Fund for Students with Disabilities

Guidelines for Higher Education Institutions

2019/20

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PART A
PURPOSE OF THE FSD
AND LEGAL OBLIGATIONS

A

A1   Introduction

The purpose of the Fund for Students with Disabilities (FSD) is to provide funding to higher and further education institutions to assist them in offering supports and services to eligible students with disabilities so that they can participate on an equal basis with their peers. The FSD has been in place since 1994 and, since 2003, has been managed by the Higher Education Authority (HEA) on behalf of the Department of Education and Skills (DES). The FSD operates in addition to the legal framework supporting the rights of students with disabilities to access further and higher education. The FSD also operates in addition to mainstream resources and services in place in higher education institutions (HEIs).

Along with the Student Assistance Fund (SAF), the FSD supports the implementation of Ireland's National Plan for Equity of Access to Higher Education 2015-2019. The FSD is also part of broader Europe-wide efforts to support inclusion in education and training and is co-funded by the European Social Fund (ESF).

These guidelines provide the following:

- purpose of the FSD and legal obligations
- how to apply: eligibility and expenditure rules
- guidance on services and accommodations
- eligibility criteria for support
- allocation of funding
- Third Level Access (TLA) ESF claim

These guidelines are applicable to HEIs (see Appendix 3). There are separate guidelines for the further education and training colleges as well as for Irish students studying in the United Kingdom (including Northern Ireland) and other EU member states.

A2   Legal obligations of service providers

HEIs should be aware of the protections afforded to students with disabilities under the Equal Status legislation. For the purposes of the Equal Status Acts 2000-2015, HEIs are service providers and are prohibited from discriminating against any person seeking to access a course[1], benefit or facility on the grounds of disability or any of the eight other discriminatory grounds.

Section 4 of the Equal Status Act prescribes that, for the purposes of the Act, discrimination includes a refusal or failure by the provider of a service to do all that is reasonable to accommodate the needs of a person with a disability by providing special treatment or facilities, if without such special treatment or facilities it would be impossible or unduly difficult for the person to avail himself or herself of the service. A refusal or failure to provide the special treatment or facilities shall not be deemed to be reasonable unless such provision would give rise to a cost, other than a nominal cost, to the provider of the service in question. The meaning of nominal cost will depend on the size and resources of the organisation.

Under the principle of vicarious liability, the HEI has legal responsibility for the conduct, during their employment, of individual teachers, lecturers and other staff members. The HEI is also vicariously liable for discrimination by agents acting on their behalf.

The reasonable accommodation duty is only triggered where there is actual or constructive knowledge of the service user's disability. Where a service user chooses not to comply with a request for medical evidence/certification of the disability, this may relieve the service provider from their duty to reasonably accommodate.

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1   Any course provided by the HEI, whether full- or part-time.

A3   Purpose of the FSD

The purpose of the FSD is to provide resources to further and higher education institutions for the delivery of key services and supports for students with disabilities on full-time courses (and in the case of HEIs, part-time courses as well). The FSD aims to support the personal, educational and professional development of the participating student and contribute to the achievement of their full potential.

The Review of the Fund for Students with Disabilities, published in 2017, recommended the extension of FSD supports to students on part-time courses. As part of the 2018 allocation, HEIs were invited to begin preparations for inclusion of students on part-time courses under the FSD and use their allocations to assist students on part-time courses on a pilot phased approach. As part of the 2019 allocation and going forward, part-time students will continue to be supported by the FSD.

The FSD operates firmly within the context of the wider education policy landscape in Ireland, which emphasises the importance of the system being one in which students of all backgrounds can succeed within the mainstream, including those with disabilities. The FSD is designed to complement, rather than substitute for, the core system. The funding of the delivery of services and accommodations resourced by the FSD is underpinned by key principles including the shared understanding that the purpose of funded services is to support the development of independent learning, inclusive education environments and an overarching commitment to continuous evaluation and improvement of services to deliver best practice supports for students.

The FSD also aligns with the provisions of relevant legislation such as the Universities Act 1997 and the Technological Universities Act 2018 that include the promotion of equality of opportunity among students as one of the functions of HEIs. The Higher Education Authority Act 1971 also confers the HEA with the function of promoting the equality of opportunity in higher education.

PART B
HOW TO APPLY: ELIGIBILITY AND EXPENDITURE RULES

B

B1 How to apply for the FSD

HEIs are required to complete an FSD Resource Allocation Return (FSD RAR) by 31 May 2020 detailing the number of students with disabilities and the services and accommodations they required during the 2019/20 academic year. The data in this return will be used to inform the FSD funding allocation for 2021. The template for the FSD RAR will be supplied by the HEA.

(NB The FSD RAR which will inform the 2020 funding allocation was submitted to the HEA in June 2019.)

The FSD RAR should reflect student numbers as at 1 March 2020. FSD students who withdraw before that date will be counted for partial support (refer to template guidelines).

B2 Disclosure of need

The initial decision around disclosure rests with the individual. Where a student discloses to the HEI, they should be advised per the provisions of the Data Protection Acts 1988-2018, as to any relevant third-party sharing and should be requested to provide their explicit consent to same in writing.

B3 Assessment of need

Prior to requesting supports and services, HEIs must complete and document a needs assessment form in collaboration with the student (see Appendix 1).

A needs assessment form must be completed for each student included in the FSD RAR and should be maintained by the HEI for verification and audit by the HEA.

The needs assessment form is the source document that determines the supports and accommodations that will be requested on the student's behalf. Student participation in the assessment process is essential. It should be noted, however, that the document is the HEI's document and the HEI is ultimately responsible for decisions on the most appropriate support plan to meet the needs of the student.

Forms can be designed to protect a student's identity by using only a number or code during the process of evaluating applications. All information provided by students must be held in compliance with data protection legislation.

In addition, supporting documentation must be retained in compliance with ESF retention of records and audit trail guidelines.

Students should be asked to sign a declaration on completion of a FSD application which includes the wording *"that all the information provided is true, complete and accurate and that assistance from other sources has not been received for the stated purpose/service which is the subject of this application".*

ESF logos and recognition of assistance from the ESF should be present on application forms (see F3 for further information).

B4   Compliance with data protection requirements

Students should be informed of the data protection implications of providing their personal data. They should be informed that:

- personal data collected as part of the application process may be processed for the purposes of coordinating, monitoring and evaluating the operation of the FSD and to comply with European Union requirements;

- this personal data may include special category data, e.g. personally sensitive data where they choose to share that data, and;

- their data may be shared with third parties such as the HEA for the purposes of allocating funding and for monitoring and reporting on ESF co-financed activities.

Where a student discloses to the HEI, they should be advised per the provisions of the Data Protection Acts 1988-2018, as to any relevant third-party sharing and should be requested to provide their explicit consent to same in writing.

B5   Who is eligible for support under the FSD?

To be eligible for support under the FSD, a student must meet the following conditions:

- have a verifiable disability as outlined in **part D** of these guidelines

- meet the nationality and residency criteria as outlined in **Appendix 2**

- be a participant on a full-time or part-time course as outlined in **Appendix 3**

- have a verified need for specific supports to enable attendance on their chosen course

B6   Eligible expenditure

Funding can be used to provide supports and accommodations in any of the following categories:

a. assistive technology equipment and software (including student training)

b. non-medical helpers (e.g. personal assistants, notetakers)

c. academic/learning support

d. deaf supports (e.g. sign language interpreters, SpeedText)

e. transport support

HEIs are required to comply with European and national procurement guidelines when procuring services or accommodations in relation to the FSD, and, where appropriate, explore opportunities to procure services or accommodations using a 'shared service' approach.

B7   Ineligible expenditure

The FSD does not cover expenditure for any of the following:

- assessment or diagnosis of a disability

- any medical equipment, assistance or support

- services that can reasonably be expected to be provided by the HEI (e.g. counselling service) or by another agency (e.g. HSE)

- course-related equipment, materials or software (i.e. applicable to all students on the course)

- support or assistance provided outside the academic year, or periods during the academic year when the HEI is closed (save for the exceptional circumstances set out in section C8)

- subsistence, mileage and accommodation costs for personal assistants, notetakers, SpeedText operators or Irish Sign Language (ISL) interpreters

- staff training and development

- policy work or research

- student accommodation (i.e. on-campus or off-campus)

- salaries of staff in disability or access services involved in administrative work

B8   Financial and data requirements

Financial period for the FSD

The financial year for the 2019 FSD is 1 January 2019-31 December 2019.

Financial reporting requirements

In line with existing practice, HEIs are asked to maintain full and appropriate records of all transactions and assistance given to each student.

Record-keeping and financial reporting for the FSD are necessary to establish the ongoing position of HEIs regarding the allocation of the fund locally and to inform national policy.

Data is also required on the types of cost items for which funding is allocated to students. To support these objectives, HEIs are required to complete and submit an annual expenditure report (see Appendix 4).

The FSD is an objective of the Third Level Access (TLA) activity which is co-funded by the ESF Programme for Employability, Inclusion and Learning (PEIL) 2014-2020. Participation involves compliance with both national and EU reporting requirements, including the completion of annual financial returns by each HEI (see Appendix 5).

B9   Resource allocation return

The FSD RAR will be issued electronically by the HEA to the HEIs. Only this return should be used to request funding under the FSD; no other document will be accepted or processed by the HEA. The return should be completed electronically and submitted by email to the HEA by the date indicated. Submission of the FSD RAR in paper format will not be accepted. The 2019/20 FSD RAR is currently being updated and will be circulated to HEIs in due course.

The FSD RAR will capture the total number of eligible students and details of specific requests for supports. These variables will inform the overall funding allocation. Allocations can be used to fund eligible expenditure as set out in B6.

Note: the HEA reserves the right to ask for supporting documentation associated with a funding request from the HEI, including a copy of the needs assessment form, evidence of disability, proof that the student meets the residence/nationality criteria and confirmation of registration/participation on an approved course. This may be requested as part of an audit, site visit or other quality control measures that may be implemented.

PART C
GUIDANCE ON SERVICES
AND ACCOMMODATIONS

C

This section provides information on the types of services and accommodations that fall within the expenditure scope of the FSD.

The HEA strongly recommends that HEIs plan to implement goal 1 of the National Plan for Equity of Access to Higher Education 2015-2019 (as extended to 2021 by the Progress Review of the National Access Plan and Priorities to 2021 published in December 2018) to mainstream inclusive practices across the whole HEI. Such a plan will embed inclusive practices across all faculties and services and help to ensure that disability services are as effective as possible in supporting students who require additional supports.

Publications, resources and professional training are available that can help advise the development of professional disability services in higher education.

Only costs associated with the delivery of services and accommodations directly to eligible students are covered under the FSD. Developmental costs, e.g. staff training and development, are not eligible.

In cases where HEIs employ personnel to deliver supports, the contractual relationship and the rights and duties embodied within it are strictly between the individual employee and the HEI.

C1 Assistive technology equipment and software

Assistive technology is defined as any item, piece of equipment or product system, whether acquired commercially off the shelf, modified or customised/custom-built, that is used to increase, maintain or improve functional capabilities of individuals with disabilities.

The FSD may also be used to cover training for students in the use of such technology. Training for staff is not considered eligible.

C2 Non-medical helpers

Non-medical helpers, such as personal assistants or notetakers, provide help to students with disabilities who require assistance with the logistical and personal care requirements associated with attendance on a course of study. Funding can be used to provide the service to a student during an HEI's normal operating hours and, if required, to assist the student with commuting to and from college. In general, personal assistance is only provided to students with physical/ mobility disabilities and blind/visually impaired students who require such assistance to participate in their chosen course of study. However, it is recognised that students with non-physical disabilities e.g. Asperger syndrome may also require non-medical help and assistance during their studies.

Many students with severe physical/mobility disabilities may require a personal assistant for the entire period each day that the student is in college. Other students may only require personal assistance at certain times of the college day. Blind students may require personal assistance for a short period at the beginning of the academic year, until they have familiarised themselves with their surroundings. As the independence of the student is compromised using a personal assistant, the service should only be provided when necessary and after the full range of options have been explored. Decisions associated with the engagement of a personal assistant are with the HEI, taking account, where appropriate, of the student's wishes/preferences.

In relation to non-medical helper supports that may be required outside the normal academic year, e.g. during summer months, these may be considered eligible under the FSD in the case of students with particular or specific high needs who may require access to facilities or services outside the normal academic year, e.g. postgraduate students, to support their academic progression and completion.

Notetakers

Students with disabilities that affect their ability to record class notes may be eligible for notetaking support. A range of alternative solutions are increasingly in place in education which can reduce the need, partly or fully, for the traditional notetaking approach. Lecturers making notes available to students in advance, preferably online, reduces the need for dedicated notetakers. Recording of lectures or the use of products such as the Livescribe pen are other options. HEI disability services should explore all options before recommending the provision of a notetaker. Notetaking is not a substitute for a student's full participation in each class. Notetaking support can be provided during academic contact hours only.

C3   Academic/learning support

Learning support is important for all students, including those with disabilities. For this group, the development of skills, tools and techniques that minimise or eliminate any barriers presented by the learning environment are particularly critical to student success and progression in higher education and beyond.

In addition to assistive technology, study skills support is the most common category of learning support required by students with learning difficulties. This includes memorisation, mind mapping, taking notes, writing skills and personal learning strategies. It can be delivered in small groups or individually, and there are an increasing range of online applications/tutorials available. Both study skills support and specialist learning supports may also be needed by students with mental health difficulties, autistic spectrum conditions and those with multiple disabilities.

Funding is not available for the provision of tutorials that are a direct substitute for core teaching where the student is not prevented because of their disability from participating in core lectures or class-wide tutorials. The HEI should be satisfied that subject-specific tutorials for which funding is being sought have been identified as part of an assessment of needs as reasonable accommodation resulting from the impact of a student's condition/disability.

C4   Deaf supports

Supports such as ISL interpreters and SpeedText

ISL is an officially recognised language under the Irish Sign Language Act 2017 and is regarded as the first language of its users (the deaf community). ISL interpreters translate between English and the language and vice-versa. ISL can be provided during academic contact hours only.

SpeedText is an electronic class synopsis and notetaking system using two laptops, one for the deaf or hard-of-hearing person (for real-time display) and the other for the specially trained operator (for input). A SpeedText operator is trained in condensing language, thus transmitting the meaning of the points discussed, not the actual word-for-word transcription. SpeedText is not a verbatim service. It is primarily for deaf/hard-of-hearing people who have a good command of the English language. SpeedText can be provided during academic contact hours only.

C5   Transport supports

Some students with disabilities have significant, additional travel costs to pay to get to and from their HEI. Funding is available for this purpose primarily for the support of students with physical/mobility difficulties or blind/visually impaired students.

Only in exceptional cases are additional travel costs for students with other types of disabilities eligible under the FSD where a student, because of their disability, incurs additional transport costs in attending college beyond those faced by any student commuting from the same area. In these cases, the funding contribution is limited to the incremental element of the costs relating to one single or return journey per day.

In relation to transport supports that may be required outside the normal academic year, e.g. during summer months, these may be considered eligible under the FSD in the case of students with particular or specific high needs who may require access to facilities or services outside the normal academic year, e.g. postgraduate students, to support their academic progression and completion.

HEI personnel should be satisfied that the need to avail of the proposed transport and the incurrence of additional expenses for the student to participate equitably is supported by the diagnosis in the assessment of disability.

C6   Inclusion of supports for students on part-time courses

The Review of the Fund for Students with Disabilities, published in 2017, recommended the extension of FSD supports to students on part-time courses. As part of the 2018 allocation, HEIs were invited to begin preparations for inclusion of students on part-time courses under the FSD and use their allocations to assist students on part-time courses on a pilot phased approach. As part of the 2019 allocation and going forward, part-time students will continue to be supported by the FSD.

C7   Examination supports

In line with the overall principles of the FSD, supports to students with disabilities should be mainstreamed as much as possible within a HEI. This also applies to examination supports or accommodation. However, if specific high-level supports are required for examinations, these may be considered eligible under the FSD.

C8   Supports outside the academic year

In line with the categories of ineligible expenditure outlined in B7, support or assistance provided outside the academic year, or periods during the academic year when the HEI is closed, are not covered by the FSD.

However, HEIs have discretion to consider cases, e.g. students with particular or specific high needs who may require assistance to be able to access facilities or services outside the normal academic year, e.g. library, to support their academic progression and completion.

C9   Work placements and internships

Work placements and internships are an increasing feature of many programmes in HEIs. Students with disabilities undertaking such placements as part of their studies may continue to be supported under the FSD in respect of the categories of eligible expenditure outlined in B6. HEIs and employers should work together to identify any particular student needs that may need to be accommodated by an employer in hosting a student as part of their work placement or internship.

PART D
ELIGIBILITY CRITERIA FOR SUPPORT

D

This section applies to eligible students for which a funding request is being made for the first time. The criteria set out in this section are specifically associated with the FSD and HEIs should not assume that the same criteria apply in other contexts, e.g. obligations under law.

Funding can be requested for eligible students who have provided evidence of disability documentation that meets the criteria for the FSD as set out below. Responsibility for collecting and screening of the documentation to establish that it meets the criteria is with the HEI, and such documentation should be retained on-file by the HEI.

Acceptable evidence of disability documentation is either:

a. a report that meets the criteria as set out in the table below, or

b. the CAO/Disability Access Route to Education (DARE) evidence of disability form that meets the criteria as set out below where the student has completed this step as part of a CAO application. Please note that the CAO/DARE evidence of disability form is not considered acceptable as evidence of disability in the case of specific learning difficulties (dyslexia and dyscalculia) and students with DCD-dyspraxia/dysgraphia.

Where the CAO/DARE evidence of disability form is furnished, the requirements as stated on the form must be met (including that it be accompanied by the qualified health professional's stamp, business card or headed paper; or where the information from the qualified health professional is provided by a GP, it be accompanied by the GP's stamp, business card or headed paper).

Providers of reports must be appropriately qualified professionals and members of professional/regulatory bodies. Reports should be signed and on headed paper.

A GP's own diagnosis of a disability/condition is not acceptable as evidence of disability for the purposes of the FSD.

Please also note the following:

- Where a funding request is based on needs arising from more than one disability, appropriate evidence of disability documentation for each disability must be provided by the student and retained on file by the HEI.

- All HEIs should advise students and relevant third parties that any medical reports or professional opinions compiled by third parties in support of an application should only contain details relevant to the disability being outlined.

- Disability documentation which has been completed in a language other than English can be submitted, along with an English translation. This translation must be conducted by an individual/organisation that is completely independent of the student.

DISABILITY	EVIDENCE AND ELIGIBILITY CRITERIA	AGE OF REPORT
Autistic spectrum disorder (ASD)	A report from an appropriately qualified consultant psychiatrist OR psychologist OR neurologist OR paediatrician providing a diagnosis of ASD	No age limit
Attention deficit disorder (ADD) **Attention deficit hyperactivity disorder (ADHD)**	A report from an appropriately qualified consultant psychiatrist OR psychologist OR neurologist OR paediatrician providing a diagnosis of ADD/ADHD	No age limit
Blind **Vision impaired**	A report from one or more of the following: ▸ ophthalmologist/ophthalmic surgeon providing a diagnosis of severe reduction in vision that cannot be corrected with standard glasses or contact lenses. The diagnosis must be in relation to best-corrected visual acuity or field of vision ▸ a letter from the National Council for the Blind of Ireland confirming registration ▸ a letter from the principal from a school for the blind confirming attendance	No age limit
Deaf **Hard of Hearing**	A report from one or more of the following: ▸ an audiogram from a professionally qualified audiologist and/or ENT consultant, indicating moderate to profound bilateral hearing loss (i.e. above 40dB) ▸ a letter from the principal from a school for the deaf confirming attendance	No age limit

DISABILITY	EVIDENCE AND ELIGIBILITY CRITERIA	AGE OF REPORT
Developmental co-ordination disorder (dyspraxia/dysgraphia)	A report from a psychologist OR an occupational therapist OR neurologist diagnosing developmental co-ordination disorder (dyspraxia) The CAO/DARE evidence of disability form is **not** acceptable evidence of disability for this category of disability	No age limit
Mental health condition (for example, bipolar disorder, schizophrenia, clinical depression, severe anxiety, severe phobias, obsessive compulsive disorder, severe eating disorders and psychosis)	A report from a consultant psychiatrist OR specialist registrar	Less than five years
Neurological condition	A report from one or more of the following: ▸ Neurological conditions – neurologist OR another relevant consultant ▸ Speech and language disabilities – speech and language therapist	No age limit
Significant ongoing illness	A report diagnosing a significant ongoing illness such as: ▸ Diabetes type 1 – endocrinologist OR paediatrician ▸ Cystic fibrosis – consultant respiratory physician OR pediatrician ▸ Gastroenterology condition – gastroenterologist ▸ Other – consultant OR consultant registrar	Less than five years

DISABILITY	EVIDENCE AND ELIGIBILITY CRITERIA	AGE OF REPORT
Physical/mobility	A report from an orthopaedic consultant OR other relevant specialist diagnosing a significant physical or mobility difficulty	No age limit
Specific learning difficulties (dyslexia or dyscalculia)	The report of a psycho-educational assessment by a psychologist OR by an assessor (PATOSS accredited) diagnosing a specific learning difficulty Students may be asked for their latest assessment scores/educational reports to assist HEIs in determining the appropriate level of support All tests used in the assessment must be valid, reliable and age appropriate The CAO/DARE evidence of disability form is **not** acceptable evidence of disability for this category of disability	No age limit

PART E
ALLOCATION OF FUNDING

E

E1 Allocation of funding

A single, annual allocation of FSD funding will be made to HEIs by the HEA. This allocation will be made as early as possible in the year. No further supplementary allocations will be made.

FSD will be allocated as a block grant to HEIs, with the subsequent internal allocation to be managed at the discretion of the HEIs, so long as it meets the overall FSD guidelines for eligible and ineligible expenditure at B6 and B7 above.

FSD funding will be allocated based on student numbers and level of need. A table of FSD student numbers by HEI will be circulated each year to all HEIs as part of the HEA system of ensuring consistency.

E2 Unspent balances

Unspent FSD funding from a previous year may be retained by a HEI for a modest period of time, to be applied towards agreed strategic goals for the provision of services to students with disabilities. In general, retained balances should not exceed circa 2% of the overall FSD allocation to the HEI.

E3 Model for allocating FSD funding

The approach to the allocation of FSD funding has been developed based on the recommendations of the Review of the Fund for Students with Disabilities. This approach will provide an increased level of transparency and consistency.

FSD funding in one year will be allocated based on the number of students with disabilities in the preceding year who require support under the following categories as evidenced by a needs assessment document:

a. assistive technology equipment and software (including student training)

b. non-medical helpers (e.g. personal assistants, notetakers)

c. academic/learning support

d. deaf supports (e.g. sign language interpreters, SpeedText)

e. transport support

As part of the implementation of the new funding model, weightings have been applied to types of supports provided, at a range of levels. The census date for count of FSD students is 1 March. Each student who is present at this date will count as 1 (before application of weightings). A HEI's percentage share of weighted FSD student numbers will largely determine its share of available FSD grant funding.

As part of further work with the Implementation Group for the Review of the Fund for Students with Disabilities, weightings will be developed in line with supports provided, areas under consideration are assistive technology and learning support categories. Inclusion of allocations for students who withdraw before 1 March, having completed a needs assessment and availed of supports, will also be considered at a reduced weighting.

Cost weightings by type of support and level of need

CATEGORY OF SUPPORT AND LEVEL OF NEED	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
Basic support	1			
Non-medical helper	4	8	12	16
Deaf/hard of hearing supports	4	8	16	22
Transport	4	8	16	22

FSD student numbers and data returned will be analysed and converted into weighted student numbers. The weightings will be determined by relative costs of different levels of need.

The changes in grant funding to each HEI as indicated by the transition to the new approach to funding allocation will be phased in to ensure financial stability.

Cash flow

A payment profile will be agreed and will comprise a minimum of two payments, reflecting the balance of expenditure, e.g. 50% in the first payment and 50% in the subsequent payment.

PART F
THIRD LEVEL ACCESS (TLA) ESF CLAIM

F

Actions to develop skills and promote participation in education and training are central elements of ESF co-funded programmes and the objective of data collection is to assess the impact of ESF support.

ESF claims will be made to the European Commission in respect of the TLA activity.

Under the current round of ESF funding, the Programme for Employability, Inclusion and Learning (PEIL) 2014-2020, only direct salary costs plus 40% will be included in claims. Expenditure under the various cost headings of the FSD will not be claimed, as was previously the case.

An ESF TLA claim will comprise of both a non-financial data declaration (see section below on non-financial declarations/student reporting requirements) and a financial declaration on an annual basis.

F1 Financial declaration

Financial declarations will be eligible direct salary costs including Employer PRSI, plus 40%. The declaration will be uploaded onto the e-Cohesion system. A standard template for the return of financial and non-financial data has been developed and can be sourced from the e-Cohesion system.

Staff costs include the total remuneration, including in-kind benefits in line with collective agreements, paid to people in return for work related to the operation. They also include taxes and employees' social security contributions as well as the employer's compulsory and voluntary social contributions. The following are not considered to be staff costs for ESF claim purposes:

- costs of business trips
- allowances or salaries disbursed for the benefit of participants (e.g. students, trainees) in ESF operations
- redundancy or back-pay costs paid to staff that are not related to the eligibility period of the operation being co-funded.

Also, any net revenue generated from the co-funded operations shall be deducted from its eligible expenditure in line with section 3.6 of the Department of Education and Skills' Circular 1/2016 (replacing Circular 1/2015) Eligibility Rules for 2014-2020 ESF. This includes any maternity and welfare benefits paid/reimbursed to the employer.

The declaration will be uploaded by the HEI onto the e-Cohesion system. A standard template for the return of financial data has been developed and can be sourced here.

F2   Non-financial declarations/student data reporting requirements

As part of the conditions of co-financing under the ESF PEIL 2014-2020, detailed data will be required from each HEI on each student who benefits directly from ESF support. The e-Cohesion system supports the return of this data by HEIs. This system was rolled out in 2017 and included testing and training for users. The timelines for this project need to be respected to ensure that Ireland doesn't lose any EU funding. HEI personnel have a key role to play in supporting the implementation and the continued establishment of this system.

A separate line of ESF indicator data is required on every student benefitting from SAF for the purposes of filling in the reporting template in the e-Cohesion system.

ESF data is gathered on all students who are benefitting from the FSD and/or SAF. ESF data returns for each year should be made up of the participants who've benefitted from either fund.

Where a student benefits from both the SAF and the FSD during their multi-annual higher education programme of study, s/he is only reported once over the lifetime of PEIL (2014-2020). The Commencement Date reported shall be the earlier of the SAF and the FSD commencement dates and the Completion Date shall be the later of the SAF and the FSD completion dates.

The Commencement Date for students benefiting from the SAF/FSD in 2019/20 academic year should be recorded as their registration date for that academic year, which will generally be in September 2019. A student's completion date will be the end of the academic year in which they completed the course on which they were enrolled when they first benefitted from the SAF/FSD.

For students supported by the SAF/FSD in the 2019/20 academic year, the deadline for the return of data will be 1 March 2020.

Appendix 5 provides a summary of the fields of data that require to be gathered by HEIs from each student benefitting from the fund.

Detailed information is set out in the ESF Managing Authority Guidance on the Completion of Financial Declarations and the Non-Financial Indicator Data.

The declaration will be uploaded onto the e-Cohesion system. A standard template for the return of non-financial data has been developed for the TLA activity and can be sourced here.

F3 ESF publicity requirements

The DES, HEA, HEIs and any other bodies who implement ESF co-funded programmes are obliged to ensure that recognition of assistance from the ESF is provided.

It is a regulatory requirement that all FSD recipients are informed of the ESF support. This must be adhered to by displaying Ireland's ESIF logo and the EU Emblem (referred to collectively as the ESF logos) and using the below statement in all FSD information and communication material, including on the HEI's website.

The Fund for Students with Disabilities is co-funded by the Government of Ireland and the European Social Fund as part of the ESF Programme for Employability, Inclusion and Learning 2014-2020.

The ESF logos and the statement should feature on ALL items produced in relation to the FSD. The following are just some examples of where ESF assistance should be publicised:

- application forms
- student forms of undertaking
- advertisements, including radio and television
- speeches, press releases, invitations
- posters, leaflets, booklets, video covers
- online/videos
- folders, communication materials and backdrops for exhibitions, conferences, events, seminars

Please refer to the European Social Fund Programme for Employability, Inclusion and Learning 2014-2020 Information and Communication Guidelines for further information on ESF information and communication requirements.

Regular checks are carried out to ensure compliance with promotional requirements.

Failure to comply with ESF publicity requirements may lead to financial penalties.

Document retention

Source documentation from which the final claims and indicator data returns are prepared must be retained in the event of an inspection by the following:

- Higher Education Authority
- Department of Education and Skills
- Comptroller and Auditor General
- ESF Managing Authority
- ESF Audit Authority
- European Commission
- European Court of Auditors

Supporting documentation must be retained in compliance with ESF retention records and audit trail guidelines. Please refer to the Circular 13-2015 Management Control Procedures for ESIF 2014-2020 DPE for further information.

SUBMISSION OF FSD RAR

The FSD RAR should be forwarded electronically to fsd@hea.ie.

The HEA will provide ongoing advice and support to HEIs and any queries can be directed to fsd@hea.ie or by phoning 01-2317100.

APPENDIX 1
SAMPLE NEEDS ASSESSMENT FORM

1

Sample Needs Assessment Form

Nature of disability

_____

Nature of supports/assistance required

_____

Non-medical support

☐   Personal Assistant

Deaf/hard of hearing support

☐   Irish Sign Language (ISL) interpreter

☐   SpeedText

Assistive technology

Hardware e.g. laptop (please specify)

Software e.g. audio notetaker, texthelp etc.

Academic/learning support

Non-medical helper support _e.g. specialist learning supports e.g. for students with SLD, MHC, ASD_

_____

General study support _e.g. study skills support_

Transport cost

_____

Alternative formats

_____

APPENDIX 2
RESIDENCY, NATIONALITY AND IMMIGRATION CRITERIA

2

Residency

To be eligible for support under the FSD, a student must be legally resident in Ireland for at least three of the five years up to the day before their approved course commences in an approved HEI. If the student does not qualify at the beginning of their course, it is possible for them to meet this requirement during their studies. This should be reviewed at the beginning of an academic year.

Nationality

To qualify the student must be either:

- an Irish national

- a national of another EU member state, the European Economic Area (EEA) or Switzerland

In relation to the withdrawal of the United Kingdom from the European Union, for the 2019/20 academic year United Kingdom nationals studying in Ireland may continue to be supported under the FSD provided they meet the other criteria of the FSD e.g. eligibility criteria for support, approved course and HEI.

Immigration status

If one of the nationality categories above does not apply, then the student will need to have:

- been declared a refugee under the Refugee Act 1996 (as amended), **or**

- admitted to Ireland as a Programme Refugee, **or**

- permission to remain in Ireland as a family member of a refugee under section 18 of the Refugee Act 1996, **or**

- been granted subsidiary protection under the European Communities (Eligibility for Protection) Regulations 2006, **or**

- permission in writing to enter and reside in Ireland under Regulation 16 of the European Communities (Eligibility for Protection) Regulations 2006, **or**

- permission to remain in the State as a family member of a European Union, EEA or Swiss citizen under the European Communities (Free Movement of Persons) Regulations 2006 and 2008 and EU Directive (EU Treaty Rights provisions), **or**

- permission to remain because of marriage or civil partnership with an Irish national or because you are the dependent child of such person, **or**

- humanitarian leave to remain granted before the Immigration Act 1999 came into effect, **or**

- permission to remain in Ireland following a decision not to deport under section 3 of the Immigration Act 1999.

APPENDIX 3
APPROVED COURSES AND HEIS

3

Approved Courses and HEIs

Full-time undergraduate courses of not less than two years in duration

or

Part-time undergraduate courses of not less than one year in duration

or

Postgraduate courses (full- or part-time) of not less than one-year in duration.

Repeat students are covered by the FSD provided they are repeating a year of study and continue to meet the other relevant eligibility criteria in Appendices 2 and 3. In the case of students who may be repeating e.g. a module or exam only, HEIs have discretion to consider exceptional circumstances, e.g. students with particular or specific high needs on a case-by-case basis.

Students on apprenticeship courses are also covered by the FSD in respect of the period(s) when they are attending lectures in a HEI for the period of their study.

Approved HEIs:

Dublin City University

University College Cork

University College Dublin

National University of Ireland, Galway (including Shannon College)

Maynooth University

Trinity College Dublin

University of Limerick

Technological University Dublin

Athlone Institute of Technology

Institute of Technology Carlow

Cork Institute of Technology

Dundalk Institute of Technology

Institute of Art, Design and Technology Dún Laoghaire

Galway-Mayo Institute of Technology

Letterkenny Institute of Technology

Limerick Institute of Technology

Institute of Technology Sligo

Institute of Technology Tralee

Waterford Institute of Technology

Marino Institute of Education*

National College of Art & Design

National College of Ireland

Mary Immaculate College

St Angela's College

Pontifical University of Maynooth*

Carlow College (St Patrick's)*

Royal College of Surgeons in Ireland*

Montessori College (A.M.I.), Milltown*

St Nicholas Montessori College*

The Honorable Society of King's Inns*

The Law Society of Ireland, Blackhall Place*

ESF financial and non-financial declarations are not required for the HEIs indicated by an *.

APPENDIX 4
SAMPLE ANNUAL EXPENDITURE REPORT 2019

4

Sample Annual Expenditure Report 2019

HEI:

Contact Person: **Email:**

Annual summary of expenditure

A.	2019 allocation	€
B.	Expenditure of 2019 allocation as at 31 December 2019	€
C.	Carry over balance to be brought forward to 2020 (A-B)	€

The undersigned, being the operational agency official responsible for the preparation of this return, hereby certifies:

(a) that the figures contained in this return are accurate and complete

(b) that the costs covered by this claim have already been incurred and amounts given in this return have actually been expended.

Signature:

Name:

Title:

Signature of chief financial officer/vice-president of finance

Signature:

Name:

Title:

APPENDIX 5
THIRD LEVEL ACCESS (TLA) INDICATOR DATA REQUIRED FOR ESF REPORTING

5

Common Output (CO) Indicators

LABOUR MARKET STATUS	
CO01 – unemployed, including long-term unemployed, **CO02** – long-term unemployed, **CO03** – inactive, **CO04** – inactive, not in education and training, and **CO05** – employed, including self-employed.	All of these indicators are potentially relevant to TLA participants. However, where a participant was enrolled in the HEI in the previous academic year, and has returned the following year, they should be recorded as being inactive, even if they were in employment in the intervening period.

AGE	
CO06 – below 25 years of age **CO07** – above 54 years of age **CO08** – above 54 years of age who are unemployed, including long-term unemployed, or inactive not in education or training	There are no age-specific notes for this activity – the activity is open to all ages.

EDUCATIONAL ATTAINMENT	
CO09 – with primary (ISCED 1) or lower secondary education (ISCED 2) **CO10** – with upper secondary (ISCED 3) or post-secondary education (ISCED 4) **CO11** – with tertiary education (ISCED 5 to 8)	There are no education-specific notes for this activity.

DISADVANTAGE	
CO15 – Migrants, participants with a foreign background and minorities **CO16** – Disability **CO17** – Other disadvantaged	All participants who benefit from the FSD will, by definition, be recorded under CO16. Similarly, all participants who benefit from the SAF should be recorded under CO17. CO15, CO16 & CO17 are not mutually exclusive and thus a Yes can be made in each indicator if applicable.

Common Immediate Result (CR) Indicators

CR01 – inactive participants engaged in job searching upon leaving **CR02** – participants in education/training upon leaving **CR03** – participants gaining a qualification upon leaving **CR04** – participants in employment, including self-employment, upon leaving **CR05** – disadvantaged participants engaged in job searching, education/training, gaining a qualification, in employment, including self-employment, upon leaving	All the Common Immediate Result Indicators are potentially of relevance to participants in this activity. As all the participants will have been recorded under at least one of the disadvantage indicators CO16 or CO17, CR05 is potentially relevant to all participants.

Common Longer-Term Result Indicators

CL01 – participants in employment, including self-employment, six months after leaving **CL02** – participants with an improved labour market situation six months after leaving **CL03** – participants above 54 years of age in employment, including self-employment, six months after leaving **CL04** – disadvantaged participants in employment, including self-employment, six months after leaving	All the Common Longer-Term Result Indicators are potentially of relevance to participants in this activity. As It is expected that participants will have been recorded under one of the disadvantage indicators CO16 or CO17, CL04 is potentially relevant to most participants.

Programme Specific Indicators

PO31.1 – The number of disadvantaged or/and disabled persons assisted in accessing third level education (Student Assistance Fund and Fund for Students with Disabilities)	All participants
PO31.2 – The number of LTU disadvantaged or/and disabled persons assisted in accessing third level education (Student Assistance Fund and Fund for Students with Disabilities)	All participants who were recorded as long-term unemployed on their Commencement Date.
PR31.1 – The number of disadvantaged or/and disabled persons assisted in accessing that gained a third level education upon leaving	All participants who gained a qualification upon leaving, i.e. all participants who were recorded under CR03 above.
PR31.2 – The number of LTU disadvantaged or/and disabled persons assisted in accessing that gained a third level education upon leaving	All participants who were recorded as long-term unemployed on their Commencement Date and who gained a qualification upon leaving, i.e. all participants who were recorded under both PO31.2 and PR31.1 above.

APPENDIX 6
USEFUL LINKS

6

AHEAD

The Association for Higher Education Access and Disability (AHEAD) is an independent non-profit organisation working to promote full access to and participation in further and higher education for students with disabilities and to enhance their employment prospects on graduation.

http://www.ahead.ie/

Student Finance

This website provides useful information on financial support for further and higher education.

http://www.studentfinance.ie/

Disability Access Route to Education

The Disability Access Route to Education (DARE) is a college and university admissions scheme which offers places at reduced points to school leavers with disabilities.

http://www.accesscollege.ie/

Enable Ireland

Enable Ireland's mission is to work in partnership with those who use our services to achieve maximum independence, choice and inclusion in their communities.

http://www.enableireland.ie/

National Council of the Blind of Ireland (NCBI)

NCBI, the national sight loss agency, is a not for profit charitable organisation which provides support and services nationwide to people experiencing sight loss.

http://www.ncbi.ie/

Chime – the National Charity for Deafness and Hearing Loss

Chime's mission is to limit the impact of deafness and hearing loss through promoting accessibility, creating supportive communities, and enabling personal choice and community participation.

https://www.chime.ie/

Aspire

The Asperger Syndrome Association of Ireland's aim is to support people with Asperger Syndrome to lead full and independent lives.

http://www.aspireireland.ie/

Dyslexia Association of Ireland

The Dyslexia Association of Ireland aims to promote the understanding, treatment and prevention of the problems which can be associated with dyslexia, a specific learning disability.

http://www.dyslexia.ie/

The Irish Wheelchair Association

The Irish Wheelchair Association is a driving force for change, development and enhancements in the quality of life of people with disabilities in Ireland.

http://www.iwa.ie/

Irish Association of Supported Employment

The Irish Association of Supported Employment is a national voluntary organisation which was established in February 1994 with the aim of promoting and developing supported employment at a national level.

http://www.iase.ie/

Disability Federation of Ireland

Disability Federation of Ireland is the national support organisation for voluntary disability organisations in Ireland who provide services to people with disabilities and disabling conditions.

http://www.disability-federation.ie/

Support for Erasmus Students and Staff with a Disability

The National Agency (HEA) makes available additional support to assist students and staff with the extra costs incurred by those who wish to undertake an Erasmus+ mobility. Students/staff may be awarded Erasmus+ support to help cover the travel and subsistence costs (including insurance and visa costs) incurred during their study period abroad.

http://eurireland.ie/i-am-a/erasmus-student/supplementary-support-for-students-with-disabilitiesspecial-needs/

European Students' Union

The European Students' Union (ESU) is the umbrella organisation of 47 National Unions of Students (NUS) from 39 countries (December 2012). The NUS are open to all students in their respective country regardless of political persuasion, religion, ethnic or cultural origin, sexual orientation or social standing. The aim of ESU is to represent and promote the educational, social, economic and cultural interests of students at the European level towards all relevant bodies and the European Union, Bologna Follow Up Group, Council of Europe and UNESCO. ESU represents over 11 million students in Europe.

http://www.esu-online.org/

ESF Ireland

The European Social Fund is the European Union's main financial instrument for investing in people. The specific objectives of the ESF are to help prevent and fight unemployment; to make Europe's workforce and companies better equipped to face new challenges and to prevent people losing touch with the labour market through investment in education, skills and employment support.

By the end of the current round of funding Ireland will have received over €7 billion from the ESF since joining the EU in 1973. For the 2014-20 period, the Programme for Employability, Inclusion and Learning (PEIL) is the ESF Operational Programme in Ireland. The PEIL involves a total investment of €1.157 billion; €545 million each from the ESF and the Government of Ireland. Ireland also receives a special allocation of €68 million from the EU's YEI Budget.

http://www.esf.ie/

Notes

Notes