

NEW DEAL FOR MUSICIANS (NDfM) - OPERATIONAL GUIDELINES FOR PROVIDERS OF MUSIC INDUSTRY ADVISER AND MUSIC OPEN LEARNING PROVIDER SERVICES

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Introduction

1. These guidelines have been produced for those Providers contracted as Music Industry Advisers (MIAs) and Music Open Learning Providers (MOLPs) as part of the New Deal for Musicians (NDfM) initiative in Northern Ireland. It supplements the tender specification and contract documents, which outline the basic requirements of the contracted service to be delivered. This guidance incorporates the following:
2. The New Deal for 18 to 24 year olds was introduced in April 1998 as a major element of the Government's Welfare to Work Initiative. Subsequently the New Deal 25+ was introduced on a pilot basis in November 1998 and replaced by an enhanced New Deal 25+ in April 2001. New Deal aims to assist unemployed people, through accredited training and work experience, move from benefit into employment. There are also New Deal programmes for lone parents, disabled people and partners of benefit claimants.

New Deal for 18 to 24 Year Olds

3. All young people aged 18 to 24 are eligible for, and required to participate in, New Deal when they have been claiming Jobseeker's Allowance for 6 months or more. Each young person is allocated a New Deal Personal Adviser (NDPA) based in the local JobCentre/Jobs & Benefits office who provides advice and guidance with jobsearch activities etc during an initial 'Gateway' period lasting up to 16 weeks. After this period those who remain unemployed are required to enter one of four options:
 - **Employment Option** (a subsidised job with an employer).
 - **Full-Time Education and Training (FTET) Option** (up to 26 weeks accredited training, normally to NVQ Level 2 standard). This option also offers an Open Learning route for those interested in a career in the music industry (New Deal for Musicians).
 - **Voluntary Sector (VS) Option** (lasts up to 13 weeks with an extension of up to 13 weeks available for those who need additional help. A period of work experience with a voluntary sector organisation).
 - **Environmental Task Force (ETF) Option** (last up to 13 weeks with an extension of up to 13 weeks for those who need additional help. A period of work experience with an environmental organisation).

New Deal 25+

4. People aged 25 or above who have been unemployed and claiming Jobseeker's Allowance continuously for 18 months or more, or have had a claim to Jobseeker's Allowance for 18 out of the last 21 months, are required to participate in New Deal 25+.

Each participant is allocated an NDPA who provides advice and guidance with jobsearch activities etc during an initial 'Gateway' period lasting up to 16 weeks. After this period, those who remain unemployed are required to enter one of three options:

- **Employment Subsidy** (a subsidised job with an employer).
- **Preparation for Employment Programme (PEP)** (a minimum mandatory period of 13 weeks work experience placement and training. An extension of up to 13 weeks is available for those who need more help in their search for work).
- **Education and Training Opportunities (ETO)** (up to 52 weeks accredited training, normally to NVQ Level 2/3 standard). The ETO also offers an Open Learning route for those interested in a career in the music industry (New Deal for Musicians).

The emphasis throughout all the New Deal stages is on helping people find employment and increasing their employability through active participation and ongoing jobsearch.

New Deal for Lone Parents (NDLP)/ New Deal for Partners (NDP)

5. NDLP and NDP are both voluntary programmes. Participants on either of these programmes may access the NDfM programme through the ND 18 to 24 FTET option or through the ND25+ ETO option. While participating on the NDfM programme lone parents and partners should be regarded as mainstream trainees with the following exceptions:

- **Placement Requirements** NDLP/NDP participants who enter the NDfM programme should be encouraged to undertake the normal required level of participation of 30 hours (excluding meal breaks) per week, however those NDLP/NDP participants with caring responsibilities will be able to restrict their attendance. Where this is the case the participant **must** undertake a minimum level of participation of 20 hours (excluding meal breaks) per week.
- **Top-Up Payment** NDLP/NDP participants retain their existing benefits while participating in NDfM. They also receive a top up payment of £15.38 which is paid to the participant by the Provider. The frequency and method of payment (e.g. cash, cheque, BACS payment) should be agreed between the provider and participant.

An administration fee of £2 will be paid to the provider for each transaction and may be claimed together with the top-up payment on a four weekly basis with provider fees on Fees Claim Form ND32.

The provider must retain dated receipts signed by the participant acknowledging payment of all £15.38 top-up payments (or in the case of BACS payment, retain appropriate records) for audit purposes.

- **Benefit Sanctions** Sanctions do not apply to NDLP/NDP participants who voluntarily access the NDfM programme and subsequently leaved before their completion date.

Eligibility and Participation

6. Department for Employment and Learning New Deal Personal Advisers, in liaison with Social Security Agency (SSA) staff, have responsibility for determining eligibility and arranging the first New Deal interview.
7. New Deal is aimed at people who have been unemployed and claiming Jobseeker's Allowance for 6 months or more in the case of 18-24 year olds and for 18 months or more (or for 18 months out of the last 21 months) for those aged 25 or over. They will automatically enter the New Deal Gateway.
8. In addition, some people, who experience particular disadvantage in finding work, may request early entry. These cases will be decided by the New Deal Personal Adviser.

Role of the New Deal Personal Adviser (NDPA)

9. The New Deal Personal Adviser will:
 - Identify people who are required to take part in New Deal;
 - Undertake the initial New Deal interview;
 - Help the participant draw together a New Deal Action Plan;
 - Maintain regular contact with the participant and organisations providing services during the Gateway;
 - Agree the content of Learning and Development Plans, as appropriate;
 - Provide a placing service to help people into unsubsidised jobs;
 - Undertake the referral interview for people starting New Deal provision;
 - Make mandatory referrals to appropriate New Deal provision during or at the end of the Gateway;
 - Provide support and jobsearch for people reaching the end of their time on New Deal and, for people returning to JSA, following the completion of provision;
 - Issue Jobseeker's Directions (as a last resort) where people are refusing to carry out the specified course of action which is reasonable;
 - Where appropriate, make referrals to Short Accredited Training Courses (of up to 2 weeks duration) during the Gateway or Follow-Through periods;
 - Instigate benefit sanctions for people who refuse to accept reasonable offers of help.

Background to New Deal for Musicians (NDfM)

10. New Deal for Musicians is intended to help **musicians with pre-existing musical skills** who are eligible for New Deal and who are seeking a career in the music

industry. Its objective is to enable musicians to move from benefit into successful careers in all types of music, either as artists under contract, or as self employed within the industry. **NDfM HAS NOT BEEN DESIGNED TO TEACH MUSICAL SKILLS.**

11. For many unemployed musicians, music related provision will already be available under New Deal through the existing New Deal options. It has been recognised, however, that there will be some musicians seeking a career in the music industry for whom the usual methods of delivery and support will not be the most appropriate. NDfM has been developed in response to the needs of these musicians. It will provide an additional strand to existing New Deal provision. NDfM will offer musicians:
 - Access to advisory support from a specialist Music Industry Adviser (MIA) while on Gateway or any element of New Deal;
 - The opportunity to follow a full time Open Learning route based on a national set of open learning workbooks;
 - The opportunity to undertake the Electronic Music Production course (Duration 40 hours)
 - Support and guidance from a Music Open Learning Provider (MOLP) as part of the Full-Time Education and Training (FTET) option of the New Deal for 18 to 24 year olds or the Education and Training Opportunities (ETO) element of New Deal 25+;
 - Flexibility on the existing self-employment route to give continued access to open learning materials supported by the MOLP and to allow test trading as part of a band.
12. New Deal for Musicians recognises and values the cultural diversity of music and aims to support equally every form of music, regardless of its level of popular appeal. All types of music will be catered for through NDfM. Some illustrative examples are; rock/pop, dance music, jazz, blues, country and western, folk and brass bands; and for classical, it may include work in orchestras or chamber groups.

New Deal for Musicians Provision

13. New Deal for Musicians offers advice, support and training. NDfM provision can be accessed depending upon:
 - Individual needs and circumstances; and
 - Which stage of New Deal the musician is participating in.
14. Musicians have access to the following help under NDfM:
 - Referral to a MIA during Gateway or any other time on New Deal;
 - Referral to the Open Learning route in FTET/ETO;

- The opportunity to undertake the Electronic Music Production course (Duration 40 hours) which is designed to introduce musicians (beginners and intermediates) to the use of computers to create and record music.

The course commences with an introduction to computer operating systems and audio/MIDI interfaces and goes on to cover various industry standard music sequencing packages such as Digidesign's ProTools and Propellorhead's Reason.

As computer technology is used in all types of music from country to garage it is a vital skill required from all today's musicians and we will try to tailor the course to suit each student's interests and styles.

Requirement for the course include at least some experience of computers and a love for music.

Successful completion of the course results in a Module Certificate from the BTEC First Diploma in Music Technology.

It is anticipated that the course will be delivered twice yearly dependant on participant uptake with the time and delivery model for the programme tailored to accommodate their preferred model of attendance where possible i.e. evenings, day release or block delivery.

- Support and guidance from a MOLP while on the Open Learning route including assistance with jobsearch;
- Referral to self-employment directly from Gateway or a transfer from open learning to the self-employment route within 10 weeks of commencing.

15. In addition, jobseekers may have continued access to help from the MIA during Gateway and Follow Through.
16. NDfM provision will aim to help musicians in the broadest sense, including vocalists, composers, and performing DJs. It does not extend to those in allied careers in the music industry such as management, technicians and road crew. However, in recognition of the fact that many musicians will move into allied areas of work in the industry at some stage in their career, or pursue other alternatives longer term, it is intended that the FTET/ETO Open Learning route will equip the jobseeker with transferable skills which can be developed in the future. The progress of musicians should be closely monitored to ensure that they are taking their New Deal responsibilities seriously and making the best use of NDfM as a route to making a career within the Industry.

Eligibility and Participation

17. NDfM provision is available to unemployed jobseekers who are eligible for either the New Deal for 18 to 24 year olds or New Deal 25+.

While participating in New Deal for Musicians, the following elements apply:

- Participants will have access to a Music Industry Adviser (MIA) during Gateway and at any subsequent stage during their time on New Deal.

- Participants must have a Learning and Development Plan (LDP) to reflect that they are undertaking the NDfM Open Learning route. The LDP should be agreed between the participant and the Music Open Learning Provider (MOLP).
- Participants will have an activity log to record activities and time spent on the Open Learning route including jobsearch of at least 4 hours per week.
- Participants can choose the best route to their career aspirations either through the NDfM Open Learning route, the self-employment route, or through continued support from a MIA only while on any other New Deal provision.
- Participants will receive an allowance equivalent to their usual Jobseeker's Allowance (JSA) plus a top-up of £15.38 per week for up to 26 weeks while undertaking the NDfM Open Learning route and will retain any existing entitlement to passported benefits (for example, Housing Benefit).

Role of the New Deal Personal Adviser in NDfM

18. The New Deal Personal Adviser (NDPA) will be involved in:

- Checking New Deal eligibility;
- Discussing the appropriateness of NDfM with the jobseeker;
- Identifying any barriers to participation and how to overcome them;
- Explaining what NDfM can offer and issuing NDfM1 leaflet;
- Outlining the conditions for receipt of the allowance while on NDfM;
- Referral to appropriate provision;
- Liaison with the MIA and MOLP;
- Checking progress while on provision;
- Reviewing the participant's goals and needs on completion of provision if the musician returns to Follow-Through;
- Where appropriate, making referrals to Short Accredited Training Courses within the Gateway or Follow-Through periods.
- Advising the Social Security Agency (SSA) of non-attendance and initiating sanction arrangements to those who refuse to accept reasonable offers of help in New Deal.

Suitability of New Deal for Musicians

19. During Gateway jobseekers will discuss, with their NDPA, how best to secure employment. The focus initially will be on referring the jobseeker to appropriate jobs for which they are qualified and, where appropriate, referring jobseekers to jobsearch provision and New Deal elements during the Gateway. For jobseekers

who have not been successful in finding work, NDPAs will consider referring them to appropriate New Deal provision, including the FTET/ETO NDfM Open Learning route.

20. Under NDfM, musicians may undertake an Open Learning route under FTET/ETO for up to 26 weeks. This Open Learning route has been developed with input from the music industry to provide the musician with the flexibility to work independently towards a sustainable career within the industry and a qualification where appropriate.
21. New Deal for Musicians has been designed to meet the needs of **musicians with a pre-existing musical skill**. It is not aimed at providing participants with musical tuition. Some indicators which might suggest that NDfM is the best route for the musician will include whether they:
 - Are an active musician or have previously been working as an active musician;
 - Have instrumental or other music related qualifications;
 - Have a work history within the music industry.
22. Those New Deal participants most likely to benefit from the Open Learning route include, for example, musicians:
 - Who live where there is little or no local provision or who would experience difficulty travelling to provision;
 - Whose preferred learning style is independent study with access to support;
 - Who because of their chosen career path, would find regular timetabled attendance difficult.

Music Industry Adviser (MIA)

Role of MIA

23. All participants who have a genuine interest in NDfM will be allocated a MIA by the **Provider**.
24. MIAs will provide musicians with impartial help, support and guidance, drawing on their own knowledge and experience of the music industry.
25. The relationship between the musician and their MIA is a confidential one and MIAs will not be required by the Department to disclose any information to New Deal Personal Advisers without the prior consent of the musician. **However, the MIA must stress to the musician the importance of disclosing earnings to the Social Security Agency (SSA) where they are working part time while in receipt of Jobseeker's Allowance (JSA) and/or when they are on the Gateway or New Deal provision.** Where there is clear evidence of fraud the MIA must notify the NDPA immediately.

26. MIAs will have extensive experience of the music industry and be able to offer jobseekers guidance, counselling and local labour market information. They will also be able to advise on the business environment and self-employment issues within the music industry.
27. A musician can be referred to a MIA through ***a Provider*** at any time during their participation in New Deal. MIAs will offer:
- An advisory service of impartial, non judgmental advice;
 - Guidance on working in the Music Industry;
 - Guidance on determining whether NDfM is the most appropriate route; and
 - Support to jobseekers during the Gateway and beyond.
28. A musician will find advice and guidance from a MIA appropriate where they are:
- Unsure of a career route;
 - In need of additional support and advice to make contacts in the industry;
 - Unsure whether the NDfM Open Learning route is the most appropriate for them.
29. The frequency and timing of any meetings will be at the discretion of the musician and the MIA, but it is expected that a minimum of 3 meetings should normally take place during the participant's time on Gateway where the participant avails of the MIA service.

Referral to Music Industry Adviser (MIA)

30. The following describes:
- How NDPAs refer potential participants to MIAs and the actions they are responsible for; and
 - Action that MIAs are responsible for.
31. The NDPA will:
- **Telephone the Provider and agree an appointment for the jobseeker,**
 - Complete NDG05 (referral form) and send this to the MIA Provider;
 - Explain to the musician that the MIA will confirm interview attendance or otherwise to the JobCentre/Jobs & Benefits office;
 - Give the musician details of where and when they are to go and the MIA's contact details; and
 - Update the musician's New Deal Action Plan and Jobseeker's Agreement, where appropriate.

Initial Interview

32. MIAs are not expected to assess or comment on the talent or ability of the musician. However as a minimum they will:
- a. Meet the musician to discuss their musical background and assess their aspirations;
 - b. Discuss the musician's short, medium and long-term career goals in consultation with the NDPA;
 - c. Help the musician, in association with the NDPA, to agree an Action Plan which sets out the steps the musician needs to take in order to establish a career in the music industry;
 - d. Offer on-going support to the musician throughout their time in Gateway, any New Deal provision and Follow Through;
 - e. Establish and agree regular contact with the musician, where they wish to continue contact, setting out in writing to the musician and to the NDPA the frequency of contact and the rationale behind this;
 - f. Offer specialist advice about the music industry, involving other people or using their local and national contacts and networks on the musician's behalf;
 - g. Discuss with the NDPA, with the agreement of the musician, any barriers that they may encounter and agree a way forward, where the MIA has the musician's consent to share information;
 - h. Refer to other, non-New Deal funded, music industry experts where this is appropriate and available;
 - i. Advise on whether the Open Learning route available under NDfM is appropriate.
 - j. Stress to the musician the importance of **disclosing earnings to the SSA** where they are working part time while on Jobseeker's Allowance or while they are receiving an allowance during their time on New Deal. Where there is clear evidence of fraud, the MIA must notify the NDPA immediately.

New Deal Action Plan

33. MIAs will work closely with musicians taking into account individual needs. They will help the NDPA draw up the New Deal Action Plan, which the musician will follow during their time on New Deal. The New Deal Action Plan will set out a range of activities that the musician will carry out over a period of time, e.g.:
- Agreed series of actions which will offer the musician the best chance of securing the job of their choice;
 - Framework of activity to be undertaken;
 - Arrangements to review progress of the musician; and
 - Basis from which activity can be revised in the light of experiences.

34. Where musicians already have a New Deal Action Plan, this will need to be amended to reflect any changes in light of the discussions with the MIA.

MIA action

35. The MIA will return NDM6 (Start Notification) to the Personal Adviser confirming that the musician has attended the interview and is counted as being on the MIA caseload. If the musician fails to attend the interview an NDM7 (Leaver/Failed to Start Notification) must be forwarded to the Personal Adviser. If the musician:
- Wishes to accept help and advice from a MIA, the NDPA will make the necessary changes to the New Deal Action Plan and Jobseeker's Agreement;
 - Fails to attend the MIA interview, the NDPA will discuss with him/her their reasons and, if appropriate, make another referral;
 - Does not want to pursue a career in the Music Industry, the NDPA will discuss next steps.
36. If an NDM6 or NDM7 has not been received, the NDPA will contact the MIA to:
- Establish whether a meeting has taken place. If not, the NDPA will establish a reason for this, request an NDM7, and follow up with the musician;
 - If the meeting has taken place the NDPA will request the MIA to send an NDM6 to them.
37. By accessing a MIA, the musician is on specialist provision, which is in addition to standard New Deal provision, Gateway and Follow Through. The NDPA will discuss the implications of receiving help from the MIA with the musician including how this will fit into New Deal provision or any other course of action.

Music Industry Adviser feedback and follow up

38. Once a musician starts the MIA relationship, the NDPA will contact the musician to check the progress of the relationship and whether this is proving helpful. This will be done either:
- During regular New Deal interviews;
 - By telephone;
 - By feedback from the MIA.
39. The NDPA will maintain all necessary records as they would for other Gateway interventions.

Duration of MIA provision

40. A musician may access the assistance of a MIA throughout the entire New Deal process. Help may last for the musician's entire time on New Deal, from initial interview in Gateway, throughout the Open Learning route and during time on

Follow Through. However, some MIA relationships may finish quickly where the musician gains all that is needed from one or two meetings during Gateway.

Working with the NDPA

41. The NDPA will work with the MIA to check on the musician's progress by:
- Ensuring the musician's choice of route enhances their employability;
 - Sharing relevant information about the musician's New Deal participation; and
 - Discussing other issues with the MIA related to the musician's progress towards a career in the Music Industry.

Confidentiality

42. MIAs should only reveal information to the NDPA with the prior permission of the musician, except in cases where someone discloses criminal activity or appears to be at risk of physical harm. The MIA should not disclose what they are told by a musician about their New Deal experiences or their attitudes to New Deal, unless the musician has agreed to this. Due to the confidentiality of the relationship between the MIA and musicians, any NDPA enquiries should be general, although musicians may decide to give details about their progress.

Referral to other services

43. During MIA interviews, it may become clear that the musician would benefit from other services or requires assistance with barriers to employment such as homelessness, substance addiction or essential skills needs (literacy and numeracy). **The MIA should notify the NDPA who will arrange to make referrals. The MIA should not make the referral where the Department funds the required service, but the MIA can recommend to the NDPA any actions that may benefit the musician.**

MIA interviews while on other New Deal Provision

44. When arranging interviews with a participant the MIA should liaise with the New Deal Provider in order to arrange a mutually convenient time for interview.

MIA referrals i.r.o participants on other New Deal provision

45. Those already on other New Deal provision (e.g. ETF/VSO/PEP) may also access the help of a MIA while on placement. There is no maximum length of time this relationship may last. Should the musician and MIA establish a relationship, the musician will need to inform the New Deal Provider and the NDPA. The meetings with the MIA will be in addition to the required hours spent on New Deal provision.

Leaving the MIA relationship

46. A musician may leave the MIA relationship at any stage. However, the musician **must** have had contact with a MIA before participation in the FTET/ETO Open Learning route can be approved.

47. At the musician's request to end the relationship the MIA will discuss the musician's reasons for wishing to leave. If it is agreed that leaving is the most appropriate course of action, the MIA will:
- complete and sign NDM7; and
 - return the completed NDM7 to the NDPA.
48. If the musician informs the NDPA they wish to end the MIA relationship, then:
- a. If the musician wishes to change MIA and this is agreed by the NDPA, the NDPA will:
- ask the Provider to identify and refer to an alternative MIA;
 - discuss the circumstances with the musician and the new MIA;
 - review the musician's Action Plan to reflect the changes.
- b. If, after discussion the NDPA and the musician decide leaving the MIA is appropriate:
- the NDPA will arrange a further interview with the musician to consider next steps.

Travel expenses to MIA meetings, etc.

49. MIAs will reimburse musicians' travel expenses from home to meetings with the MIA. The Department will not make any contribution towards these travel costs. Travel costs should be reimbursed by MIA Providers in arrears unless this will cause undue hardship when alternative arrangements should be made. MIA Providers should ensure that musicians are aware of any arrangements and requirements for re-imburement of travel expenses e.g. retention of bus tickets.

Contract Payments for MIA

50. Payments for the MIA will be made per participant and are payable following the initial interview with the musician.
51. Payments for the MIA will be made on receipt of an ND31 form (Fees claim form) from the **Provider**. The Provider must, on a four-weekly basis, submit claims for payment on this standard form supplied by the Department to Supplier Services Branch 1st floor, 61 Fountain Street Belfast BT1 5EX. Claims must be submitted in line with the schedule at Annex 5.
52. The Department will make payments to the Providers for the MIA in arrears. Payments will be made within 30 days of receipt of a correctly completed claim. If the Provider fails to submit:
- a claim within the period stated;
 - the claim in the prescribed form; or
 - a correct claim, then;

The Department will not be in breach of contract if it fails to make payment within 30 days of the receipt of claim. The Department will not unnecessarily delay payment of the relevant claim.

53. The Department will pay claims by the Banker's Automated Clearing System (BACS). BACS payments will be made direct to the Provider's bank account. The Department will send notification of payment to the Provider's address.

Funding

54. A standard amount will be payable for the MIA service regardless of the number of interviews carried out in respect of each participant. It is expected that a minimum of 3 interviews should normally be carried out by the MIA during the Gateway period. (See Annex 6 for funding details).

Music Open Learning Provider (MOLP)

Role of MOLP

55. MOLPs will support and monitor musicians who wish to work towards a career in the music industry through the New Deal for 18 to 24 year olds Full Time Education and Training (FTET) option or the New Deal 25+ Education and Training Opportunities (ETO) Open Learning route. Although the time any individual spends on the Open Learning route will vary, the **maximum duration for any individual will be 26 weeks**. If musicians choose to undertake the FTET/ETO Open Learning route, they will receive a weekly allowance equivalent to their normal Jobseeker's Allowance plus a top-up payment of £15.38 paid by the Social Security Agency (SSA) or where the participant is a lone parent/partner the provider will pay the top-up.
56. On referral, the MOLP must determine the elements of the open learning materials that are appropriate to the musician. MOLPs will also need to respond flexibly to individual needs, taking into account individual circumstances, attitudes, aspirations and preferred learning styles. The MOLP must:
- a. Agree a Learning and Development Plan (LDP) with the musician which **must** be issued to the NDPA **for approval within 4 weeks of the start date**. Failure to comply with this requirement will result in non-payment of Provider fees;
 - b. Support musicians carrying out a wide range of activities, derived from the open learning materials, for example, projects, research, marketing or rehearsing;
 - c. Have **fortnightly contact** and meet with the musician, on the FTET/ETO Open Learning route **once every 4 weeks as a minimum**, to monitor the open learning activity log and to record progress (**a record of all fortnightly contact and meetings must be detailed on the Review of Progress section of the LDP**);
 - d. Satisfy themselves that the participant is spending an average of 30 hours per week on open learning and related activities;
 - e. Help the musician keep an accurate and detailed open learning activity log recording details of the activities they are undertaking;

- f. Provide jobsearch support. The amount of support will vary according to individual needs but should average a minimum of 4 hours per week over the 26 week period;
- g. Pay the musician's travel expenses for journeys from their home to the MOLP premises or agreed location in excess of £4 per week.

Open Learning Materials

57. The open learning materials are modular and cover a wide range of information about:

- The practical aspects of building a career within the industry;
- Self employment; and
- Vocational topics.

The Open Learning Materials as a whole are not accredited. However, it is expected that modules from open learning may count towards elements of accredited qualifications where this is appropriate.

58. Musicians together with MOLPs, will be able to select the most appropriate modules to suit their learning needs on a pick and mix basis. **The LDP must contain a minimum of the equivalent of 3 workbooks or part workbooks equivalent to 3 workbooks for a participant undertaking 26 weeks on the FTET/ETO Open Learning route.** These must be detailed on the Learning and Development Plan and approved by the NDPA. Musicians' activities will be recorded in the activity log and access to support and guidance will be provided by the MOLP. Further information on the open learning materials can be found in Annex 1.

59. It is the MOLP's responsibility to manage the Open Learning route and to inform the NDPA where a musician is failing to make progress or where musicians on the Open Learning route fail to complete the 30 hours weekly average on the agreed activities. Satisfactory progress and attendance is required in order to receive continued payment of training allowance and any associated benefits.

Referral to Music Open Learning Provider (MOLP)

60. Following discussions with the musician in Gateway and discussions with the MIA, the NDPA may decide that the Open Learning route is the most appropriate means of increasing the musician's employability. The NDPA will then refer the musician to the MOLP to discuss:

- The musician's job goals;
- How the open learning materials will help them;
- The elements of the open learning materials which are most appropriate to them; and
- A start date, if the MOLP believes that the musician will benefit from participation on the Open Learning route.

61. The NDPA will then:

- Contact the MOLP Provider by telephone to agree an appointment for the musician;
- Complete parts 1-3 of form ND1(MUS) and send this to the MOLP Provider; (where the participant is a lone parent or partner, the NDPA will note on the top of the referral form 'Participant is a lone parent' or 'participant is a partner' and is eligible to receive a top-up payment of £15.38')
- Ensure that the musician has details of the appointment and that they know when and where to go and the name of the MOLP;
- Give the musician general information about the interview with the MOLP and allay any concerns or fears;
- Arrange to see the musician after their initial visit to the MOLP to discuss next steps.

Required referrals

62. Referrals to MOLPs under FTET/ETO are voluntary. However, where the musician is at the end of the Gateway period and has been unable to agree suitable provision, they will be required to attend provision which the NDPA feels is the most appropriate. Due to the specialist nature of New Deal for Musicians, **there will no mandatory referrals to MOLPs.**

Action by the MOLP at first interview

63. The MOLP will discuss with the musician:
- Elements of the open learning materials that are most appropriate;
 - The requirement to complete an average of 30 hours per week on the Open Learning Route;
 - The level and amount of Jobsearch support to be provided;
 - Anticipated duration of open learning;
 - The Learning and Development Plan;
 - The activity log; and
 - A start date, if appropriate.
64. The MOLP will complete part 4 of form ND1(MUS) (and return this by post to the NDPA immediately) giving information relating to the outcome of the meeting as follows:
- Where the musician has decided to start provision and the MOLP believes that the musician will benefit from participation on the Open Learning route, the ND1(MUS) form will indicate this;
 - If the choice of provision is not appropriate, the reasons will be indicated on the ND1(MUS) form;

- If the musician failed to attend the appointment this will be noted on form ND1(MUS).

Action at the next New Deal interview

65. At the musician's next interview, the NDPA will discuss the next steps:

- If it has been decided that the musician will start the provision, **the NDPA will arrange a pre-entry interview with the SSA, at least 3 working days** before the agreed start date. The NDPA will issue form ND2 to the musician confirming start date. Form ND2 should be annotated 'MOLP'; **Lone parents and partners are not required to attend a pre-entry interview**

or

- Discuss reasons for failing to attend the appointment and consider re-referral action; or
- If the musician does not wish to pursue provision, the NDPA will consider the other alternatives available.

Start Procedures

66. The MOLP must arrange to see the participant on their first day on the FTET/ETO Open Learning route and must then complete a start notification form ND3. All relevant sections of the form should be completed with the participant identified as being on the NDfM FTET option (18 to 24 year olds) or the NDfM ETO element (25+) at 'Option/Element'. This form must be **FAXED** to the participant's Social Security Office/JobCentre/Jobs & Benefits office on **the day the participant commences**. The MOLP Provider will that same day forward by post two copies of ND3 to the NDPA. A copy must be retained by the MOLP Provider.

The provider must confirm that the training allowance (BBTA) is not payable in respect of NDLP/NDP participants by ticking the appropriate box on the ND3.

In the case of NDLP/NDP participants the ND3 must be completed and FAXED to the appropriate SSO/Jobs & Benefits office/Benefits Section.

If the participant fails to start on the date agreed the MOLP Provider should complete a Leaver/Failed to Start Notification form ND4 and **FAX** this immediately to the SSO/JobCentre/Jobs & Benefits office/Benefits Office with two copies posted to the NDPA. A copy of the faxes activity report should be placed on file.

If the participant has not yet attended a pre-entry interview with the SSA prior to starting the NDfM Open Learning Route the Provider **must** ensure that this takes place within the first week of participation. This is to ensure a smooth transfer from JSA to a New Deal allowance.

Lone parents and partners are not required to attend a pre-entry interview.

Induction

67. All musicians will require formal induction when they commence provision. (See induction checklist at Annex 4). The purpose of induction is to make the aims of attending and participating in the provision clear to the musician. Induction must, as a minimum, include:
- Introduction to their personal MOLP;
 - Explanation of hours of participation, average of 30 hours per week minimum;
 - Explanation of arrangements regarding time away from the Open Learning route, including sickness;
 - Explanation of appropriate behaviour and what constitutes inappropriate behaviour;
 - Preparation of the Learning and Development Plan (LDP);
 - Explanation of arrangements regarding travel expenses and payment;
 - Explanation of health and safety, fire and domestic arrangements;
 - Explanation of grievance and complaints procedure.
68. The length of induction will depend on the support arrangements provided and the individual needs of musicians.
69. Induction is important in establishing a positive atmosphere, building the musician's confidence and generating enthusiasm. It also offers a good opportunity to build rapport and establish trust between the MOLP and the musician. In certain circumstances, particularly where musicians lack motivation or have deep seated problems in getting back to work, a longer induction can be arranged.

Learning and Development Plan (LDP)

70. A Learning and Development Plan (LDP) must be drawn up by the MOLP for each musician joining the Open Learning route. This will:
- Identify the modules from the open learning materials to be followed and any other related activities which are considered appropriate (see para 57 for minimum requirements);
 - Be tailored to individual needs; and
 - Include milestones and targets against which the MOLP will monitor the progress of the musician.

The LDP may also include the opportunity for the participant to undertake the Electronic Music Production course (Duration 40 hours).

71. The MOLP should note that a start payment is payable only in respect of participants who have completed a minimum of 2 weeks participation and for whom an acceptable LDP has been approved by the NDPA. Start payments will not be paid unless an acceptable LDP has been received and approved by the NDPA within 4 weeks of a participant starting NDfM. **Start payments disallowed will not be reinstated.**

Failure to comply with this requirement will result in non-payment of Provider fees. When the subsequent claim for fees is received and the LDP is still outstanding, weekly programme fees will not be paid for each individual participant from the start of their fifth week on the programme. Programme fees will only recommence on receipt of an acceptable LDP approved by the NDPA. Only in exceptional circumstances and on a case made basis will any funding withheld be refunded by the Department. For more information about an LDP, refer to Annex 2 in this guide. **A copy of the LDP must be retained by the MOLP to record the outcomes of monitoring meetings, progress etc.**

Required hours of activity

72. Musicians on the Open Learning route are required to complete an average of 30 hours per week of activity. The hours are averaged over the weeks spent on provision. The MOLP will make sure the musicians work is evenly spread over the entire period to avoid the musician having to complete substantially more hours in the latter part than at the beginning. Participants will provide the MOLP with weekly attendance records detailed in the diary activity log.

NDLP/NDP participants who enter the NDfM programme should be encouraged to undertake the normal required level of participation of 30 hours (excluding meal breaks) per week, however those NDLP/NDP participants with caring responsibilities will be able to restrict their attendance. Where this is the case the participant **must** undertake a minimum level of participation of 20 hours (excluding meal breaks) per week.

73. During monitoring meetings MOLPs will be responsible for ensuring the musician understands and fulfils the minimum hours of activity required and for making sure participants are progressing as expected. Details of meetings should be recorded on the LDP.

Recording in Open Learning Diary/Activity Log

74. Activity on the Open Learning route is recorded on the activity log and monitored by the MOLP and the NDPA. The activity log must be made available for inspection by the NDPA or other Departmental staff on request. MOLPs are required to help musicians keep an accurate and detailed activity log of work they are doing while on provision showing:

- Activities being undertaken as agreed in advance with the MOLP;
- Time spent on the open learning materials and related activities.

When a participant leaves NDfM, either on completion or prematurely, the MOLP must retain the diary/activity log (which holds a record of attendance) for 4 years for audit purposes.

75. MOLPs are required to ensure that the musician is undertaking the required hours and will notify the musician where they are failing to meet the requirements. When an NDPA has any queries regarding the activities of a musician, they will contact the MOLP for more information.

Monitoring attendance and progress while on open learning

MOLP monitoring meetings

76. MOLPs are required to undertake an initial interview with the musician to plan the modules to be taken and agree these in the activity log. Another meeting will take place **at the end of the first month** on open learning to check progress, resolve any difficulties and discuss the particular activities being undertaken. The MOLP is required to **maintain fortnightly contact with the participant** and to meet the musician **at a minimum once every 4 weeks** for the duration of their participation to continue to monitor progress and resolve issues. This is a minimum requirement and MOLPs should meet the musician more frequently if the musician wishes, or if the MOLP or NDPA are concerned about progress. **Records of monitoring meetings and fortnightly contact must be detailed on the Review of Progress section of the LDP.**

MOLPs must ensure that systems are in place to take action when participants do not attend monitoring meetings. The MOLP should arrange one further appointment and take *immediate* dismissal action if the participant does not attend on this occasion by completing forms ND4 and ND5.

77. MOLPs will provide advice, training and general support and will also be responsible for monitoring through **fortnightly contacts** and meetings every 4 weeks. They will help participants plot their course through the Open Learning route by developing a Learning and Development Plan and helping them to compile the activity log.

Jobsearch

78. As the primary aim of all New Deal provision is to help participants find work the MOLP must ensure that participants undertake jobsearch activities which need not be exclusive to the music industry. The amount of support will vary according to individual needs but should average a minimum of **4 hours per week** over the 26 week period.

New Deal Personal Adviser monitoring meetings

79. During their time on NDfM participants will have continued contact with the NDPA. There will be a **minimum of 3 monitoring visits** undertaken during the Open Learning route.

NDPAs are required to meet musicians on the Open Learning route during the initial 6 weeks to:

- Check their activity log; and
- Ensure they are aware of their responsibilities while on New Deal.

80. After this initial meeting, the NDPA will arrange to meet the musician again approximately half way through the Open Learning route. This contact is to:
- Review progress and activity recorded in the activity log against the LDP;
 - Deal with any problems or issues; and
 - Give further jobsearch advice as necessary.

A third visit will be carried out within the participant's final 6 weeks on NDfM. During this visit the participant will be advised of the **need to make a fresh claim to JSA** immediately following NDfM, if employment has not been found.

81. If, after monitoring, the NDPA has any concerns about the musician's activities they should contact the MOLP to discuss these concerns. This could result in more Provider contact with the musician to overcome difficulties. More frequent meetings may take place with the agreement of the musician and Provider, however the progress of the musician must be monitored **through fortnightly contacts, and meetings every 4 weeks** with the MOLP.

Two weeks before a participant's expected end date, Providers must remind participants of the importance of making a fresh claim to JSA immediately on completion of New Deal if they are returning to unemployment. The Provider must inform the participant that if they leave: (not applicable for NDLP/NDP participants)-

any day between Sunday and Thursday, they must attend/contact the SSA ON THE FOLLOWING DAY; or

- on a Friday they must contact the SSA ON OR BEFORE THAT DAY to avoid losing entitlement for Saturday and Sunday; or
- on a Saturday they must contact the SSA BEFORE THAT DAY to avoid losing entitlement for Saturday and Sunday.

The Provider may issue the participant with a copy of NDL1 (Rev July 04)(Annex 7).

Musicians requirement to attend meetings with MOLP/NDPA

82. It is a requirement of NDfM that:
- The musician must attend meetings as arranged with the MOLP/NDPA; and
 - If the musician is unable to attend any meeting they must notify the MOLP/NDPA in advance.

Attendance records/Crediting hours

83. MOLPs are responsible for recording any time credited to the musician for activities other than those agreed as part of the LDP. They must monitor the time spent on the Open Learning route carefully. **Attendance records must be maintained by the MOLP on NDM8 and made available for audit inspection.**
84. The MOLP should be aware that 17% of the payment for the MOLP service is dependent on completion of the relevant modules of the open learning materials as detailed on the LDP. There will be instances when a musician is unable to complete the agreed pattern of open learning. In these cases, the MOLP should:

- Contact the musician to establish reasons;
- Arrange to see the musician, if appropriate; and
- Contact the NDPA for any relevant information from their last monitoring meeting.

85. The MOLP **must** keep an accurate record of the reasons why the musician was unable to complete the open learning as agreed. This is important, as failure to complete open learning may result in a reduction in the musician's Jobseeker's Allowance.

Notification of Leavers

86. When a New Deal participant leaves the FTET/ETO Open Learning route either prematurely or on completion of provision, a Leaver/Failed to Start Notification form ND4 must be completed on the participant's last day of participation. **Providers must record the last day of participation on NDfM as the actual end date on the ND4.** If a participant leaves on a Friday, the Provider must record this date. If a participant leaves on either a Saturday or Sunday the ND4 should reflect the appropriate actual end date. If a participant leaves on a Friday, Saturday or Sunday, form ND4 must be faxed to the appropriate SSO/Jobs & Benefits office/Benefits Branch on the Friday. In all cases the ND4 must be **FAXED** immediately to the participant's Social Security Office/JobCentre/Jobs & Benefits office. A copy of the faxed activity report showing the date of transmission **must** be kept for audit purposes. On the same day the Provider **must** forward by first class post two copies of ND4 to the Personal Adviser. A copy **must** be retained by the Provider. In addition, where a participant is dismissed, form ND5 should be completed at the same time as the ND4 and similar procedures followed.

Providers will be asked where appropriate to produce the fax activity reports in cases where overpayments occur. Failure to take necessary action with regard to Leaver notifications can result in an overpayment of Provider fees and Training Allowance for which the Provider will be held responsible.

Self-Employment

87. As an alternative to the FTET/ETO Open Learning route within NDfM musicians may enter the self-employment route available within both the New Deal for 18-24 year olds, New Deal 25+and NDLP/NDP. This provides the opportunity to 'test trade' for up to **26 weeks** in order to ascertain if independent self-employment is a viable proposition for the musician. Participants may enter the self-employment route either directly from Gateway or by transferring from the NDfM Open Learning route to the self-employment route **within the first 10 weeks** on NDfM.
88. A further flexibility will be that unemployed musicians entering the Self-Employment route from Gateway or after spending a short time on the NDfM Open Learning route, will have access to the open learning materials and support from the MOLP. (See funding at Annex 6).
89. Participants undertaking the NDfM Open Learning route who transfer to the self-employment route can carry out any business - it need not be related to the music industry. However, only those who test trade as a musician will continue to have access to the open learning materials and MOLP support while on the self-employment route.

90. Where this move is decided to be the best option for the participant, they may transfer from the Open Learning route within the first 10 weeks to enter the self-employment route. The combined time on NDfM and self-employment test trading will be limited to **26 weeks**.
91. The benefits of moving into self-employment test trading will be discussed by the New Deal Personal Adviser, the jobseeker and the MOLP.

Initial referral to Self-Employment Provider

92. The contracted Self-Employment Provider must approve the musician's business plan, agree a start date and make any other necessary arrangements. Procedures involved at this stage will vary slightly depending upon whether or not the musician has carried out the activities contained in stages 1 and 2 of the New Deal self employment route – the initial awareness session and the Start A Business Programme (SABP).

Action by the Self-Employment Provider when the Business Plan is approved

93. The Self-Employment Provider will:
 - Discuss the musician's business plan;
 - Decide whether test trading is the most appropriate way forward;
 - Introduce the musician to support organisations and funding which may help them set up their business, for example Local Enterprise Agency activity, Prince's Youth Business Trust; and
 - Make the necessary arrangements, including agreeing a start date and signing the Self-Employment Agreement where it is agreed that the musician will start 'test trading'.

Entering Self-Employment

94. The NDPA will be responsible for managing the move from the NDfM Provider to the self-employment Provider and arranging the completion of the leaver form (ND4) and start form ND(SE)4 (self-employment route). The MOLP Provider **must not** refer participants directly to the self-employment route.
95. It is important that the start (ND(SE)4) and leaver (ND4) notifications are received promptly from the respective Providers to ensure that the participant receives the correct allowance payments and Providers are paid accurately and on time.

Test Trading

96. Musicians may test trade a business idea in any aspect of the music industry, the most common being as part of a group or band of other musicians where one or more of the other members is self-employed. New Deal participants test trading will be classed as sole traders. They will be required to make arrangements with the other group/band members or group/band manager to be paid for their services on a self-employed basis. The self-employment Provider, who is contracted by the Department to oversee the New Deal self-employment route, will be able to offer advice on how to facilitate this arrangement

The gross amount received by the musician from the other group/band members or manager must be lodged in a bank account set up with dual signatures of the self-employment Provider and participant.

97. While participating in test trading the musician cannot take drawings (wages) for personal use. Any profits made during test trading are held in an account and only released when the musician leaves New Deal. The self-employment Provider and musician will both be joint signatories for the account. This approach is designed so that the musician can continue to receive a full training allowance during the early stages of self-employment and therefore have an assured income.
98. If the musician does not successfully enter into independent self-employment at the end of the test trading period and returns to Jobseeker's Allowance and there is money in the account, the Self-employment Provider will continue as a joint signatory for up to a further 13 weeks. This ensures that any money held is not assessed in determining entitlement to JSA. After 13 weeks the Provider will stop acting as joint signatory and money in the account must be declared to the Social Security Agency if JSA is still being claimed.

Conditions for Participants

Programme Start Dates

99. Monday start dates are compulsory for all participants who commence a New Deal option. Providers should note that where a Bank Holiday falls on a Monday, the participant should commence New Deal the following day. The Start Notification (ND3) should reflect the Tuesday start date. Where Bank Holidays fall on Monday and Tuesday e.g. Easter Monday and Tuesday, Providers should arrange for the participant to commence New Deal the following Monday.

Timekeeping

100. Prompt attendance at agreed times is an important measure of employability. It is important that, for example, persistent problems with lateness are resolved as soon as possible. Accurate records of problems with time keeping, including action taken, should be maintained by the MOLP.

Holidays

101. All New Deal participants are entitled to holiday leave that complies with the minimum conditions set out in the Working Time Regulations (Northern Ireland) 1998 (as amended). The booklet 'Working Time Regulations: A Detailed Guide (Revised October 2006)' covers all aspects of leave entitlement and can be accessed at www.delni.gov.uk/working-time-guidance

Participants will be entitled to holiday leave as detailed in the table below. If a participant leaves the option early or is granted an extension holiday leave should be calculated pro rata and rounded up to the nearest whole day.

In addition to their holiday leave entitlement, New Deal participants are entitled to Public Holidays falling within the time of their participation on the programme.

Holiday arrangements should be agreed in advance in accordance with the needs of the programme and the normal practice of the MOLP Provider. Holiday leave must not be anticipated unless there is written evidence that a holiday has already been booked by the participant.

Providers should ensure that participants are given the opportunity to take their holiday leave entitlement within the period of the New Deal programme.

Leave Entitlement – 5 days Attendance

LENGTH OF OPTION	DAILY ATTENDANCE	LEAVE ENTITLEMENT
26 weeks	5 day attendance	10 days

Hospital/Doctor/Dentist Appointment

102. Participants should normally be expected to attend these appointments outside their hours of participation. However, where this is not possible, or in emergencies, such appointments can be considered authorised absences. Time off may also be given to participants with disabilities for regular hospital visits or health checks.

Domestic Matters

103. Participants will be permitted to take, if necessary, up to 2 days leave to attend to a genuine domestic crisis. Time off should also be given to attend the funeral of a relative or close friend. In the event of the death of a close relative, where the participant is responsible for the funeral arrangements, the participant should be allowed to take up to 5 days special leave. Special leave may be agreed in exceptional circumstances after consultation with the NDPA. This time will count towards their attendance on New Deal.

Job Interview

104. As the purpose of New Deal is to help jobseekers into employment, participants should be given time off to attend job interviews, details of which should be recorded on the Attendance Record. This should also be reflected in any reviews with the participant. This time should be counted towards their attendance on New Deal.

Interrupted Participation (Attendance at Court/Tribunal)

105. Participants who attend court or tribunal as a juror, witness, party to any proceedings or justice of the peace, for 10 working days will have to be terminated from the programme.

A ND4 (Leaver/Failed to Start/Change of Status Notification) must be completed for participants whose New Deal participation is interrupted due to required court or tribunal attendance.

Lead Partners/Providers must annotate the ND4 with the reason for leaving i.e. court or tribunal attendance.

Providers should advise the participant of the reason for termination, and **MUST** advise participants to either re-claim JSA or apply for costs from the court/tribunal.

In these circumstances, where a participant has left the programme, the payment of fees and allowances will be discontinued after the 5th/10th day of court/tribunal attendance.

Participants who are required to attend court or a tribunal are entitled to re-enter New Deal at the stage where they left off.

Following the interruption, the young person should be referred to the NDPA to arrange continuation of the option on which they were participating immediately prior to required court or tribunal attendance.

Interrupted Participation (Custodial Sentence)

106. Where a period on New Deal is interrupted by a custodial sentence, the payment of fees and allowances will be discontinued.

Following the interruption, the participant should be referred to the NDPA to decide on the most appropriate course of action e.g. a fresh start on Gateway or continuation on the New Deal for Musicians.

Interrupted Participation (Pregnancy)

107. Where an absence is due to pregnancy, the participant should be permitted to continue on the option for as long as she is able and should be actively encouraged to return to the option after her pregnancy. Absences due to pregnancy related illness should be disregarded when aggregating a participant's sick record. Time off should also be given to attend ante-natal appointments.

Authorised Absences

108. There will be instances when participants need to be absent from provision. Certain absences e.g. holidays, special leave should be considered as authorised. However, there may be cases where a participant's attendance is unsatisfactory. Through working with the participant and with the support of the NDPA every reasonable effort should be made to establish an acceptable pattern of regular attendance, which is the preferred outcome.

Participants must telephone the Provider on the first day of any absence. This should be explained at induction. Where a participant does not attend as expected and does not make contact, attempts should be made to contact him/her on the second day of absence. If no reason is given, or the reason does not amount to authorised absence, normal disciplinary procedures should be followed. (See Paragraph 86 of these guidelines).

Sickness

109. Participants may be absent through sickness for up to 10 working days. The sickness may be medically certified for the 10 days or 7 days self certified sickness (including weekends and statutory holidays) with the balance medically certified. The

NDPA should be contacted after a participant has been absent for 5 working days absence through illness and an appropriate course of action agreed. Absences in excess of this may affect continued participation in the programme. The reasons for absence should be discussed with the NDPA. If it appears likely that the participant will return within the 10 working days he/she should be allowed to continue. However, repeated periods of absence are not acceptable.

Sickness must be monitored carefully with checks made for a pattern of sickness occurring on particular days. Records of absences must be maintained. It is important to keep in regular contact with participants who are absent and help them back to the option as soon as possible.

On the 10th working day of sickness the participant will be deemed to have left the programme. Leaver Form ND4 and Dismissal Form ND5 must be completed and FAXED on the 10th day by the Provider to the relevant Social Security Office/Jobs & Benefits office. The date of leaving should be recorded as the 10th day of absence. The fax activity report must be kept for audit purposes. The top and second copies must be forwarded to the Jobcentre/Jobs & Benefits office by first class post. (Paragraph 86 contains guidance on the completion of Forms ND4 and ND5)

Absences due to illness related to a participant's disability evidenced by the participant's GP should be disregarded when aggregating a participant's sick record. Following the period of sickness the participant will be interviewed by the NDPA to decide on the most appropriate course of action e.g. a fresh start on Gateway or continuation of the option on which they were participating immediately prior to leaving New Deal. Payment of the on-programme fees will cease after 10 consecutive days' absence through sickness. In exceptional circumstances the NDPA may approve a further week if it is considered likely that the participant will return to the provision within that period.

Payment of weekly programme fees during sick absences

Payment of weekly programme fees will continue during the sickness period as attendance is expected to be actively managed in order to keep participants on the programme

Unauthorised Absence

110. Participant must telephone the Provider on the first day of any absence. This should be explained at induction. Where a participant does not attend as expected and does not make contact, attempts should be made to contact him/her on the second day of absence. If no reason is given, or the reason does not amount to authorised absence, normal disciplinary procedures should be followed. **On the 5th working day of unauthorised absence**, participants will be regarded as having left New Deal. Forms ND4 and ND5 should be completed accordingly and FAXED on the 5th day to the relevant Social Security Office/JobCentre/Jobs & Benefits office. The date of leaving should be recorded as the 5th working day of absence. The fax activity report must be kept for audit purposes. The top and second copies must be sent to the NDPA by first class post (Paragraph 86 contains guidance on the completion of forms ND4 and ND5)

Disciplinary Procedures

111. Participants must have access at all times to clear written procedures on disciplinary matters and informed of those procedures at induction.

Less serious offences, e.g. absenteeism, lateness etc, should be dealt with by a verbal warning for a first offence, followed by a written warning, a final written warning and ultimately dismissal.

In the case of more serious offences, participants should initially be given a verbal warning, followed by a written warning for a second offence and then dismissal. If the offence is sufficiently serious, e.g. gross misconduct, dismissal action may be taken immediately.

It is essential that a written record of all verbal and written warnings be retained in the participant's personal record, signed and dated by the MOLP and the participant, and copied to the NDPA for information. If the participant refuses to sign their personal record this should also be noted

The NDPA must be involved before a decision to dismiss a participant is made. Similarly the participant may wish to have their NDPA, TU representative, or friend present during disciplinary interviews.

If it is decided to dismiss a participant, leaver form ND4 and Dismissal form ND5 (giving the reason for dismissal) should be completed and **FAXED immediately to the participant's Social Security Office/JobCentre/Jobs & Benefits office/Benefits Branch** where a decision on benefit sanctions will be made. A copy of the faxed activity report, showing the date of transmission **must** be placed on file. The top and second copy should be forwarded by 1st class post to the NDPA.

These procedures must be strictly adhered to as written documentation may be required by the SSA for benefit sanction purposes

Participants who fail to participate in, or leave provision without good cause, or are dismissed from provision due to misconduct may incur a benefit sanction. This currently means they may lose their entitlement to JSA, unless they would suffer hardship, for 2 weeks on the first occasion, 4 weeks on the second occasion and 26 weeks on any subsequent occasion.

Grievance Procedures

112. A grievance procedure must be established which allows the participant speedy redress in the event of complaint. The procedure must be explained at induction.

The needs of participants must be taken into account to ensure that the provision is meeting the goals identified in their Action Plan and Learning and Development Plan.

However, there may be instances where participants wish to air grievances or complaints. Systems must be in place to allow participants to do this and resolve any grievances, concerns or complaints promptly and with the minimum level of bureaucracy, without causing embarrassment to the participant.

The NDPA and Provider should be advised of any such complaints and kept informed of developments.

The following extract from the Labour Relations Agency Information Note on Employee Grievances sets out the general principles to be adopted in handling grievances:

“Individual grievances may arise over pay, terms of employment, working conditions and job methods etc. If they are not handled carefully and consistently, discontent may build up”.

Participants should in the first instance, raise any grievance with the MOLP, who should establish if formal grievance procedures are being invoked. The Provider should try to resolve the problem and should reply to the participant within 5 working days. A participant who is not satisfied with the reply or has not received a reply within 5 working days, may ask the provider to raise the matter with the Provider. At this stage the participant’s grievance should be stated in writing.

The Provider in consultation with the NDPA should make arrangements to interview the participant within 5 working days of written notification of the grievance.

Participants who are members of Trade Unions should have the right to refer their grievances to their Trade Union if the Provider is unable to resolve the problem.

Industrial Injuries

113. Participants who are in receipt of a New Deal benefit-based training allowance and who suffer personal injury or contract an industrial disease as a result of their participation on New Deal are not eligible to receive Industrial Injuries Disablement Benefit under the Social Security (Northern Ireland) Act 1975. However, the Department may make payment equal to the benefit that would have been payable under the Act. Any claims arising under this procedure should be referred to the NDPA in the first instance, who should then liaise with **Programme Management and Development Branch** for further guidance.

Trade Union Membership

114. Participants may join a Trade Union if they wish to do so. This is a matter for each individual to decide.

Any participant who is a member of a Trade Union should be permitted to be represented by his/her Trade Union, if he/she so wishes, in a range of matters including those dealt with under disciplinary and grievance procedures.

Arrangements to afford any Trade Union the opportunity to make representation on behalf of a participant should be consistent with good industrial relations practice. Participants who join a Trade Union should be treated in the same manner as all other members of the Union, e.g. given time off to attend legitimate Union meetings.

Travel expenses to MOLP meeting

115. The MOLP is responsible for the payment of the musician’s travel expenses in excess of £4 per week, for journeys from their home to the MOLP premises or to any other premises used for MOLP review meetings or interviews as agreed. The MOLP will also be responsible for documenting the payments of expenses to the

musician. Musicians should have their travel costs reimbursed by MOLP Providers in arrears unless this will cause undue hardship when alternative arrangements should be made. Participants should be advised of the arrangements for reimbursement of travel expenses and any additional requirements e.g. retention of bus tickets.

116. The Department may offer financial help to allow individuals to access the Open Learning route where additional barriers to participation exist. It provides help, in exceptional circumstances, with special equipment requirements for people with disabilities.

Contract Payments for MOLP

117. Claims for the MOLP service should be made on form ND32 at 4 weekly intervals in accordance with Annex 5.

Start Payment A start payment will be payable for each person starting the Open Learning route, evidenced by receipt of an acceptable Learning and Development Plan (LDP) see Annex 3. A start payment is payable only in respect of participants who have completed a minimum of 2 weeks on the programme and for whom an acceptable LDP has been approved by the NDPA. Acceptable LDPs must be received by the NDPA within 4 weeks of a participant commencing NDfM. The Provider should note that the start payment will not be paid unless an acceptable LDP has been received and approved by the NDPA within 4 weeks of a participant starting NDfM. Start payments disallowed will not be re-instated.

- **On-Programme Payments.** On-programme payment may be claimed four weekly in arrears and will be paid subject to:
 - (i) receipt of an acceptable LDP within the required timescale;
 - (ii) continued open learning activity; and
 - (iii) regular monitoring meetings being held between the MOLP and the musician to review progress.

Open Learning diaries/activity logs validate on-programme payment claims. MOLPs must therefore make arrangements to retain completed diaries and collect outstanding activity logs as participants leave or terminate NDfM. Lack of evidence may result in the recovery of amounts claimed.

NOTE: On-Programme Payments will be paid for the first 4 weeks of programme participation. This will allow Providers time to complete an acceptable LDP and have it submitted to the NDPA on time. From the start of the 5th week, on programme payments will be suspended if an acceptable LDP has not been received by the NDPA.

On-programme payments will be re-instated from the week in which an acceptable LDP is received by the NDPA. Only in exceptional circumstances and on a case made basis to the NDPA will funding be re-imbursed for the period of suspension.

WEEKLY ON-PROGRAMME PAYMENTS WILL NOT BE PAID AFTER WEEK 4 UNTIL AN ACCEPTABLE LDP HAS BEEN RECEIVED BY THE NDPA.

NDPAs will notify Providers and Supplier Services Branch of Suspension / Recommencement of On-Programme Payments on Form ND45 Part A (Rev) and Part B (Rev) as appropriate.

Providers must ensure that claims are adjusted to reflect deductions for on programme fees from the date noted on the Suspension of Programme Fees Notification form ND45 Part A (Rev). These adjustments must be made where acceptable LDPs are not received by the NDPA within 4 weeks of a participant starting NDfM.

Output Payments. Output payments are in two parts. The first part is payable on completion of the targeted workbooks. **The LDP should contain a minimum of the equivalent of 3 workbooks or part workbooks equivalent to 3 complete workbooks for a participant undertaking 26 weeks on the FTET/ETO Open Learning Route.** The remainder of the output payment is payable when the participant secures permanent employment or becomes self employed and that employment has lasted for a minimum period of 13 weeks and commenced within 13 weeks of the participant leaving NDfM. .

Evidence for this element of payment will be:

- a signed declaration from the MOLP detailing the workbooks/sections of workbooks which have been successfully completed;
- the original ND17(Certification of Employment Outcome) properly completed, signed and dated by the employer. In the case of self-employment; a letter from a bank or an accountant/ confirming that the participant has been in business for the required period of time (13 weeks), or confirmation from the Inland Revenue that the participant has registered as self-employed and paid at least 13 weeks National Insurance contributions as a self-employed person. Form ND(SE)15 should be issued to the Inland Revenue for confirmation of self-employment in these cases.

Note: It is imperative that Providers submit claims for employment outcomes only where:

- a participant leaves an option, having completed a minimum of 6 weeks; **AND**
 - moves into subsidised/unsubsidised employment or self-employment within 13 weeks of leaving; **AND**
 - remains in employment for a minimum of 13 weeks
- **Output Payments – Approval Procedures.** Signed declarations relating to completion of agreed OLM objectives and/or evidence of sustained employment must be forwarded to the Personal Adviser prior to inclusion on a monthly claim form ND32. The Personal Adviser will inform the MOLP organisation in writing of approval. On receipt the MOLP should include all approved amounts in the next claim.

MOLP Providers must attach a copy of the Personal Adviser approval to claim form ND32.

MOLP Providers have up to one year from the date the participant leaves to submit the final claim in respect of positive outcomes. **(Provider fees detailed at Annex 6).**

MIA and MOLP Responsibilities - General Features

118. The following responsibilities rest with holders of MIA and MOLP contracts.

Equal Opportunities and Fair Employment

119. The Provider is responsible for ensuring they comply with all Equal Opportunities and Fair Employment legislation. It is the Provider's responsibility to ensure mechanisms are in place to deal with complaints of discrimination or harassment.

120. Musicians have a personal responsibility not to discriminate against or harass other participants.

Sexual Orientation Discrimination Legislation

121. The Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003, have been brought in to meet the requirements of the European Union's Framework Employment Directive.

Sexual orientation discrimination is discrimination against people because they either have, or are perceived to have, a particular sexual orientation. It is unlawful to discriminate against people because they are homosexual, bisexual or heterosexual. The legislation also covers individuals who are treated less favourably than others based on incorrect assumptions about their sexual orientation and individuals who are treated less favourably because they are associated with people of a particular sexual orientation.

Employment Provision

The Regulations apply to all employers regardless of size. They make it unlawful for employers to discriminate against employees and job applicants on grounds of sexual orientation. It is unlawful for an employer to discriminate in recruitment and selection, terms and conditions, access to benefits etc.

Providers of Vocational Training

It is unlawful for people, who provide training to help prepare others for employment, to discriminate against them in relation to such training. This includes access to training, refusing training, terminating training or subjecting a trainee to harassment. Training in this context also includes the use of facilities for training and practical work experience provided by an employer for people who are not that organisation's employees.

The Equality Commission for Northern Ireland has responsibility for enforcing the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 and the Commission's advisory team can provide general advice and guidance to employers, New Deal Providers and others on recommended good practice under the new legislation. The booklet Sexual Orientation Discrimination in Northern Ireland –A Summary Guide, provides useful information.

The regulations and other publications can be viewed in full on the Equality Commission's website www.equalityni.org

Health & Safety Issues

122. All participants on New Deal are entitled to a healthy and safe working environment.

Providers must give a written assurance to the Department that statutory notification action involving the registration of all premises in which New Deal will be delivered has been carried out. In addition a written statement on Health and Safety policy must be maintained along with the general arrangements for carrying out that policy.

Health and Safety on all premises in which New Deal will be delivered should be monitored regularly and a level of supervision consistent with the activities being undertaken should be provided.

All necessary protective clothing and safety equipment must be provided to participants where this is appropriate to the placement and working environment.

All participants must be provided with appropriate Health and Safety induction in relation to all locations in which New Deal will be delivered together with any supporting instructions and guidance materials.

Responsibility for Health and Safety must be assigned to a named individual in relation to delivery of New Deal.

Any queries regarding Health and Safety should be directed to:

Health and Safety Executive, 83 Ladas Drive, Belfast BT6 9FJ

Insurance

Public and Employers' Liability Insurance:

123. In accordance with clause 10.2 of the New Deal Contract Providers are required to either maintain, or ensure that any subcontractors maintain, such public and employer's liability insurances as are necessary to cover the liability of the Provider or its sub-contractors.
124. When a participant, is engaged in New Deal activity on a Provider's or sub-contractor's premises, or on any other premises used by the Provider or sub-contractor in connection with the delivery of New Deal, the Provider must ensure that full Public and Employer's liability insurance is in place either through their own Insurance or that of the sub-contractor's insurance.

The Department will not accept liability for any injury, loss or damage caused to or by a participant on New Deal.

All other relevant insurance (e.g. motor vehicle, product liability, theft, fire etc) must be in force in respect of all participants. In particular any motor vehicle owned by the Provider or placement Provider and used in connection with New Deal (e.g. to transport participants) must be fully comprehensively insured.

Changes in Personal circumstances

125. It is the musician's responsibility to report, to the MIA/MOLP and the NDPA, any change in personal circumstances. These include change of name, address, telephone number, etc. The Social Security Agency **must** also be advised accordingly.

Essential Skills

126. Depending on individual circumstances, musicians have the opportunity to receive essential skills training either during Gateway or as part of FTET/ETO. Within New Deal for Musicians provision, musicians may avail of essential skills training of up to 26 weeks to address numeracy and/or literacy needs in FTET/ETO before moving into the NDfM Open Learning route. In these circumstances maximum participation in New Deal is limited to 52 weeks.

Where an essential skills need is identified by the Provider, the Provider should refer the participant back to their NDPA who will arrange for an essential skills assessment to be carried out. Once the essential skills training has been completed the participant may return to NDfM to complete the remainder of their time on the Open Learning route.

Follow-Through support

127. All musicians completing provision will receive Follow-Through support. The purpose of this is to provide continued intensive help and support to find them a job. Musicians completing New Deal for Musicians provision can continue to receive help from a MIA where this contact has continued during their New Deal participation.

Payment to Participants

128. Musicians on the programme are paid an allowance by the Department via the SSA benefits payments system. This allowance is equivalent to the person's prior amount of JSA plus a weekly top-up of £15.38. Entitlement to other 'passport' benefits is preserved. Musicians receive their allowance in the same way as their JSA (i.e. girocheque or bank transfer). The allowance is payable only when the musician is attending and taking part on the programme in an agreed and acceptable way.

Childcare

129. Within NDfM certain groups (e.g. lone parents) are eligible for assistance towards childcare costs. Further information and details of application procedures are available from the New Deal Personal Adviser.

JobGrant

130. Providers should be aware of the availability of the Job Grant. This is a one-off payment intended to ease the initial transition from benefit to work and is paid by the SSA.

Jobseekers aged 18 years or over who start a job of at least 16 hours per week and who satisfy relevant eligibility requirements will qualify for one of the following grants:

- £100 for single people and couples without children
- £250 for lone parents and couples with children.

Jobseekers are not required to make a formal claim for a Job Grant but in order for payment to be considered they must notify their Jobs & Benefits office or SSO that they have started work within 21 days of the start date.

While Providers will wish to be aware of the changes and bring them to the attention of jobseekers entering work, *they should not advise on entitlement but refer participants to the SSA for detailed information.*

The SSA processing section administers the Job Grant.

Open Learning Materials

ARMSTRONG LEARNING working with City College Manchester (CCM) have developed the Open Learning Materials (OLM) for New Deal for Musicians.

Content of the OLM

The OLM package will consist of nine client workbooks, one guidance book and an activity log for the musician as follows;

Workbook 1: The Music Industry and You

- How to use the Open Learning Materials;
- How the Music Industry operates ;
- Setting your goals;
- Networking.

Workbook 2: Work and Jobs

- A Job in Music;
- Skills, Experience and Training;
- How to find work;

Workbook 3: Creating

- Songwriting;
- Creating Music;
- Re-mixing;
- Arranging;

Workbook 4: Performing

- Improving your Skills;
- Rehearsing;
- Performing
- Health & Safety;
- Equipment;

Workbook 5: Recording and Production

- Studio Recording Equipment;
- Music Technology Equipment and Software;
- Production;
- Manufacture;
- Live Sound;

Workbook 6: Marketing, Promotion and Distribution

- Why Marketing, Promotion and Distribution;
- Define your Audience;
- Creating and Marketing your Package;
- Promotion;
- Distribution
- Retail

Workbook 7: Copyright, legal and Management

- Dealing with Intermediaries;
- What is Copyright;
- Music Industry Contracts;
- Group agreements;
- Legal and Business Issues.

Workbook 8: Business and Money

- Dealing with Financial Advisers;
- Preparing for Self Employment;
- Exploitation of Copyright;
- The Business of Performance;
- Money and Earnings;

Workbook 9: Teaching Music

- A Career in Teaching Music
- Instrumental Teacher

- Community Musician/Music Leader
- Schools and Colleges Teacher

Guidance: Guidance for MOLPs

- The Guidance notes give an overview to MOLPs on the structure and contents of the workbooks, including information on induction, LDPs, monitoring of progress, resources, funding, jobsearch and guidance and support to the customer.

Note: This applies to GB Providers only. In Northern Ireland contracted providers of NDfM are expected to comply with procedures etc. as set out in the New Deal for Musicians Operational Guidelines and memos issued by the Department for Employment and Learning.

Activity Log/Diary

- Daily/weekly activity planners/ record of attendance;
- Weekly summary of open learning progression.

The New Deal for Musicians activity log will form the basis of each musician's review meetings with his/her MOLP and should he/she wish to gain a recognised qualification, this documented evidence of activity would contribute to his/her portfolio. Should musicians wish to work towards a recognised qualification, the assessment and verification process would need to be agreed with them and administered by the MOLP to ensure that the musicians were actually undertaking the activities documented within their activity log.

The workbooks are structured to enable musicians to choose workbooks, which are most relevant to their needs and perhaps complete one or two relevant chapters within each workbook. If they require a more in-depth knowledge of the subject area, then they will complete the whole workbook and be signposted both to complementary workbooks within the OLM package and to additional reference sources. This flexible learning method will ensure that the differing needs of each client are catered for.

Typically, workbooks (other than the New Deal for Musicians Diary) will include:

- Introduction to the subject area(s);
- Short sections to read on different subjects;
- Summaries of learning points;
- Short exercises to complete;
- References to sections within other OLM workbooks;
- Feedback Form – to enable musicians to feedback suggestions and comments on the structure, content, format and relevance of the OLM

NEW DEAL FOR MUSICIANS (NDfM)

GUIDANCE ON THE COMPLETION OF THE NEW DEAL LEARNING AND DEVELOPMENT PLAN (LDP)

INTRODUCTION

1. The aim of this note is to provide guidance to Music Open Learning Providers (MOLPs) on the completion of the New Deal Learning and Development Plan (LDP). The main purpose of the LDP is to provide participants with accurate information about the job search, training and the targets they will work towards during their time on NDfM. The LDP is an agreed document, developed from a comprehensive assessment of need.

The New Deal Action Plan will form the basis of any LDP and is of central importance when identifying the needs of participants.

The participant must agree and sign the LDP and be provided with a copy for their retention. The original LDP must be received by the NDPA **within 4 weeks** of the participant starting New Deal for Musicians. Timely receipt of an acceptable LDP is a vital contributory factor in moving participants from Welfare to Work at the earliest opportunity. LDPs also provide structure to participant development during their New Deal participation.

CONTENT

2. The LDP is part of a collaborative approach and has two main purposes:
 - It will identify how the employability of participants will be improved during their participation on the NDfM.
 - It will enable their progress to be identified and recorded.

The LDP should be tailored to the individual needs of participants.

The primary purpose of time spent on New Deal is to improve the employability of each individual participant. The LDP should therefore include information about how employability will be enhanced. This should be done in such a way as to enable objective measurement during the time spent on NDfM and at the time of leaving.

Research suggests that issues of key importance to prospective employers include timekeeping, attendance and motivation. The LDP must therefore, contain details of objectives in these areas.

The LDP must record the areas identified for development and the steps to be taken to deliver it. Providers will need to discuss this with the participant before completing the LDP.

STEPS TO IMPROVE EMPLOYABILITY

3. It is essential that participants have ownership over their future. Providers should:
 - Discuss participant needs and how these can be met through their time on NDfM; and
 - Agree how the provision will contribute towards improving their employability

COMPLETING THE LEARNING AND DEVELOPMENT PLAN.

4. LDPs must include:

Page 1

Page 1 of the LDP must be completed for all participants.

- **Participant's name;**
- **Name of New Deal Provider;**
- **Start Date;**
- **End Date;**
- **Element:** This should include details of occupational area and tailored job search provision.
- **Number of Weeks/Days:** Providers should record how each element will be delivered e.g. 'en bloc', daily or over a number of weeks etc;
- **Details of Element:** Job search provision should be recorded including employment objectives i.e. what the participant and provider have agreed should be achieved within each element. (Job goals must reflect the New Deal Action Plan). Details of tailored job search provision should include steps involved in job search, depending on individual needs, but may include goals such as following up job leads, interview practice and applying for suitable jobs;
- **Outline Achievements with Target Dates:** Should include target dates for the achievement of job search activities. Providers should also record achievements within these areas.

Page 2

Page 2 of the LDP must be completed for participants on FTET/ETO

- **Element:** This should detail the workbooks and the sections of workbooks which the participant aims to complete
- **Number of Weeks/Days:** Providers should record how training will be delivered e.g. 'en bloc', daily or over a number of weeks etc;

- **Content of Qualification:** This should briefly outline how the open learning will be delivered and the outcomes to be achieved. Participants should be encouraged to identify their preferred learning style and the training should be delivered flexibly to take account of individual circumstances. Providers will be required to detail as a minimum what training is to be delivered, by whom, where and when.
- **Outline Achievements with Target Dates:** Should include target dates for the achievement of the workbooks and actual achievements
- **Signatures of participant and Provider.**

All LDPs must be agreed and signed by the participant and the Provider.

The LDP should include personal objectives linked to occupational area, tailored job search provision etc.

- **timekeeping** (prompt attendance at agreed times);
- **attendance** (attending regularly with no unauthorised absence);
- **work activity** (individually managing own priorities, team working, improving written and/or oral communication).
- **job search** (depending on individual needs, but may include, producing a CV, maintaining a job log, interview practice, guidance on applying for suitable vacancies).

New LDP

In exceptional circumstances e.g. where a participant moves to another Consortium **and** changes occupational area, the NDPA may authorise payment of a second Start Payment in circumstances where a new LDP is required.

Induction Checklists

The completed induction checklist must be attached to the LDP (Annex 4)

Monthly Review of Progress on New Deal

On a four weekly basis Providers are required to review the participant's progress against the objectives detailed in the LDP and maintain fortnightly contact. This written record will be used to highlight achievements in both the vocational and personal context. The review process should also be used to agree further action to enable the participants to achieve their employment aim. Providers should also indicate under agreed action a target date for the completion of relevant workbooks. The Review of Progress should be retained and made available for inspection by Departmental staff.

Funding Implications

The Provider should note that a Start payment is payable only in respect of participants who have completed a minimum of 2 weeks and for whom an acceptable LDP has been approved by the NDPA. Start payments will not be paid unless an acceptable LDP has been received and approved by the NDPA within 4 weeks of a participant commencing NDfM. **Start payments disallowed will not be re-instated.** Also, from the start of week 5 weekly on programme fees will cease until an acceptable LDP has been received by the NDPA. These will only recommence on receipt of an acceptable LDP approved by the NDPA.

NDPAs will notify Providers and Supplier Services Branch of Suspension / Recommencement of On Programme Fees on Form ND45 Part A (Rev) and ND45 Part B (Rev) as appropriate.

Providers must ensure that claims are adjusted to reflect deductions for on programme fees from the date noted on the Suspension of Programme Fees Notification form ND45 Part A (Rev). These adjustments must be made where acceptable LDPs are not received by the NDPA within 4 weeks of a participant starting NDfM.

General Issues

A new LDP must be produced in those exceptional cases where with the agreement of the Personal Adviser the participant changes their New Deal provision, MOLP Provider or occupational aim.

New Deal for Musicians

NEW DEAL LEARNING AND DEVELOPMENT PLAN (LDP)

To _____ **JOBCENTRE/JOBS & BENEFITS OFFICE** Name of Personal Adviser _____

Participant's Surname _____ (*Mr/Mrs/Miss/Ms) Forename(s) _____

Name of Lead Partner _____

Start Date/...../.....

End Date/...../.....

FTET ND 18 to 24 Year olds

ETO ND 25+

Outline of Programme Content

ELEMENT	NO. WEEKS/DAYS	DETAILS OF ELEMENT (INCLUDE EMPLOYMENT OBJECTIVES)	OUTLINE ACHIEVEMENTS WITH TARGET DATES
OCCUPATIONAL AREA TAILORED JOB SEARCH PROVISION			

Signed (Provider) _____

Date/...../.....

Agreed (Participant) _____

Date/...../.....

ELEMENT	NO. WEEKS/DAYS	DETAILS OF ELEMENT (INCLUDE EMPLOYMENT OBJECTIVES)	OUTLINE ACHIEVEMENTS WITH TARGET DATES

Approved (Personal Adviser) _____

Date/...../.....

Date CMS updated/...../.....

**Delete as appropriate*

Declaration

March 2008

I confirm that I have read and understood and am satisfied with my Learning and Development Plan (LDP)

I have received a copy of my LDP and an induction checklist

My Option commences on

Signed: _____ **(Participant)** **Date:** _____

I confirm that this Learning and Development Plan has been agreed, outlines the agreed programme arrangements, and that it will be supported by this organisation.

I confirm that the participant has received a copy of the induction checklist

Signed: _____ **(Provider)** **Date:** _____

*I confirm that this Learning and Development Plan for (name of participant) _____

meets the criteria as detailed under the New Deal arrangements and supports the Action Plan agreed between the New Deal Personal Adviser and the Participant. I confirm that a signed copy of the New Deal Induction Checklist was attached.

*I confirm that this Learning and Development Plan for _____ (name)

of participant) does not meet the criteria as detailed under the New Deal arrangements.

Signed: _____ **(Personal Adviser)** **Date:** _____

_____ **(JobCentre/Jobs & Benefits office)** **Date CMS Updated:** _____

NOTES FOR COMPLETION OF LDP

The Provider should use this section to detail the activities;

- record the elements

- describe how the activities are to be delivered i.e. 'en bloc', daily over a number of weeks etc;
- record details of activity for each element;
- record outcomes e.g. achievements, job search, workbooks, units of NVQ full VRQ ,qualification (s)
- record target date for the achievement of job search and training activities;
- record training objectives

The participant must sign the form to record his/her agreement that the activities are relevant and consistent with his/her Action Plan.

NOTE: The original LDP must be received by the NDPA within 4 weeks of the participant starting NDfM

DISTRIBUTION OF COPIES

ACTION BY THE PROVIDER

ACTION BY THE JOBCENTRE/JOBS & BENEFITS OFFICE

Original An acceptable LDP must be received
by the NDPA within 4 weeks of the
participants start date

Copy To be given to the participant when completed.

Copy To be retained by Provider.

Original and copy should be sent to NDPA by Provider.

Check that activities are consistent with the
Action Plan. Discuss with Provider where necessary.

Record on CMS on day of receipt.

When approved original should be returned to Provider.

Retain copy for monitoring and review.

NEW DEAL INDUCTION CHECKLIST

	YES	NO
Has the work experience (training if applicable) you will undertake been explained to you?	<input type="checkbox"/>	<input type="checkbox"/>
Have you received a copy of your Learning and Development Plan?	<input type="checkbox"/>	<input type="checkbox"/>
Has the payment of your Training Allowance been explained to you? (Non-employed participants only)	<input type="checkbox"/>	<input type="checkbox"/>
Have the following been explained to you?		
- Disciplinary Procedures	<input type="checkbox"/>	<input type="checkbox"/>
- Grievance Procedures	<input type="checkbox"/>	<input type="checkbox"/>
- Hours of Attendance	<input type="checkbox"/>	<input type="checkbox"/>
- Supervisory Support & Training arrangements (Including any additional support you may need)	<input type="checkbox"/>	<input type="checkbox"/>
- Sickness and Absence Procedures	<input type="checkbox"/>	<input type="checkbox"/>
- Health & Safety Policy	<input type="checkbox"/>	<input type="checkbox"/>
- Equal Opportunities Policy	<input type="checkbox"/>	<input type="checkbox"/>
- Holiday Entitlement	<input type="checkbox"/>	<input type="checkbox"/>
If required, has protective clothing/safety equipment been issued to you?	<input type="checkbox"/>	<input type="checkbox"/>
Were your job search requirements discussed?	<input type="checkbox"/>	<input type="checkbox"/>

Job search Assessment (To be completed by the Provider in consultation with the participant)

Signed: _____ (Participant)

Signed: _____ (Provider) Date: _____

MONTHLY REVIEW OF PROGRESS ON NEW DEAL

Job search progress for the review period

Training progress for the review period (if applicable)

General Progress

Participants Comments

Agreed action to be taken over the next 4 weekly review period

Signed _____ **(Provider)**

Agreed by _____ **(Participant)** **Date** _____

**NEW DEAL SUMMARY TIMETABLE 2007/2008
FOR MUSICIANS**

CLAIM PERIOD	WEEK COMMENCING	WEEK ENDING SUNDAY	TO BE IN SUPPLIER SERVICES BY FRIDAY
1	26/03/2007	22/04/2007	04/05/2007
2	23/04/2007	20/05/2007	01/06/2007
3	21/05/2007	17/06/2007	29/06/2007
4	18/06/2007	15/07/2007	27/07/2007
5	16/07/2007	12/08/2007	24/08/2007
6	13/08/2007	09/09/2007	21/09/2007
7	10/09/2007	07/10/2007	19/10/2007
8	08/10/2007	04/11/2007	16/11/2007
9	05/11/2007	02/12/2007	14/12/2007
10	03/12/2007	30/12/2007	11/01/2008
11	31/12/2007	27/01/2008	08/02/2008
12	28/01/2008	24/02/2008	07/03/2008
13	25/02/2008	23/03/2008	04/04/2008

ANNEX 6

Funding

Music Industry Adviser (MIA) interviews with the New Deal participants during the Gateway (and Follow-Through where required). A standard amount will be payable regardless of the number of interviews carried out in respect of each participant. It is expected that a minimum of 3 interviews should normally be carried out by the MIA during the Gateway period.

£400

Music Open Learning Provider (MOLP)

Start Fee is payable only in respect of participants who have completed a minimum of 2 weeks and for whom an acceptable Learning and Development Plan has been approved by the NDPA. Acceptable LDPs must be received and approved by the NDPA within 4 weeks of a participant starting NDfM.

Start payments disallowed will not be re-instated

£300

*On-programme Fees (payable at £15 per week in respect of each week that participant is on the programme – maximum 26 weeks) will be paid for the first 4 weeks of programme participation. From week 5 ongoing programme fees will cease where an acceptable LDP has not been received and approved by the NDPA within 4 weeks of a participant starting NDfM.

NDPAs will notify Providers and Supplier Services Branch of Suspension/Recommencement of On Programme Fees on Form ND 45(Part A) Rev and (Part B) Rev as appropriate.

up to £390

Output Related Fees

(i) for completion of targeted workbooks £250

(ii) for entry into sustained employment i.e. employment commencing within 13 weeks of leaving NDfM and which lasts for a minimum of 13 weeks. (This amount is payable whether or not the employment is within the Music Industry).

£500

Where a participant transfers to the self-employment route, test-trading as a musician and still receiving MOLP assistance, the NDfM provider will continue to receive on programme fees as at *.



SOCIAL SECURITY AGENCY

RESPONSIBILITIES OF CUSTOMERS ON NEW DEAL

This leaflet tells you about your responsibilities while you are on a New Deal option or Preparation for Employment programme (PEP). In particular, it tells you how to tell us about any changes in circumstances. Please read it carefully.

WHY YOU NEED TO TELL US

While on your New Deal Option or PEP, you will receive an allowance from this office. The amount of your allowance could be affected by any change in your personal circumstances, so you must let us know **IMMEDIATELY** if a change occurs. Call in or send a letter to this office, giving:

- a change in your address
- marriage
- divorce / separation
- you / your partner begin part-time work
- you / your partner give up part-time work

If you are not sure whether you should tell us something, tell us any way just in case.

If you are not sure whether to cash a girocheque because of a change in your circumstances, please telephone us for advice. When you ring, make it clear that you are a New Deal participant.

LEAVING YOUR NEW DEAL OPTION OR PEP

You must remember that when your New Deal option or PEP ends, you will no longer be entitled to an allowance. So, when you leave New Deal you should inform us at once. If you wish to claim Jobseeker's Allowance and you leave the option or PEP on:-

- a. any day between Sunday and Thursday, you **MUST** attend/contact the office **ON THE FOLLOWING DAY**; or
- b. a Friday, you **MUST** contact the office on or **BEFORE** that day to avoid losing entitlement for Saturday and Sunday.
- c. A Saturday you must contact the office **BEFORE** that day to avoid losing entitlement for Saturday and Sunday

ANY DELAY COULD MEAN A LOSS OF MONEY.

new deal

NDL1 (Rev July 04)

March 2008

Childcare Payments

ANNEX 8

1. Applications for childcare assistance can be made by:-
 - (a) a lone parent participating on a New Deal (non-employed) option; or
 - (b) a non-employed participant whose partner is also on non-employed New Deal provision, or other Departmental training programme where Benefit-Based Training Allowance is in payment or who is in receipt of one or more of the following qualifying benefits:
 - Attendance Allowance (AA);
 - Constant Attendance Allowance;
 - Disability Living Allowance (DLA);
 - Disability or Higher Premium Pension;
 - Incapacity Benefit (IB) where the rate payable is short-term higher rate or long term lower rate;
 - Invalid Carriage or other vehicle provided by the Secretary of State; or
 - Severe Disablement Allowance (SDA).
2. To qualify for childcare assistance, care must be provided by:
 - a Registered Childminder or nursery registered with a Health & Social Services Board; or
 - a relative who is not a Registered Childminder. For the purpose of payment a relative is defined as someone who is over 18 years of age and who is the grandparent, brother, sister, aunt or uncle of the child(ren).
3. Childcare assistance is payable in respect of a child(ren) who has not yet reached the first Tuesday in September following the his/her 15th birthday, **at the date New Deal for Musicians commences**, or in the case of a child(ren) in receipt of Disability Living Allowance (DLA) or who is registered blind, the first Tuesday in September following his/her 16th birthday.

Childcare payments may subsequently continue to be made until the participant leaves the programme.

Assistance towards childcare costs will be based on actual costs up to the maximum daily amount as shown in the following table.

The choice of childminder is the sole responsibility of the participant. The Department does not accept responsibility for any risks or accidents that might arise when a child is in the care of a Registered Childminder or other carer. The Department cannot accept responsibility for contractual arrangements with a

Registered Childminder or other carer which result in payment being due for a period when the participant is not taking part in an option.

No of Children	REGISTERED CHILDMINDER		RELATIVE	
	Full-Time Care	Out of School Hours Care	Full-Time Care	Out of School Hours Care
One Child	£19 per day	£11 per day	£11 per day	£7 per day
Two or more children	£28 per day	£17 per day	£17 per day	£11 per day

4. The **maximum daily amount** of childcare assistance payable is as shown in the table above and is subject to a maximum limit of £140 per week ($£28 \times 5 = £140$) **per family** where care is provided by a registered childminder/nursery/creche or £85 per week ($£17 \times 5 = £85$) **per family** where care is provided by a relative. The maximum amount of childcare assistance payable **per family** is subject to an overall limit of £140 per week where care is provided by a mixture of registered childminder/nursery/creche and relatives.

Procedures for applying for childcare assistance:

5. At the referral interview the NDPA will (if applicable) advise the participant of the assistance that is available towards the costs of childcare.
 - An application for Childcare approval must be made as soon as the participant has agreed a start date with the Provider or on the first day a participant commences an option. Providers/NDPAs should issue form ND14 to participants who may be eligible for financial assistance towards the costs of childcare. Sections A, B, and C should be completed by the applicant, the child minder, and the Provider respectively and then forwarded to the NDPA for processing. A copy of the childminder’s Registration Certificate, if appropriate, should also be forwarded to the NDPA. Providers are required to confirm the age of the child(ren) by inspecting and retaining a copy of the child(ren)’s Birth Certificate which must be copied from originals.
6. On receipt of form ND14 the NDPA will, if appropriate, approve the application by completing Section D. The original form will then be returned to the Provider by the NDPA and a copy retained in the JobCentre/Jobs & Benefits office.
7. Where assistance with childcare is required for less than five days in a week, the daily rate charged (subject to the maximum) should be multiplied by the number of days for which childcare is required. For example a lone parent/partner who attends an option 2 full days per week and who has two children of school age,

both minded by a registered childminder, will be eligible for a maximum contribution towards childcare costs of £34 per week (£17 x 2 = £34).

PROVIDERS MUST NOT MAKE PAYMENTS UNTIL FORM ND 14, APPROVED BY THE NDPA, IS RECEIVED.

8. Where payment of Childcare has been approved and the participant or their partner's circumstances alter from those stated on the childcare application form, the childcare payments should cease. The participant must inform the Social Security Office/Job and Benefits office and the provider of all changes of circumstances. Where payment of 'out of school hours' Childcare has been approved by the NDPA, full-time care may be paid (within the appropriate maximum) during periods of school closure without further reference to the NDPA.

Childminder Statement

9. The provider must issue the Childminder Statement Form (ND56) to the childminder ensuring section C is completed when:
 - the childcare costs have been approved by the NDPA; and
 - the lone parent/partner has commenced New Deal for Musicians.

Payment Procedure

10. Payment towards childcare costs must only be made on receipt of a Childminder Statement Form (ND56). A separate form must be completed iro each child whom childcare is claimed for. The provider must ensure before making payment that:
 - all relevant sections of the Childminder Statement Form (ND56) have been completed by the childminder; and
 - both the childminder and the New Deal participant have signed the statement.

On receipt of the signed statement from the childminder payment must be made directly to the childminder as to do otherwise may jeopardise the participant's entitlement to benefit. Participants must be told how these payments are to be made and the reason why.

The provider must retain the Childminder Statement (ND56) for audit purposes.

Retainer Fees

11. In cases where a participant is absent because of illness or authorised absence, a retainer fee (up to the appropriate daily/weekly maximum) may be paid for such days, providing the Registered Childminder's terms and conditions clearly set out that the payment is required for such days.

It should be noted that the Department will only reimburse retainer fees in the above circumstances for a maximum of 10 days in respect of sickness or other authorised absences and up to 10 days in respect of annual leave taken by participants on a 26 week option. For participants on a 13 week option the Department will only reimburse 5 days in respect of sickness and other authorised absences and up to 5 days in respect of annual leave.

The purpose of this retainer fee is to ensure that the childcare place is kept available and not reallocated by the Registered Childminder where the childcare place is temporarily unfilled.

A retainer fee is **not payable** for periods when the Registered Child minding facility is not available or where the **childcare is provided by a relative.**

12. RETENTION OF RECORDS

All documentation relating to payment of childcare costs (approved ND14, attendance records, Childminder Statement Form (ND56)) must be retained for a period of 7 years from the date of leaving for inspection purposes.