortlisting/interview will already have had their eligibility for CE checked and confirmed. No person should be interviewed for a CE participant position without having been referred to the Sponsor by DEASP Intreo/Employment Services. Following selection of the participant(s) the Sponsor should forward details of their name, date of birth, address and start date to DEASP.

5.6.3 Form AWS

Details of Participants and Supervisors are entered onto the DEASP computer system and an “Application for Wages and Supervision” (AWS) document is generated and emailed to your project email address listing all participants and Supervisor(s) for the project.

5.6.4 Checking Names on Form AWS

When you receive an emailed AWS, print it and check the pre-populated names. If any participants have started during a pay cycle, manually add their names to either the bottom of the received sheet or onto a [blank AWS sheet](#). The extra names will automatically appear on the next pay cycle AWS sheets.

5.6.5 Participant Wages

Participant wages may not be used for any other purpose. Any overpayments should be deducted from the next claim.

5.6.6 Supervisor Wages

Supervisor wages may not be used for any other purpose.

5.6.7 Summary Details & Sponsor Signature

Complete the section marked “To be completed by the Sponsor” in full and total figures where required. The claim form must be signed by one of the persons listed as responsible for the project on the original project Application Form (i.e. Chairperson/Secretary/Treasurer).

The Comments Column on the extreme right is to be used to record starting and termination dates, sick-leave information or anything else, which explains a variation from the normal payment amounts. It is particularly important that termination dates for participants who have left since the last AWS was issued, and their current status, are submitted on the next AWS return.

5.6.8 Return to DEASP

When the AWS Form is fully completed (i.e. signed and totalled) at the end of each four-week period/cycle, the completed original must be posted immediately, or alternatively, scanned and emailed immediately to DEASP. If posted, photocopy for your own records and if e-mailed keep the original on file for inspection. Payment will only be made to projects for participants that have been approved by DEASP to commence on the Community Employment project.

Form AWS Cycle 1 - These are system generated and are emailed directly to the project after one or more participants have been inputted to IT System. A check should be made when entering the first participant that the project start date is correct.

Sponsors should be encouraged during the first monitoring visit (see Chapter 6.1 Monitoring) to submit form AWS promptly on completion of each. When the AWS Cycle 1 is received, DEASP will check for the following:

- That the completed **original** signed AWS form has been returned, or a scanned copy of the original signed AWS has been emailed to DEASP;
- That the wage rates are the same as those notified to Sponsors;
- That the Sponsor’s signature is the person responsible as per the application form or as duly authorised to sign;
- Project dates are correct;
- That the calculation of the claim is correct;
- That number of participants does not exceed the number approved;
- That the number claimed for does not exceed the number covered by insurance.

If the AWS is incorrect or incomplete it will be returned to the Sponsor for proper completion. If the AWS is in order the claim will be processed for payment and a copy scanned on the IT system.

Subsequent AWS Cycles

On receipt of subsequent AWS forms, DEASP will check:

- As per cycle 1 above;
- That the number of participants claimed is in accordance with the IT system and numbers approved;
- That any participant indicated as having left the Project is terminated and her/his status noted;
- That variations from previous AWS (replacements, vacancies etc.) are explained in the comments column.

Sponsors who do not submit AWS forms regularly and on time will be regularly monitored by DEASP.

Please note:

- Payroll expenditure is based on actual attendance; therefore AWS forms must only be signed off by the Sponsor **after** the Period End Date for that AWS form.
- AWS forms must **not** be sent to DEASP in advance of the Period End Date displayed on the AWS form.
- DEASP staff must **not** process AWS forms on the system in advance of the Period End Date on the AWS form. Attendance details may need to be confirmed with the Sponsor before processing.

5.6.9 Final Payment Cycle 13

Wages grants properly due to the project will be paid to the Sponsor for each of the 4-week cycles as soon as they are claimed and verified by DEASP. The final cycle AWS will not be paid until the Audit/final reconciliation (see Chapter 7 - Audit) is received and accepted by DEASP. It is important that Sponsors and their Bank understand this so that the overdraft facilities can be provided during this period, if required. Care should be taken in submitting the final payment calculation to ensure all relevant documentation is included.

5.7 Application for Materials Grant Instalment

In order to maintain a positive cash-flow, claims should be made regularly. Much of the expense of a project is incurred prior to and immediately at the commencement of a project. The Materials Grant is based on claims made by the Sponsor. It can never exceed the amount due, as calculated by reference to the number of participants multiplied by the [grant amount](#) for the number of weeks worked.

The Sponsor will need to plan for the payment of materials so that, as far as possible, the project does not go into overdraft and incur interest charges while awaiting payment of the claim.

5.7.1 Materials Claimable

All consumable services and materials necessary for the effective operation of the project will normally be considered including such items as Employers and Public Liability Insurances, tools, stationery, audit fees, bank charges (excluding bank interest), postage, protective clothing, hire of equipment, etc. - see Section 5.7.4 below.

For materials to be allowable, they must be for the use of, or by, the participants and/or Supervisor and **specifically relate to the tasks approved for the project** as per the Agreement Contract and Project Plan, except with the specific, written approval of DEASP. Materials/services must be paid for **before** being claimed, and a receipt/receipted invoice must have been obtained from the supplier. The choice of supplier should be based on value for money principles and alternative quotes sought for larger orders in line with best procurement practice. Where suppliers offer incentives such as “free” gifts, request a reduction in the price instead. The Materials Grant Claim Form requires that the Sponsor list **all** the items being claimed for, and that all original documentation relating to these claims be kept on file for audit purposes.

Sponsors should be encouraged, as far as practicable, to submit claims for materials acquired, on the same cycle as wages. Participants’ Employers PRSI is claimable under the Materials Grant. Materials can only be claimed from the current year’s allocation.

[Materials Grant forms](#) when received by DEASP will be checked for the following:

- Correct reference number;
- Appropriate signature;
- That items claimed are allowable and that they relate to the project as outlined in the application.

Claims for capital items should be dealt with in accordance with Paragraph 5.7.4.

5.7.1.1 Invoice Criteria

All invoices received by the Scheme must meet the following criteria:-

- Name, address and contact telephone number of the Supplier of the goods or services.
- PPS No., Tax Registration No. or VAT No. of the Supplier (If VAT is being charged).
- Name and address of the Scheme to whom the goods or services were supplied.
- Date of issue of the invoice.
- Invoice Number – sequential number, based on one or more series, which uniquely identifies the invoice.
- The quantity and nature of the goods supplied or the extent and nature of the services rendered, including a unit price per goods or services.
- The date on which the goods or services were supplied.
- The Total Amount Due (including a breakdown of VAT, if applicable).

The Scheme should request that all invoices from their suppliers meet the criteria above in line with Revenue requirements.

5.7.1.2 Direct Debits

Direct Debits (DD) are allowed on a Scheme's Bank Account for **Utility Bills only**. Utility Bills are defined as follows:

- Electricity Bill.
- Gas Heating Bill.
- Waste Disposal Bill.
- Fixed-line Telephone and Broadband Bill (**not** Mobile).

The following conditions apply:

- Only the signatories on the Scheme's Bank Account can authorise Direct Debits. There must be evidence on file that this is the case, e.g. copy of the direct debit mandate.
- An invoice must be received, checked (queried and challenged with supplier where appropriate) and approved by the Sponsor before payment is charged to the Scheme's Bank Account.
- The Direct Debit must be reviewed on an annual basis, in line with the Scheme's contract renewal with DEASP.
- All other conditions as part of the Procedures Manual, Financial Best Practice Document and Financial Monitoring Guidelines apply.

5.7.2 Materials Not Claimable

The following are **not** allowable under Community Employment Materials Claims:

- Rent of Premises, except where acquired with DEASP consent and not previously occupied by the Sponsor. From the 1st January 2014 rental costs will not be allowable under CE except if the cost is **exclusively associated** with the participants on the scheme. Where rent is allowed by DEASP, the following details **must** be supplied before payment can be authorised:
 - Landlord's full name
 - Landlord's home address
 - Landlord's Telephone no./email address
 - Landlord's PPS No. or Tax Reference Number (issued by Revenue)
 - Landlord's Tax Compliance Certificate (Copy)
 - Agent's full name (if applicable)
 - Agent's address and telephone number(if applicable)

Please Note: A copy of the rental agreement must be available for inspection by DEASP personnel on monitoring visits, if requested.

- Rental of existing telephone lines in premises owned by the Sponsor;
- Electricity utility bills (except where the premises, with DEASP approval were acquired for and used exclusively by the Community Employment Project);
- Standing charges for premises already occupied by the Sponsor;
- Administration charges payable to existing employees with you or to any external party where a Supervisor is employed;
- Travel expenses (other than as agreed with DEASP);

- Food and drink;
- Supervision;
- Development/Training;
- Public Sector Sponsors may not claim rental or lease of their own equipment or premises unless prior permission is obtained from DEASP;
- Materials already claimed in full from another funding body, if applicable.
- Bank interest (unless approved by DEASP).

5.7.3 Materials Grant Payable

Where a participant is absent, for whatever reason for less than their normal working week, a full week's materials claim can be made.

With effect from 30th September 2015, if a participant is absent for the full normal period of work in the relevant week then no materials grant will be reimbursed to the Sponsor by DEASP for that week, *except* where the week's absence is due to the participant availing of annual leave.

5.7.4 Capital Items

Voluntary Sector Sponsors

Necessary capital items costing up to €65.00 per item may be purchased from the Materials Grant. Capital items costing between €65.00 and €750.00 may also be purchased but a specific register of these purchases must be available for inspection by DEASP at all times.

The purchase of any capital items worth more than €750.00 may only be undertaken when its capital cost is more favourable than the possible rental costs over the duration of the project. At least two written quotations must be obtained and forwarded to DEASP. **DEASP approval must be obtained in writing prior to such purchases being made.** Capital items in excess of €750.00 must also be recorded on the asset register of the project.

No more than one third of the total Materials Grant can be used to fund capital items (i.e. costing €65.00 or more).

The asset register should include as a minimum the following details:

- Asset Number (if applicable)
- Manufacturer Name
- Model Number
- Serial Number
- Purchase Order Number or Invoice Number
- Purchase date
- Purchase cost (inc. VAT)
- Supplier details
- Physical location of Asset
- Asset Custodian
- Funding Source (e.g. DEASP CE funding)

If a project closes for whatever reason, DEASP reserves the right to determine how capital items purchased in accordance with the above will be disposed of. This may include the redistribution of capital items to other schemes that can utilise such items.

N.B. Public Bodies (e.g. Local authorities, Údarás na Gaeltachta, HSE, etc.) are not allowed to claim for capital items under the Materials Grant.

5.8 Application for Participant Development Grant

The Participant Development Grant should be claimed on a regular basis. The budget for the project will be based on the number of approved participants and a rate agreed with DEASP.

Note:

The Participant Development Grant form will be checked by the DEASP Officer to ensure that it is completed accurately. The limits as set out above should be checked each time the form is submitted. The grant support for Participant Development can only be used for this purpose and cannot be used for any item covered under the materials grant.

Total amount payable will not exceed the specified amount per approved place or the vouched actual expenditure, whichever is the lesser. The number of approved places shall be the number in place on the project at the end of week 8, or at a date specified by DEASP for the reconciliation of approved numbers with actual numbers.

5.8.1 Basis for Payment of Fees:

When procuring training on behalf of the CE scheme, the CE Supervisor should advise training providers that the payment of fees is based on **invoiced costs**. This is in keeping with the current practice in claiming materials.

For each application for approved training, 100% of course fees can be paid on receipt of the invoice from the training provider. This is to be submitted by the scheme using the PDG form. The PDG forms should be submitted regularly, preferably monthly, but no less frequently than bi-monthly. In the case of evidenced cash flow problems, sponsors should contact their DEASP Officer. Please note, CE Schemes can utilise the Advance Payment/Initial Grant to schemes on roll-over to fund training fees which have been approved by the DEASP Officer on the Individual Learner Plan.

Please note the following:

- Learner records must be fully updated on the ILP system by the CE supervisor, i.e. actual cost, start date, completion dates and outcomes (as applicable at the time of submission)
- Participant attendance records must be held by the scheme, be available to support the claimed amounts, and be subject to monitoring by the DEASP Officer
- Training that is not inputted on the ILP will not be approved by DEASP. Inaccurate records will be referred back to the scheme
- Where the participant does not complete the course, the reasons for the non-completion should be noted by the CE Supervisor and signed off by the DEASP Officer and returned to the scheme for retention. Re-occurring patterns of non-completion should be investigated

- All records are subject to audit

Proof of payment for invoices submitted for DEASP reimbursement must be held on file at the project for monitoring and audit purposes.

5.8.2 Tracking and Monitoring:

In order to ensure value for money, all the information relating to the training activity is subject to monitoring by the DEASP Officer. This includes notifications of course cancellation; finished early/drop out or other issues that affect participation and course completion.

5.8.3 Criteria for Training Provision on CE

All training courses procured by a CE Sponsor, including non-fee paying training, are subject to the following criteria:

- a) Training provision must be based on the identification of learner needs and be part of a career plan as agreed with the CE supervisor. This should be informed by opportunities which may arise within the local economy and identified personal goals
- b) **ALL** training, whether paid for or at no cost, including training related to project tasks, must be included and input on the ILP System
- c) All education and training courses approved should have an accredited outcome and/or lead to an award under the National Framework of Qualifications, except in circumstances where essential training is not accredited e.g. Safe Pass
- d) The training provider must be an approved provider under the National Framework of Qualifications (NFQ) or equivalent awarding body
- e) Training should be procured in the first instance from SOLAS, ETB or Skillnets. **CE participants have access to SOLAS/ETB evening courses and Skillnets courses at no cost**
- f) Where training is procured at a cost, value for money and transparency in the process must be evident (e.g. evidence of quotations sought – see Chapter 4.3.3.4). All training procured at a cost must be via a 3rd party training provider, i.e. a Sponsor cannot provide the training in-house and charge the cost to DEASP. Sponsors can provide in-house training at no charge
- g) A review of the training provided is to be undertaken by the CE supervisor and the participant. A separate follow up review must be completed with the training provider, as per the existing ILP Guidelines
- h) DEASP Employment Services records will be automatically updated in accordance with the qualifications achieved, once the CE supervisor has updated the ILP

5.9 Maintenance of Financial Records

All Sponsors, are obliged to maintain proper financial records including books of account, records of all payments and receipts, and retain all supporting documentation i.e. receipts/receipted invoices, supplier and bank statements. Records should be kept in such a manner as to provide precise financial details of the project at any point in time (calendar month-based bank reconciliations are the recommended best practice).

One bank account must be opened for each project that can be used solely for that project on a rolling year-to-year basis. There is no longer a requirement for a new bank account for each project year.

DEASP officers will carry out a number of monitoring visits to the project during the course of the year. All financial records must be made available for inspection when requested to do so. Advance notice will be given of a comprehensive financial monitoring or audit visit in order to afford the Sponsor the opportunity to have the records available for inspection.

Under the Companies Act, 2014, Section 285, Company books and records must be retained by the Company Directors for a minimum period of 6 years, plus the current year.

Community Employment – Procedures Manual

Chapter 6 - MONITORING

- 6.0 Introduction
- 6.1 Monitoring Visits
 - 6.1.1 Financial Monitoring
 - 6.1.2 Programme & Training Monitoring
- 6.2 Sponsor Duties

6.0 Introduction

This chapter outlines the role of DEASP and the Sponsor, in the monitoring of the project.

6.1 Monitoring Visits

DEASP staff will visit projects on a number of occasions during the period of the project. There are two types of monitoring visit: Training & Programme Monitoring (which can cover all aspects of the project administration including the ILP system) and Financial Monitoring (which focuses on the financial aspects only, but in greater detail than general monitoring. (See [Appendix 7](#) – Financial Best Practice Guidelines).

6.1.1 Financial Monitoring Visits

The primary purpose of a monitoring visit is to ascertain compliance with DEASP CE Operating Procedures.

The outcome of this monitoring visit will form part of the overall assessment of the project at approval stage.

The Officer should refer to the CE Financial Monitoring Guidelines for details.

A minimum of one Financial Monitoring visit must be undertaken per project year. The CE Financial Monitoring Guidelines should be used to undertake the visit. The Financial Monitoring Guidelines documents should be completed for each visit signed off by the Assistant Principal and uploaded on to the IT system. Copies should also be obtained and retained on the DEASP project file of bank reconciliations, bank statements, Project Management Committee meeting records etc.

If problems are highlighted during a visit these should be notified to the Assistant Principal. The Financial Monitoring Follow up Letter should be issued to the Sponsor.

The Sponsor should ensure that a member of the Sponsor Group, preferably the Treasurer along with the Bookkeeper/Administrator is available on the day of the Financial Monitoring visit.

The following documents should be available for inspection:-

- Attendance records, work rosters and Contracts of Employment for all staff
- Original Bank Statements, Bank Reconciliations and Cheque Book/s
- Online Banking Reports
- Details of any other bank accounts operated by the project
- Payroll: Gross to Net Listings, Payslips, P2C, P30 and Revenue Receipts
- Income & Expenditure: Receipts Book and Payments Book
- Supplier & Employee Bank Authorisation Forms
- Petty Cash Book / Records (if applicable)
- Capital Assets Register (if Capital items exist)
- Original Materials and Training Invoices and Receipts

6.1.2 Programme & Training Monitoring

The primary purpose of a monitoring visit is to ascertain compliance with DEASP CE Operating Procedures.

The outcome of this monitoring visit will form part of the overall assessment of the project at approval stage.

The Department of Social Protection (DEASP) undertakes periodic Programme & Training Monitoring visits of all Community Services funded schemes in accordance with standard operating procedures.

A Sponsor will receive notification of a Programme & Training Monitoring visit. It is important that a member of the Sponsor Group is available on the day. Part of the monitoring visit will involve meeting with 3-4 participants. The Sponsor will be advised before the visit regarding which participants the Officer wishes to meet.

The following material should be available for inspection at monitoring time:

- Attendance records and Contracts of Employment for all CE participants
- Weekly work plans or activity plans for participants
- Evidence of contact with local Employers
- Evidence of a review of learning for participants
- CE Application Form for the last completed contract and for the current contract
- A list of Major Awards achieved by participants for the last completed contract
- A list of Major and Minor Awards planned in the current contract period
- Placement detail forms, including late placement forms
- Exit plans
- 4-month follow-up records
- Minutes of Sponsoring Committee Meetings

- Documentation in relation to procurement of training for participants

Note:

Scheme renewal is dependent on a scheme achieving compliance both in the Financial Monitoring and in the Training and Programme Monitoring visit.

The primary purpose of this monitoring visit is to ascertain compliance with DEASP CE procedures.

In order to ensure a successful programme and monitoring visit the following desk preparation will be undertaken by the Officer before going out on site.

Pre-Monitoring Checklist

- Check the number of participants on the project – approved and actual (print off list)
- Check that each participant has an ILP and if it is up-to-date on the IT SYSTEM
- Check that training is recorded correctly i.e. Award Body, Award Level, Award Title and Code
- Check the last application targets for progression and training against what is recorded and achieved (current year, past year)
- Check the ratio of Participants to Supervisors against what was approved
- Review the relevant ILP screen shots, application for course approvals and outcomes
- Select a minimum of 3/4 participants and know the participants history on the project in preparation for follow-up with them

Note:

- An Officer should compare ILP screen shot information with information that the Sponsor/Supervisor gives them during the course of the monitoring visit to ensure consistency. (This includes information on progression into employment)
- The form on follow-up with participants should be photo-copied for each participant in the selected sample
- The training and programme monitoring form is to be used for a sample of participants on the CE Scheme. For a standard CE Scheme (approx. 15-30 participants) a minimum of 8 participants must make up the sample. For a larger scheme (e.g. a childcare scheme) a minimum of 10 participants must make up the sample
- The completed Training and Programme monitoring form (available on Stór) should be uploaded onto the IT system by the Officer
- Renewal of a scheme is dependent on a scheme achieving compliance during a Training & Programme Monitoring Visit and a Financial Monitoring Visit

6.2 Sponsor Duties

To facilitate on-going administration and a prompt audit and efficient monitoring visits, it is **essential** that all project records are kept up-to-date and maintained in a coherent format, that they are accurate and that the Supervisor and/or the Sponsor nominee are in a position to clarify any item(s) which are not obvious to the visiting Officer.

The Sponsor and Supervisor should use monitoring visits to seek clarification from the DEASP official on any matters about which they are uncertain or need guidance. Projects should invite a monitoring visit if they feel that any aspect of their operation (work, administration, personnel, etc.) should be looked at by DEASP in order to confirm current practice or suggest alternatives. Any outcome should be confirmed in writing.

Participants must be allowed to meet with DEASP Staff or their representatives without the Supervisor or Sponsor representatives present, if requested.

DEASP may request the attendance of members of the Sponsoring/Project Management Committee at a monitoring visit.

DEASP reserves the right, as per the relevant clause of the Community Employment Agreement, to terminate the agreement should the Sponsor fail to operate and administer the Project to the satisfaction of DEASP and in accordance with the specific conditions of said Agreement, e.g. unapproved expenditure, unauthorised re-allocation of funding, use of non-3rd party invoices, failure to deliver services as per the Agreement/Project Plan etc.

DEASP reserves the right to make unannounced monitoring visits to the project.

Community Employment – Procedures Manual

Chapter 7 - AUDIT

- 7.0 Introduction
- 7.1 Accountability
- 7.2 Audit
- 7.3 Who Can Sign/Undertake Audits?
- 7.4 The Auditor's Statement
- 7.5 DEASP Right of Access to Audited Accounts of CE Sponsor
- 7.6 Final Payment
 - 7.6.1 Auditor's Statement Form
 - 7.6.2 Calculation of Final Payment

7.0 Introduction

This chapter outlines the audit procedures that apply to Community Employment projects when they are undertaken, by whom, and the areas these audits cover. It also covers the preparation of the final payment.

7.1 Accountability

An Auditor's Statement is available for download from the [CE download site](#). The completed form must be returned within four weeks of the project finish date.

At the end of each project the Sponsor must have a record of all financial transactions of the project presented in a coherent manner. These records must be supported by the submission of an independent, professionally certified, Auditor's Statement.

This must be accompanied by:

- A copy of the Auditor's/Accountant's practising certificate **OR** their Auditor Registration Number (ARN) for use on the Companies Registration Office website [Auditor lookup](#) facility
- Indemnity bond and/or confirmation of full and current membership of an IAASA³-authorised and recognised accountancy body (See section 7.3)

As per Section 5.5.9, payment for final 4 weeks (Cycle 13) will be withheld pending receipt of the Auditor's Statement and the other required documentation. Should there be any overpayment on the account, this money will be deducted from the amount of the final claim.

The Sponsor is required to submit to DEASP any outstanding reports/documentation pertaining to progression from the programme or ILP training completed at Audit. These specifically include:

³ Irish Auditing and Accounting Supervisory Authority

- Signed copy of ILP LP-Q Annual Training Budget Update sheet printed from the ILP System
- Termination/Placement Forms

Books of account and financial records must be retained by the Sponsor for a minimum of **six** years (plus the current financial year's records).

7.2 Audit

The financial records, together with the Auditor's Statement (which includes the Income and Expenditure Statement Form), should be submitted to the auditor for completion as soon as the project finishes. This will facilitate the early preparation of the Auditor's Statement of Income and Expenditure.

Upon receipt of the Auditor's Statement, the Sponsor should have the completed audited Income and Expenditure Statement approved and signed by the Chairperson of the Sponsoring Committee, and forwarded to DEASP. Only upon receipt of an acceptable audited statement can DEASP release the last project payment. Failure to submit an audited statement within a reasonable period may delay the start-up of future projects or result in suspended payments on existing projects.

7.3 Who Can Sign/Undertake Audits?

A professionally certified accountant/auditor* with a valid practising certificate who is a member of any of the following Accountancy Bodies:

- Association of Chartered Certified Accountants (ACCA)
- Institute of Certified Public Accountants in Ireland (ICPAI); (aka CPA)
- Institute of Chartered Accountants in Ireland (ICAI)
- Institute of Chartered Accountants in England and Wales (ICAEW)
- Institute of Chartered Accountants in Scotland (ICAS)
- Institute of Incorporated Public Accountants (IIPA)

N.B. The Auditor cannot be a director or employee of the company being audited, or a family member, partner or employee of a director of the company.

*Under Companies legislation (primary and secondary) and S.I. No. 220 of 2010, A Statutory Auditor or Statutory Audit Firm within the meaning of the European Communities (Statutory Audits) (Directive 2006/43/EC) Regulations 2010.

The annual statutory Audit for the Companies Registration Office (CRO) should be performed and signed off by the same Auditor/Accountant signing the DEASP-required Auditor's Statement (See 2.2.4).

- 1) Community Employment Income and Expenditure must be shown as a separate item on the company's Annual Accounts (CRO)
- 2) Income: – income generated by the project is to be pro-rata the no. of CE employees versus the total no. of employees. Income is to be used to reduce the cost of CE materials claims
- 3) No rollover if ILP records, Placement/Progression records and financial records are not complete and in order

- 4) It is the Sponsor's responsibility to administer the project correctly. Inputting of deliberately incorrect or misleading information may result in the closure of the scheme

7.4 The Auditor's Statement

The exact dates of the project and the project reference number must be stated on the Auditor's Statement. Funding from DEASP as shown on the audit statement must agree with payments made by DEASP. The statement must be signed by:

- In the case of Public Bodies - The Finance Officer/CFO
- In the case of Voluntary Organisations - The statutory Auditor (as defined above)

7.5 DEASP Right of Access to Audited Accounts of CE Sponsor

DEASP reserves the right to retain and inspect the audited accounts of any entity engaged in Sponsoring CE.

7.6 Final Payment

7.6.1 Auditor's Statement Form

The Auditor's Statement should be completed in full and checked by the Officer to ensure the following:

- That the statement is signed by both the Auditor/Finance Officer and Sponsor Chairperson and Treasurer
- That the project number is correct
- That the dates on the Auditor's Statement form agree with the Project dates. If dates do not agree they must be queried
- That the statement is stamped on pages 1 to 4 by the Auditor/Finance Officer
- The Auditor's/Accountant's practising certificate or their Registration Number is included

In addition to the Auditor's Statement, DEASP must have received from Sponsors:

- The signed ILP Annual Training Budget Sheet
- Post Community Employment [Placement Form](#)

7.6.2 Calculation of Final Payment

The calculation of the final payment allows for the reconciliation of all payments due or to be recovered. Until the Final Payment is prepared, approved and paid, the project remains "**unfinished**". The Final Payment calculation must be correct in every respect and is subject to inspection by DEASP Internal Audit, and the Comptroller and Auditor General.

To calculate the final payment, DEASP will complete a Progress/Final Payment Form to be used in conjunction with the returned and completed Auditor's Statement Form.

Note:

a) If there is an advance outstanding on the Audit Cycle (usually Cycle 13) the HEO/CDO must ensure that it is fully recouped.

On the IT system the advance must be recouped by ensuring that any amount outstanding is offset against all claims i.e. Wages, Supervision, Materials and Training. If the amount recouped needs to be increased a call should be put up on the IT Helpdesk. DEASP Officers should note that the advance outstanding can be reduced in any cycle by putting a call on the Helpdesk. This is particularly important if the number on the project decreases or the project is due to close.

Any amount outstanding after all payments are remitted can only be recouped by requesting a cheque from the sponsor.

b) If any of the figures appearing under Wages, Materials, Supervision and Development costs against “Per Audit Statement” differ to those against “Per AWS” the lesser figure must be used. Where the differences are considerable they must be queried with the Sponsor.

c) If the final figure as calculated on the “Calculation of Final Payments” section gives an overpayment by DEASP then:

- Advise Sponsor in writing of the situation and request a refund. If necessary give a copy of the final calculation to the Sponsor
- Retain copies of all correspondence on local file
- When refund cheque is received from the Sponsor, send it with note of details to the Community Employment Policy Unit in Goldsmith House who in turn will forward it on to Accounts in Dundalk
- Keep copy of returned cheque on file

d) If completed Auditor’s Statement Forms are not received within four weeks, follow-up by staff with the sponsor should be continuous until submitted by Sponsor.

e) The DEASP Officer’s attention is drawn to per capita limits for materials and training; these rates may change from time to time.

f) If additional worksheet(s) are necessary in calculating the Final Payment, copies must be placed on the local file.

g) All claims for Wages, Materials and Development costs must be on the payments file and/or IT system to support the figures used in the final calculation for payment.