



Circular 0057/2020

Chief Executive Officer – Child and Family Agency TUSLA

Home Tuition Grant Scheme – Two Strands

1. Children without a school place (NSP) – Application Forms are only available from the Educational Welfare Service (EWS), Tusla Education Support Service (TESS) - Application Form HT8NSP and

2. Children in Care without a school place - (CIC) – Short Term Home Tuition Grant Scheme – Application Form HT9CIC are only available from a Social Worker

1. Introduction

This circular provides information in relation to two strands of the Home Tuition Grant Scheme for children, other than those with special education needs, who do not have a school place, are without the offer of a school place and for whom a school place is being actively sought. These two strands of Home Tuition are operated by Parents and Learners Unit of the Department of Education and Skills. (Information in relation to the special educational component of the Home Tuition Scheme is available at the following link:- <https://www.education.ie/en/Parents/Services/Home-Tuition/>)

This circular should be read carefully by applicants before completing the Application Form. Where a child¹ is temporarily without a school place; is without an offer of a school place and is actively seeking a school placement in a recognised school the Department of Education and Skills may approve a grant to engage a suitable qualified tutor to provide up to 9 hours home tuition per week for that child. The number of hours of tuition per week may be subject to review by the Department of Education and Skills from time to time.

The Circular contains information on:

- Purpose of the scheme and criteria for eligibility under the terms of the scheme
- Application procedure
- Criteria for the Provision of Grant Aid
- Child Protection & Safeguarding considerations
- General Information
- Payment Procedures
- Queries and appeals

¹ In this circular “child” means a person resident in the State who has reached the age of 6 years and who (a) has not reached the age of 16 years, or (b) has not completed 3 years of post-primary education, whichever occurs later, but shall not include a person who has reached the age of 18 years. (Section 2 of the Education (Welfare) Act, 2000).

Summary of Key Points of the Circular:

Section 2 sets out the purpose of these Home Tuition Grant Schemes and criteria for eligibility under the terms of the schemes. Important points to note include:

- The purpose of the No School Place (NSP) Home Tuition Scheme – Application form HT8 NSP is to provide interim provision for children without a school place, without the offer of a school place and for whom a place is being actively sought. Home tuition should not be regarded as an alternative to securing a place in a recognised school. Provision of tuition under this scheme is for a maximum of 9 hours per week. Home Tuition is for educational teaching intervention only.
- The purpose of the CIC Home Tuition Grant Scheme – Application form HT9CIC is to provide tuition for a maximum of 6 weeks for Children in Care who are without a school place due to emergency placement or placement disruption. Provision of tuition under this scheme is for a maximum of 9 hours per week. Home Tuition is for educational teaching intervention only.

Section 3 sets out the application procedure.

For the NSP Home Tuition Grant Scheme:

- Section 1 of the form is completed by the parent/legal guardians
- Section 2 of the form is completed by the Educational Welfare Officer.
- Section 3 of the form is completed by the proposed tutor(s).

For the CIC Home Tuition Scheme:

- Section 1 of the form is completed by the relevant Social Worker.
- Section 2 is completed by the Parent – ONLY NECESSARY IF CHILD IS UNDER VOLUNTARY CARE.
- Section 3 of the form is completed by the proposed tutor(s).

Section 4 sets out the criteria for the provision of grant aid under the scheme, including the qualification, registration and vetting requirements of tuition providers.

- It is preferable to have tutor qualified in the relevant education sector e.g. primary teacher for primary student. All tutors must be registered with the Teaching Council for the duration of the approved tuition, up to and including issue of final payment. However, where an applicant cannot source a fully qualified teacher the Department may permit the engagement of a person who is registered with the Teaching Council and who has a degree (minimum Level 7 on the National Framework of Qualifications) in a relevant area.
- All tutors must be Garda vetted by the Teaching Council of Ireland through its' secure online IT solution, called Digitary prior to the commencement of the delivery of tuition.
- All tutors must submit a completed Form of Undertaking and Statutory Declaration. The Form of Undertaking is signed by both the applicant and the tutor.
- Parents/Guardians are not permitted to act as tutors for their children under the Scheme.

Section 5 provides information on child protection issues and safeguarding considerations.

Section 6 provides general information on the scheme.

Applicants should note the following:

- Information supplied will be shared between various Government Departments/Agencies.
- Maximum number of hours is 9 hours per week, unused hours from one week cannot be transferred to another week.

- **For the Department’s NSP Home Tuition Grant scheme, – Application form HT8NSP.**
Tuition is granted from date of sanction for a period of 12 weeks *or* until the end of the school year *or* until the child in question receives an offer of a school place, whichever occurs first.
- **For the Department’s CIC Home Tuition Grant Scheme, – Application form HT9CIC.**
Tuition is granted from the date of sanction for a maximum of six weeks *or* until the child in question receives an offer of a school place, whichever occurs first.
- No Tuition can take place at weekends, on public or bank holidays or outside of school term.

Section 7 provides information relating to the payment of the Home Tuition Grant.

- It should be noted that under no circumstances will home tuition funding be back dated.
- This department acts as a payroll agent only on behalf of the parents/legal guardians.
- In cases where a child is in the care of TUSLA, payments in respect of home tuition are made to Tusla.

Section 8 provides contact details for queries and appeals in relation to the scheme.

Privacy Statement

The Department of Education and Skills, as far as is practicable and having regard to the resources available, provides for education and training for people resident in the State at a level appropriate to meet the needs and abilities of those people. The **main purpose** for which the Department requires the personal data provided by you is to determine eligibility for the Home Tuition Grant Scheme. The personal data provided may be shared with TUSLA (Child and Family Agency), National Council for Special Education (NCSE), the Department of Education and Skills and the Revenue Commissioners for the purposes of; determining eligibility for the Home Tuition Grant Scheme, processing payments, ensuring there is no duplication of funding and for statistical purposes. The Privacy Notice outlining further information in relation to this Scheme can be found at <https://www.education.ie/en/The-Department/Data-Protection/gdpr/parents-children/ath-2-06-2-07-10-6-privacy-notice-for-the-home-tuition-scheme.pdf>

Full details of the Department’s Data Protection policy setting out how we will use your personal data or that of your child, as well as information regarding your rights as a data subject, are available at <https://www.education.ie/en/The-Department/Data-Protection/gdpr/gdpr.html> .

2. Purpose of the scheme and criteria for eligibility under this scheme

It is the responsibility of a parent/legal guardian to access a school place for their child. Where a parent/legal guardian is experiencing difficulty obtaining a school place for their child they should contact the Educational Welfare Officer who is the local officer of the Child and Family Agency. The Child and Family Agency is the statutory agency responsible for supporting school attendance and enforcing school attendance legislation. They offer a support service to parents/legal guardians to ensure that every child can attend school regularly. Contact details for the Educational Welfare Officers can be accessed at <https://www.tusla.ie/get-in-touch/education-and-welfare/>

For an application for a home tuition grant to be considered by the Department the local Educational Welfare Officer (EWO), must first confirm that the child's circumstances meet the criteria of the scheme.

The Department's CIC Home Tuition Grant Scheme is solely for **Children in Care who are without a school place due to emergency placement or placement disruption**. Application forms are only available from TUSLA Social Workers. The maximum number of weeks of Home Tuition funding available under this scheme in any school year is 6 weeks. If, following 6 weeks the child is still without a school place, an application for the Department's NSP Home Tuition Grant Scheme – Application form HT8NSP can then be made, application forms are available from your local Educational Welfare Officer.

3. Application Procedure

For the Department's NSP Home Tuition Grant Scheme:

Application form HT8NSP -This scheme is for children who are without a school place, without the offer of a school place and for whom a school placement is being actively sought.

Application forms are **only** available from the Educational Welfare Officer of the Child and Family Agency, contact details are available from TUSLA <https://www.tusla.ie/get-in-touch/education-and-welfare/>

A tuition grant may be sanctioned to engage a suitably qualified tutor to provide home tuition for a maximum of 9 hours per week for a period of 12 weeks *or* until the end of the current school year *or* until the child receives the offer of a school place. The upper limit of 9 hours may be subject to review by the Department of Education and Skills from time to time.

For the CIC Home Tuition Grant Scheme:

Application form **HT9CIC** - This scheme is only available for Children in Care who are without a school place due to emergency placement or placement disruption. Funding under this scheme may be sanctioned to engage a suitably qualified tutor to provide home tuition for a maximum of 9 hours per week for a maximum of 6 weeks. The upper limit of 9 hours may be subject to review by the Department of Education and Skills from time to time.

4. Criteria for the Provision of Grant Aid

The Department of Education and Skills provides a grant towards the provision of Home Tuition. Parents engage tutors in a private arrangement however the awarding of the grant is subject to the following:-

Qualifications of tuition providers

As tuition takes place outside the usual school structure it is important that home tutors are qualified to provide an appropriate educational programme. Accordingly, it is preferable that parents/legal guardians **recruit a tutor who is qualified for the relevant sector in which tuition is being provided e.g. primary teaching qualification for children of primary school age. It is a condition of the scheme that the proposed tutor is registered with the Teaching Council for the duration of the approved tuition, up to and including issue of final payment.**

Where all efforts have failed to secure the services of a teacher qualified to teach in the sector concerned, the Department may consider the engagement of a person who is registered with the Teaching Council and has a primary degree (minimum Level 7 on the National Framework of Qualifications).

It is a requirement of the Scheme that tutors have to notify the Teaching Council of Ireland to make their details available on the Paymaster Interface through the Teaching Council website, in order for this Department to verify that teachers have current registration. This facility can be enabled on the 'My Registration' section of the Teaching Council's website www.teachingcouncil.ie.

- To be eligible for the qualified rate of payment, a tutor must be registered and recognised by the Teaching Council in the sector for which the tuition is being provided **e.g. primary teaching qualification for children of primary school age.** Tutors who are registered and recognised by the Teaching Council at a school level which is not appropriate to the sector of the student will be paid at the modified rate. Tutors, who are retired, who are registered with the Teaching Council and who are in receipt of payment of a public service pension will be paid at the modified rate - <https://www.education.ie/en/Parents/Services/Home-Tuition/Payments.html>

The Department acts as a payroll agent only on behalf of the parents/legal guardians. This is to facilitate compliance with statutory deduction provisions including taxation and associated provisions. Where a tutor intends to provide Home Tuition in excess of 27 hours, in any week, under any of the Department of Education and Skills Schemes, further scheduling details will be required before approval is considered.

Parents/Legal Guardians are not permitted to act as tutors for their children under the scheme.

Home Tuition under the Department's NSP Home Tuition Scheme for children without a school place must not commence until the approval letter is received by the applicant confirming the date from which tuition may commence and that the qualifications and identification of the nominated tutor/s have been formally approved in writing by the Department.

Teachers who are employed in a recognised school and who are currently availing of any of the following schemes - maternity leave, sick leave, disability pension, early retirement schemes, job-sharing scheme or any approved leave of absence are **not eligible** to deliver Home Tuition. Teachers who are on a career break or job-sharing should refer to Circular 00/54/2019 https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0054_2019.pdf with regard to their eligibility to work as a home tutor.

Parents/legal guardians are advised to source a tutor at the earliest possible opportunity to allow for applications for registration/Garda Vetting to be made by the tutor to the Teaching Council of Ireland if necessary. The Department has no role in the sourcing or employment of tutors. Nor does it keep lists of tutors available to carry out Home Tuition. Parents may find it helpful to contact local schools in the first instance, or alternatively, the Department is aware that many parents use education provider websites to advertise for tutors or indeed place advertisements in local newspapers or on shop/community notice boards.

Vetting Requirements for tutors

All tutors must be Garda vetted by the National Vetting Bureau prior to commencing the delivery of tuition.

- Parents/legal guardians must satisfy themselves that their selected tutor/s have completed the Garda Vetting process via the Teaching Council's online Garda Vetting process.
- All tutors must be Garda vetted under the vetting arrangements in place since the commencement of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012, which was on 29th April 2016.

- Parents/legal guardians must request a newly issued Garda Vetting disclosure in circumstances where they are engaging the tutor for the first time.
- Where the parent/legal guardian has previously engaged the tutor and the tutor has been vetted since 29 April 2016, parents/legal guardians are advised to consider whether a newly issued vetting disclosure is necessary. The factors that the parent/legal guardian may wish to take into account in determining whether a newly issued vetting disclosure is required may include the following;
 - The period of time since previous vetting was obtained.
 - Whether there are any gaps in the person's employment/career/educational history which have not been satisfactorily accounted for
 - Whether comprehensive references have been made available in respect of previous employments

The above is not an exhaustive list of factors that parents/legal guardians may wish to take into consideration.

- Parents/legal guardians should note that all registered teachers can apply to be Garda vetted through the Teaching Council of Ireland's website. The process is free of charge and normally takes between 2-4 weeks.
- Parents/legal guardians can confirm that tutors are Garda vetted. They can view the outcome and date of that vetting by viewing the result of the tutor's vetting search. This is known as a Vetting Disclosure, which the tutor can share through the Teaching Council's secure online IT solution, called Digitary.
- Parents/legal guardians should be aware that vetting does not provide clearance for tutors to work with children, but simply provides particulars of any criminal record and/or specified information in respect of the tutor concerned or, where there is no criminal record or specified information, states this fact. The final decision in relation to the person's suitability, from a child protection perspective, to work with the student or students is a matter for the parent/legal guardian concerned. In that regard, parents/legal guardians should note that the outcome of Garda vetting is just one factor to consider in making that decision. Thorough checks of the person's suitability are an essential element of good child protection practice and are the responsibility of the parent/legal guardian. These should include, but are not limited to, seeking and following up of references and ensuring that any unexplained gaps in employment

records/curriculum vitae are satisfactorily accounted for. Vetting should not take the place of those checks but must be used as part of same.

- Please note that each application for Home Tuition must be accompanied by a Statutory Declaration Form and a Form of Undertaking (Appendices 1 & 2 respectively of the relevant Application Form).
- Full information for tutors in relation to the process of applying for Garda Vetting is available at: <https://www.teachingcouncil.ie/en/Vetting-Re-vetting>

5. Child Protection and Safeguarding considerations for parents/legal guardians.

The Children First Act 2015, which was fully commenced by the Minister for Children and Youth Affairs from Monday 11th December 2017, has put elements of the Children First-National Guidance for the Protection and Welfare of Children on a statutory footing.

The Children First: National Guidance for the Protection and Welfare of Children has been updated by the Department of Children and Youth Affairs to outline the new statutory obligations that apply to mandated persons such as registered teachers and the new statutory obligations that apply to organisations (such as schools) under the Act. It also sets out the best practice (non-statutory) obligations which are in place for all individuals (including teachers) and for all sectors of society. The Children First Act, 2015 operates side-by-side with the Children First: National Guidance for the Protection and Welfare of Children 2017.

Information on Child Protection can be obtained on the Department's website at <https://www.education.ie/en/Parents/Information/Child-Protection>

It is the responsibility of parents to be mindful of any risks or potential dangers involved in engaging tutors in a private arrangement. It is the responsibility of the parent/legal guardian to ensure that all appropriate and necessary child protection and welfare safeguards are in place in respect of the tutoring arrangement. (See also section 4 above regarding vetting requirements). It is the responsibility of parents/legal guardians to undertake all relevant checks regarding a prospective tutor's suitability to work with their child and to satisfy themselves regarding the suitability of the person to carry out tuition with their child.

Parents should also satisfy themselves that tutors are aware of any relevant medical and behavioural needs of the child.

6. General Information

- Applicants will be required to complete an Application Form and are requested to pay particular attention to the documentation/information that is required. It should be noted that sanction is only available on completion of the full application process which culminates in the issue of an approval letter confirming the date of commencement of the tuition.
- The Home Tuition Grant is for educational teaching interventions only. The Department reserves the right to evaluate the education provision being delivered and all hours are approved subject to this condition.
- Home Tuition grants are sanctioned to provide an individualised educational programme. Tutors must therefore provide tuition on a 1:1 basis between the hours of 9.00am and 6.00pm (excluding school and bank holidays and weekends) unless otherwise sanctioned by the Department. The standard breaks at Christmas, Easter and Mid-term in the first and second terms for the school year are available at the link below: <https://www.education.ie/en/schools-colleges/information/school-holidays/>. Unused hours from any given week cannot transfer to a subsequent week. Where more than one member of the same family qualifies for tuition under this scheme, a combined allocation may apply. Parents/legal guardians are not permitted to act as tutors for their children.
- If more than one tutor is being applied for a separate section 3 should be completed by each tutor. The applicant must clearly state on the application form the total number of hours each tutor will complete. The sanction letter will confirm the total number of hours for each tutor. No Tuition can take place at weekends, bank holidays, public holidays or school holidays.
- Students who are undertaking study of subjects for Junior and Leaving Certificate Examinations need to read carefully the requirements of the State Examinations Commission for practical coursework. The subjects with practical coursework can be found at www.examinations.ie . If the State Examinations Commission requirements are not met, this may result in a student not being able to achieve all the marks available for the subject.

7. Payment Procedures

- Parents/legal guardians engage tutors for the provision of Home Tuition in a private arrangement. The payments made to tutors on behalf of the applicant are subject to statutory deductions at source. The Department acts as a payroll agent only on behalf of the parents/legal guardians. This is to facilitate compliance with statutory deduction provisions including taxation and associated provisions.

- The Home Tuition Grant Rates are available at <https://www.education.ie/en/Parents/Services/Home-Tuition/Payments.html> and are subject to change.
- In cases where a child is in the care of TUSLA, payments in respect of home tuition are made to Tusla.
- Parents/legal guardians must not commence Home Tuition until they have received a grant approval letter from the Department confirming that they meet the terms and conditions of the scheme and the date of commencement of grant aid.
- Parents/legal guardians are advised that the home tuition grant will not be back-dated to cover any period of home tuition undertaken prior to receipt of sanction letter.
- The parent/legal guardian who has made application for home tuition must complete a Payment Claim Form. This form must be completed and signed by both the parent/legal guardian and the tutor at the end of each and every month where tuition was provided. The payment claim form is available at <http://www.education.ie/en/Parents/Services/Home-Tuition/Payments.html> The signature provided by the parent/legal guardian may be used for verification.
- A false declaration for the purposes of claiming resources from the Department may result in the matter being referred by the Department to An Garda Síochána and, if appropriate, the Teaching Council.
- Parents/legal guardians as well as tutors should ensure that they are fully aware of how the grant will issue under this Scheme before any tuition is provided.
- Parents/legal guardians are advised that under no circumstances should they make payments to tutors for tuition provided by them under this scheme.
- Parents/legal guardians and tutors should also note that, under existing legislation, financial details in respect of this scheme are forwarded annually to the Revenue Commissioners, as home tuition payments are reckonable for taxation purposes.

How the grant is paid

A separate more detailed payment information note is available to parents/legal guardians and tutors on the website of the Department at <https://www.education.ie/en/Parents/Services/Home-Tuition/Payments.html>

Other issues relating to the payment of Home Tuition:

The PPSN of all persons including parent(s)/legal guardian(s) and tutor(s) must be supplied for the purposes of determining eligibility for the Home Tuition Grant Scheme, in processing payments and to ensure there is no duplication of funding. PPSN is a unique reference number that is used in accessing public services and in dealings with Public Services Agencies including Revenue.

8. Queries and Appeals**Queries and appeals in relation to the Home Tuition Grant Scheme can be addressed to:**

Parents and Learners Unit - Home Tuition Section

Department of Education & Skills

Cornamaddy

Athlone

Co. Westmeath

N37 X659

Contact No: 090 648 4099

Email Address: hometuitionapprovals@education.gov.ie

Appeals in relation to decisions under the Home Tuition Grant Scheme may be submitted in writing to the above address, quoting the Home Tuition Reference No., and outlining the reasons for the appeal along with additional documents or reports, as appropriate.

Queries in respect of Home Tuition payments can be addressed to:

Special Needs and Tuition Grants

Department of Education & Skills

Cornamaddy

Athlone

Co. Westmeath

N37 X659

Contact No: 090 648 3996

Email Address: htpayments@education.gov.ie

This Circular, together with all relevant information, is available to download from the Department's website - www.education.ie under Parents/Services.

Teresa McNeill

Principal Officer

Parents & Learners Unit

August 2020