



SASSETA

Instrument for Monitoring Learnership Implementation

Learnership Title:.....

SAQA ID:.....

Contents

Section 1	Overview.....	3
1.1	Legal Basis.....	3
1.2	Purpose.....	3
1.3	Scope.....	3
Section 2	Management Plan.....	3
2.1	Role of Monitors.....	3
2.2	Monitoring Framework.....	4
2.3	Process Flow.....	4
Section 3	Procedures.....	4
3.1	Planning.....	4
3.2	Pre-monitoring Briefing.....	4
3.3	Monitoring Resources.....	4
3.4	Monitoring Stages.....	4
3.5	Evaluation instruments/Check Lists.....	5
3.6	Interviews & feedback.....	5
3.7	Reporting.....	5
3.8	Compliance follow up.....	5
3.9	Enforcement and Legal Proceedings.....	6
	Annexure 1: Monitoring Checklist.....	6
	Annexure 2: Compliance Status Record.....	8
	Annexure 3: Compliance Approval Record.....	10

Section 1 Overview

1.1 Legal Basis

The legal basis for the activities proposed in this instrument, reside in the Basis Conditions of Employment Act 1997 (75 of 1997), read together with the Skills Development Act, No 97 of 1998, the Learnership Regulation 2001, and the Sectoral Determination No 5: Learnerships of 15th June 2001.

1.2 Purpose

The purpose of this Instrument is to provide, the criteria against which monitoring and evaluation will be made by those persons authorised by SASSETA to do so, as a means for determining the compliance with the BCEA by employers, including lead employers, falling within the Skills Development Legislation and the Sectoral Determination No 5: Learnerships.

The Instrument also provides a record of monitoring outcomes upon which recommendations for action will be based.

1.3 Scope

The scope of this instrument and supporting procedures is applicable to all employers involved in providing and managing learnerships, learners participating in learnerships, and training providers.

Section 2 Management Plan

This section provides the framework within which the monitoring of Learnerships are assured for quality and compliance purposes.

2.1 Role of SASSETA Monitors

It is the role of monitors to ensure:

- employers comply with the requirements of the Sectoral Determination No 5: Learnerships and fulfill their responsibilities as per the Learnership Agreement (Annexure B: Learnership Regulations)

2.2 Monitoring Framework

Monitoring data is generated, recorded and processed in a manner that identifies compliance (report) or non-compliance (report and corrective actions required). The following Annexures will be used:

Annexure A: Monitoring Checklist, regarding all compliance details recorded plus those non-compliance issues requiring corrective actions, resulting from a documented monitoring process.

Annexure B: Compliance Status Record

Annexure C: Employer Compliance Status Record containing the employers response or remedial action to the non compliance as agreed between the parties.

Annexure D: Compliance Approval Record, regarding the compliance status of all non-compliant issues reported for action, and evaluated during a follow up monitoring visit.

2 3 Process Flow

The flow of information, generated by a monitoring visit, using standardised instrument checklists and reports, will occur as follows:

- Phase 1 is the monitoring visit and compliance report status,
- Phase 2 being the employers report regarding compliance actions completed, and
- Phase 3 being the follow up compliance status report by the monitor

Section 3 Procedures

3.1 Planning

3.1.1 Monitors will establish contact with the workplace or site to be monitored and agree a monitoring schedule. Confirmation in writing will be provided to all those involved in the monitoring process, at least 5 working days in advance of the monitoring schedule.

3.1.2 The monitoring team will consist of SASSETA Learnership personnel.

3.2 Pre monitoring Briefing

Briefing will be based on an explanation of the monitoring and evaluation process to be implemented on site.

This briefing will occur by arrangement with the workplace representatives.

3.3 Monitoring Resources

All required resources will be detailed and costed at the planning stage and will be approved in writing by SASSETA.

3.4 Monitoring Stages

Monitoring and Evaluation of each of the stages, process and systems referred to in Sectoral Determination No 5: Learnerships. Monitoring will be completed at least annually in each workplace or other designated site, or otherwise by agreement and will cover all sections of the Sectoral Determination No 5: Learnerships.

3.5 Evaluation instruments/Check Lists

Evaluation instruments will contain checklists to provide a standardised and transparent approach in recording monitoring outcomes.

3.6 Interviews & feedback

Interviews will be conducted between the Monitor, learner representatives, and the workplace person responsible for managing the learnership process regarding all issues of compliance.

Feedback will also take place between the monitor, the learner representatives and the employer.

All feedback issues will be documented and signed of.

3.7 Reporting

Reports of all monitoring visits will be made by and signed off by the monitor. Reports will include the following: -

- Monitors name and I.D number
- Date & Venue
- Monitoring site details
- Workplace contact details
- Completed Checklist
- Recommendations
- Action plans
- Compliance status

3.8 Compliance follow up

Where issues of non-compliance are agreed a compliance follow up report is required.

This report can be the result of documented affirmation of required actions carried out and by whom, or as a result of a follow-up site visit, in which case a follow up report will be issued by the monitor, as detailed in the procedure on reporting.

3.9 Enforcement and Legal Proceedings

Chapter 10 (ss 63-81) of the Basic Conditions of Employment Act 1997 (75 of 1997) is applicable.

Annexure 1 Monitoring Checklist

SASSETA MONITORING CHECKLIST RECORD		
Company/Department Name		
Address		
Phone Number		
Email address		
Date		
Monitor Name		
Monitor Signature		
Learner Representative		
Learner Name		
Learner Signature		
Workplace Responsible person Name		
Workplace Responsible person Signature		
Qualification/Learnership Title & Number		
QUALIFICATION		
SAQA ID NO		
LEARNERSHIP TITLE		
1. LEARNERSHIP AGREEMENT		Yes No
1.1 Signed and available		
1.2 Registered by SASSETA		
2.Unemployed Learner's Allowances (Clause 3)		Yes No
2.1 Calculated correctly per column 3 Table A-Sectoral determination (Sub Clause 3)		
2.2 Being paid allowance as per Sectoral Determination (Sub Clause 4)		
2.3 Learners allowance paid through grant received from SASSETA as per agreement		
2.4 Learners paid timeously		
3. Ordinary Hours of Work (Clause 9)		Yes No
3.1 Learners working hours in line with Sectoral Determination (Sub Clause 1)		
3.2 Learner Overtime records in line with Sectoral Determination (Clause 10)		
3.3 Meal intervals in line with Sectoral Determination (Clause 13)		
3.4 Daily & weekly rest periods in line with Sectoral Determination (Clause 14)		
3.5 Payment for Sunday work in line with Sectoral Determination (Clause 15)		
3.6 Payment for Night work in line with Sectoral Determination (Clause 16)		
3.7 Payment for Emergency work in line with Sectoral Determination (Clause 18)		
Comments:		
4.Leave Arrangement		Yes No
4.2 Annual leave arrangements in line with Sectoral Determination (Clause 19)		
4.3 Annual leave payment in line with Sectoral Determination (Clause 20)		

4.4 Proof of incapacity arrangements in line with Sectoral determination (record only where applicable) (Clause 22)		
4.5 Maternity leave arrangements in line with Sectoral Determination (Clause 24)		
4.6 Protection of learners before & after childbirth in line with Sectoral Determination (where applicable) (Clause 25)		
4.7 Family responsibility leave in line with Sectoral Determination (Clause 26)		
Comments:		
5. Employment, Information and Records		Yes No
5.1 Contract of employment for unemployed learners in line with requirements of Sectoral Determination (Clause 27)		
5.2 Learners informed of their rights in line with Sectoral Determination (Clause 28)		
5.3 Employment and training record of learners maintained in line with Sectoral Determination (Clause 29)		
5.4 Learners advised of the terms and conditions of their employment, including workplace policies and procedures		
Comments:		
6. Termination & Dispute Issues		Yes No
6.1 Contract terminations comply with requirements of Sectoral Determination (Clause 30)		
6.2 Payments resulting from Contract terminations comply with requirements of Sectoral Determination (Clause 31)		
6.3 Certificates of service issued in line with Sectoral Determination (Clause 32)		
6.4. Disputes are progressed in line with the requirements of the Sectoral Determination (Clause 33)		
6.5 A copy of the Sectoral Determination is kept and made available in line with the Sectoral Determination (Clause 34)		
Comments:		
7. Management		Yes No
7.1 Learners block release to attend off-the-job training properly managed		
7.2 Learners provided with appropriate facilities in accordance with the workplace component of learning		
7.3 E&T taking place as per schedule (workplace learning)		
7.4 Mentors are assigned		
7.5 Learners provided with adequate supervision at work		
7.6 Workplace assessment conducted		
7.7 Learner's progress reports provided to the employer by the training provider on the learner's performance		
7.8 Periodically discuss progress with the learner		
Comments:		
8. Quality Assurance		Yes No
8.1 Learnership aligned with registered qualification		
8.2 Training provider is accredited for the programme		
8.3. Curriculum framework approved		
8.4. Learning material approved		
8.5 Assessors are registered		
8.6 Theoretical learning as per learnership		
8.7 Learners' workbooks/POE available		
8.8 Record of formative assessment available		
8.9 Management information system in place- records		
8.10 Support and guidance to learners		
Comments		
Name of Training Provider:		
9. Is the learner obtaining sufficient practical exposure in terms of the qualification		Yes No
9.1 Can the learner analyze the value and role of the (here we will put the name of the relevant qualification)		
9.2 Interpret (put name of the relevant qualification) in daily functions		

Annexure 2 Compliance Status Record

Compliance Status Record			
<i>For Completion by Monitor. A copy to be provided to the workplace authorised person.. Please record the section number and sub-section number where there is evidence of a non-compliance. List the compliance actions required and attach evidence where appropriate</i>			
Clause	Sub Clause	Compliance actions required	Completed by Date.
3.Learner Allowance			
9.Hours of work			
10.Overtime Records			
13.Meal Intervals			
14.Rest Period			
15.Payment for Sunday work			
16.Payment for Night work			
18.Payment for Emergency Work			
19.Annual leave Arrangement			
20.Annual leave Payment			
22.Proof of incapacity			
24.Maternity Leave			

25. Protection of learners before & after Birth			
26. Family responsibility Leave			
27. Contract of Employment			
28. Learners Rights			
29. Employment Records			
30. Termination Of Contract requirements			
31. Payment resulting to Contract terminations			
32. Certificate of Service			
33. Dispute requirements			
34. Copy of Sectoral Determination			
Monitor's name & signature			
Workplace authorized person name & signature			
Date of agreement			
Company/employer name & address			

Annexure 3, Compliance Approval Record

Compliance Approval Record				
<i>For Completion by Monitor. A copy to be provided to the workplace authorised person.. This approval record is issued and signed by the monitor, after the evidenced compliance by employers, and following the issue of Annexures 2, should be attached to this Approval Record.</i>				
Clause	Sub Clause	Date of compliance	Monitor's Name	Monitor's Signature
3.Learner Allowance				
9.Hours of work				
10.Overtime Records				
13.Meal Intervals				
14.Rest Period				
15.Payment for Sunday work				
16.Payment for Night work				
18.Payment for Emergency Work				
19.Annual leave Arrangement				
20.Annual leave Payment				
22.Proof of incapacity				
24.Maternity Leave				
25.Protection of learners before & after Birth				

26.Family responsibility Leave				
27.Contract of Employment				
28.Learners Rights				
29.Employment Records				
30.Termination Of Contract requirements				
31.Payment resulting to Contract terminations				
32.Certificate of Service				
33.Dispute requirements				
34.Copy of Sectoral Determination				
Approval signature(Monitor)				
Workplace authorised person name & signature				
Date of agreement				
Company/employer name & address				

