

WHOLESALE & RETAIL SECTOR EDUCATION AND TRAINING AUTHORITY



SKILLS DEVELOPMENT GRANTS

POLICY DOCUMENT

1 APRIL 2013

Skills Development Grants Policy developed according to Regulation 35940 of 3 December 2012 of the Skills Development Act no. 97 of 1998 as amended and contained in Regulation Gazette No. 9867 Vol. 570. It is intended to guide all stakeholders in applying for and/or obtaining access to mandatory and discretionary grants.

1.	DEFINITIONS & ACRONYMS	3
2.	PROMULGATION	4
3.	STATEMENT OF POLICY	4
4.	PURPOSE OF POLICY	4
5.	INDIVIDUALS AND ENTITIES AFFECTED BY THIS POLICY	5
6.	WHO SHOULD KNOW THIS POLICY?	5
7.	WHERE WILL THIS POLICY BE LOCATED	5
8.	CONTACTS (for Policy clarification).....	5
9.	TYPES OF GRANTS	5
10.1.	Mandatory Grants.....	5
10.2.	Discretionary Grants	5
10.	MANDATORY GRANTS	5
10.1.	CRITERIA.....	5
10.2.	CONDITIONS.....	6
10.3.	SUBMISSION.....	7
11.	DISCRETIONARY GRANTS	7
11.1.	INTRODUCTION	7
11.2.	STRATEGIC FOCUS AREAS	7
11.3.	CRITERIA FOR DISCRETIONARY GRANTS	10
11.3.1.	CRITERIA	10
11.3.2.	EXCLUSIONS	10
11.3.3.	REASONS FOR REJECTING A DISCRETIONARY GRANT APPLICATION	10
11.3.4.	PAYMENT SCHEDULE FOR DISCRETIONARY GRANTS.....	11
11.4.	W&RSETA INITIATED DISCRETIONARY GRANT PROJECTS.....	13
11.4.1.	CONDITIONS FOR PAYMENT	14
11.5.	UNSOLICITED PROPOSALS FOR DISCRETIONARY GRANTS.....	14
11.6.	Higher Education and Training Institutions	15
12.	DISPUTE RESOLUTION	15
13.	REVIEW OF POLICY	15
14.	APPROVAL:	16

1. DEFINITIONS & ACRONYMS

Accounting Authority – W&RSETA Board

AET - Adult Education and Training

AQP – Assessment Quality Partner

APP – Annual Performance Plan

Assessment - A structured process for gathering evidence and making judgments about an individual's performance in relation to registered, national standards

ATR – Annual Training Report

Board - The governing body of the W&RSETA

DHET - Department of Higher Education and Training

Employer - Employer as defined in the Fourth Schedule to the Income Tax Act

EXCO - Executive Committee of the Board

FETC – Further Education and Training College

Funding Priorities - Skills Development priorities that are informed by the SSP

Further Education and Training (FET) - Education and training at Levels 2 to 4 of the National Qualifications Framework (NQF)

General Education and Training (GET) - Education and training towards Level 1 of the NQF (Level 1 being equivalent to Grade 9/Std 7)

Higher Education and Training (HET) – Education and training at levels 5 to 10 of the National Qualifications Framework (NQF)

HETI – Higher Education and Training Institution

HRDS - Human Resources Development Strategy

IPAP – Industrial Policy Action Plan

ISDF – Independent Skills Development Facilitator

Learnership – A vocationally based learning qualification that includes a practical work-based component. A learnership has to be linked to a registered NQF Qualification.

Learning Programme - A set of learning activities intended to give a learner particular knowledge and skills.

W&RSETA - Wholesale and Retail Sector Education and Training Authority

NDP – National Development Plan

NQF – National Qualifications Framework

NSDS - National Skills Development Strategy

PFMA - Public Finance Management Act, 1999

PIVOTAL – Professional Vocational Technical and Academic Learning Programmes that result in qualifications or part qualifications on the NQF

QCTO – Quality Council for Trades and Occupations

QMS - The Quality Management System as defined by the W&RSETA Quality Assurance (ETQA/AQP) Unit

RPL - Recognition of Prior Learning by assessing competence against the outcomes of a set of unit standards

SAQA - South African Qualifications Authority established in terms of the South African Qualifications Authority Act, No. 58 of 1995

SARS - South African Revenue Service

SCM - Supply Chain Management

SD Regulations - Skills Development Regulations No 35940 of 3 December 2012 contained in Regulation Gazette No. 9867

SDF – Skills Development Facilitator

SDL - Skills Development Levy

SETA - Sector Education and Training Authority

Skills Programme - Occupationally based unit standard training programme, delivered by accredited education and training providers

SLA - Service Level Agreement

SSP - Sector Skills Plan

WSP – Workplace Skills Plan

2. PROMULGATION

This policy will be in effect from 1 April 2013 to 30 March 2014

3. STATEMENT OF POLICY

The Skills Development Act No 97 of 1998 as amended aims to provide an institutional framework to implement national, sector and workplace strategies to develop and improve the skills level of the South African workforce. The Act makes provision for the establishment of SETAs as institutional vehicles to implement the Skills Development Act and other related legislation.

This policy framework is consistent with the provisions of the Skills Development Levies Act (Act 9 of 1999), which stipulates the processes for the management and disbursement of funds received as levy income. It is also intended to implement the stipulations of Skills Development Regulation No. 35940 of 3 December 2012 contained in Regulation Gazette No. 9867.

4. PURPOSE OF POLICY

The purpose of this policy is to provide a basis for the W&RSETA to manage and disburse grants. It also provides a uniform framework that is consistent with the principles of transparency, fairness and equity which is in line with Section 2 of the Skills Development Act. The policy is applicable to:

- a. Levy paying companies,
- b. Non levy paying companies
- c. Public Education and Training Institutions and
- d. All other stakeholders in the Wholesale and Retail sector who are participants in the W&RSETA mandatory and discretionary grants process.

The policy is in support of national initiatives such as HRDS, IPAP II, and NDP, the National Growth Path, the National Skills Accord and the National Skills Development Strategy III objectives which are addressed in the W&RSETA's Constitution, its SSP and Annual Performance Plan (APP).

These policy provisions shall be aligned to the financial year, which commences annually on 1 April and ends on 31 March.

The W&RSETA will annually prepare and distribute a schedule setting out:

- e. The criteria for mandatory and discretionary grants,
- f. The dates by which applications for grants must be submitted, as well as
- g. Timeframes for the disbursement/payment of grants.

5. INDIVIDUALS AND ENTITIES AFFECTED BY THIS POLICY

The following are individuals and entities that are affected by this policy:

- a. Employers that employ 50 or more employees and are required by law to pay Skills Development levies and submit WSPs/ATRs/PIVOTAL plans/PIVOTAL Reports (Large and Medium Organisations).
- b. Employers that employ 49 or less employees and are required by law to pay Skills Development Levies and submit WSPs/ATRs/PIVOTAL Plans/PIVOTAL Reports (Small Organisations)
- c. All other Wholesale and Retail employers, Training Providers and any other stakeholders that meet the criteria for the payment of such a grant.

6. WHO SHOULD KNOW THIS POLICY?

Employers and all other stakeholders that have an interest or intention to apply for a Mandatory or Discretionary Grant from the W&RSETA need to familiarise themselves with the contents of this policy document.

7. WHERE WILL THIS POLICY BE LOCATED

This policy will be made available to all stakeholders on the W&RSETA website

<http://www.wrseta.org.za>

8. CONTACTS (for Policy clarification)

Any issues of clarification of this policy must be directed to the W&RSETA COO.

9. TYPES OF GRANTS

The Skills Development Act, 1998 distinguishes between two types of grants, namely Mandatory grants and Discretionary grants.

10.1. Mandatory Grants

In terms of the skills development grant regulations, a mandatory grant is a grant payable to levy paying companies upon submission, by 30 June 2013 and then 1 April each year thereafter, of a Workplace Skills Plan (WSP) and Annual Training Report (ATR). In terms of section 6(3) of the Regulations, the SETA shall pay back 20% of the total levies paid by the employer upon approval of the WSP and ATR. Payments for mandatory grants shall be made quarterly and any Mandatory grants not claimed in one year will be transferred to the discretionary fund reserve.

10.2. Discretionary Grants

In terms of the Skills Development Regulations No 35940 of 3 December 2012, a discretionary grant is a grant paid to applicants, at the discretion of the W&RSETA Board, for skills development initiatives linked to scarce and critical skills in the Wholesale and Retail Sector. Projects and grants referred to in this policy are based on national, sectoral and industry specific objectives as outlined in the W&RSETA Sector Skills Plan (SSP). Discretionary grants may be disbursed as grants or through projects. Availability of funding for projects and grants is subject to the W&RSETA Board's discretion.

10. MANDATORY GRANTS

10.1. CRITERIA

A mandatory grant is paid once the WSP, ATR, PIVOTAL Plan and PIVOTAL Report have been received, assessed and approved by the Regional Offices of the W&RSETA based on the criteria stated below:

- h. The employer must pay levies to SARS for the Wholesale and Retail Sector.
- i. The employer should not be in arrears with their SDL contributions
- j. The skills development levy (SDL) number and employer name contained in the WSP/ATR agrees with information received from the Department of Higher Education and Training (DHET).
- k. It remains the responsibility of employer to ensure that the payment of the mandatory grant is done against the correct levy number.
- l. Where mergers, acquisitions or rationalizations take place, employers must inform the W&RSETA within 14 days of the changes and indicate in writing which levy numbers are affected and replaced.
- m. Failure to inform the W&RSETA before the submission deadline will render the submission invalid and therefore not approved.
- n. The employer must provide evidence of the existence of a formally constituted training committee (Membership List, Minutes of Meetings)
- o. The WSPs and ATRs must be signed by all stakeholders after the process of consultation

10.2. CONDITIONS

- a. All submissions will be made electronically
- b. The following supporting documentation must also be uploaded on to the W&RSETA SMS system:
 - i. Letter from the Bank confirming Banking Details
 - ii. Latest Minutes of Training Committee meeting
 - iii. Proof of training spend or cost of training.
 - iv. Authorisation and Stakeholder Support Declaration (with all signatures)
- c. All information provided may be subjected to verification by the W&RSETA
- d. The W&RSETA will randomly select companies for auditing of their WSPs/ATRs
- e. Companies that are selected for auditing must make all the requested information available to a W&RSETA official/representative within 14 working days of receiving notification for verification.
- f. Companies must ensure the completeness and accuracy of their submissions as there will be no opportunity to rectify after the submission date. Print facilities exist on the data capture screens to verify entries.
- g. Failure by a company to submit the complete and accurate information will result in the submission being declared invalid and therefore not approved.
- h. Independent Skills Development Facilitators (ISDF) appointed by the W&RSETA could be assigned to assist in the completion of the WSPs/ATR/PIVOTAL Plans/Reports of smaller companies who employ 49 or less employees as well as medium companies (with 50-149 employees).
- i. It is however still the Small or Medium Company Employer's responsibility to ensure that the information in these documents is a true reflection of status of the company.
- j. Failure by such employers to confirm the authenticity of the documents will render the submission invalid and therefore not approved.
- k. Effective from 1 April 2013 the PIVOTAL plan must be completed in order to qualify for a mandatory grant, thereafter (1 April 2014 onwards) a PIVOTAL plan and report will be required to qualify.
- l. Where training on PIVOTAL programmes is not planned there must still be a return submitted indicating that such programmes will not be undertaken.
- m. Employers must have completed a minimum of 75% of the planned training from the previous year to qualify for a grant. The W&RSETA will consider and adjudicate cases where there is a variance of less than 25% based on submissions made by companies.

10.3. SUBMISSION

- a. An application for a mandatory grant must be submitted by 30 June 2013
- b. With effect from 1 April 2014 an application for a mandatory grant must be submitted by 30 April of each year.
- c. In terms of sub regulation 4(8), the Accounting Authority may grant an extension of a maximum of one month to allow for the late submission of an application for a mandatory grant, subject to a written request by an employer.
- d. The W&RSETA Board shall grant approval for late submission only at its own discretion if it is satisfied with the reasons for late submission and provided that the application for such late submission is lodged at least 30 days before the submission deadline. The extension can only be given for 30 days after the submission deadline.
- e. Assessment and approval of the WSPs/ATRs and PIVOTAL Plans/Reports will be finalised 90 days after the submission due date.
- f. The mandatory grant will be paid quarterly in accordance with the W&RSETA grant approval procedure and grant payment schedule.
- g. Any mandatory funds that have not been claimed by the 31 March will be transferred into the discretionary fund.

11. DISCRETIONARY GRANTS

11.1. INTRODUCTION

The purpose of discretionary grants is to encourage employers and other stakeholders to contribute towards the achievement of the objectives of the Human Resources Development Strategy (HRDS), NDP, IPAP, the New Growth Path (NGP) and the National Skills Development Strategy (NSDS) as directed by the W&RSETA Sector Skills Plan (SSP). The W&RSETA shall annually prepare and distribute a schedule to stakeholders setting out the dates for the submission of the applications for grants. The Notice of Applications for Discretionary Grants shall be published in the national media and will also be available on the W&RSETA website.

Employers, training providers and other stakeholders are reminded that the purpose of the W&RSETA Discretionary Grant income is to implement Skills Development in the Wholesale and Retail Sector as directed by the SSP. Discretionary grant funding therefore remains the prerogative of the W&RSETA Board who are mandated by law to exercise their discretion in this regard.

The discretionary grant will be disbursed to the discretionary grant applicant only after the signing of a contract and all conditions have been met to the satisfaction of the W&RSETA. Site verification visits may be carried out to establish the suitability of the site for training and verification of the learners that will be registered.

Where employers make use of service providers to do skills development on their behalf, a signed contract should be in place between the two parties to regulate the scope of work and payment arrangements. The W&RSETA will not be party to the contract between employers and their appointed accredited training providers. The W&RSETA will only deal with employers in terms of Discretionary Grant claims and payments and will not enter into any correspondence or discussions with service providers.

Regulation 3(6) states that a SETA is required to allocate 80% of its available discretionary grants within a financial year to PIVOTAL programmes that address scarce and critical skills in its sector.

11.2. STRATEGIC FOCUS AREAS

The W&RSETA has identified the following strategic focus areas directed by the SSP against which skills development grants and projects will be measured:

- a. Academic Programmes

- b. Artisan programmes
- c. Bursaries
- d. Learnerships
- e. Skills Programmes
- f. Work Integrated Learning
- g. Career Guidance
- h. Work Experience and Employment Grants (WEEG)
- i. Internships

11.3. FUNDING ALLOCATION

Each year, the W&RSETA Board shall undertake a strategic planning process, which is informed by the regulatory environment, policy imperatives as well as research, as detailed in the SSP. This objective of this process is to consider strategic, financial and performance information with a view to making principle decisions to inform the strategic direction to be embarked upon for the financial year. Through this process, programmes shall be approved and funding allocated accordingly to meet set performance targets that are aligned to the National Skills Development Strategy (NSDS), the National Skills Accord and other relevant national priorities. This process culminates with the development of the Strategic Plan (SP) and (APP), which sets out the operational plan of how the strategic objectives will be achieved and how funding will be allocated.

For the 2013 – 2014 financial year, funding allocation is as outlined below and channelled towards the funding streams as depicted in Figure 1.

- a. 10.5% has been allocated towards administration costs for the running of the W&RSETA and includes the 0.5% allocation towards the QCTO as per the Grant Regulations requirements
- b. 50% shall be paid put to Mandatory Grants for the first 2 months of the 2013 - 2014 financial year and 20% for the last ten months of the year. For all financial years thereafter, the mandatory grant shall be based on 20%, as legislated
- c. Any unclaimed Mandatory Grants and/or unallocated funds from the administration budget will be transferred to the discretionary fund pool
- d. 49.5% will be allocated to discretionary funds and this will be used primarily for PIVOTAL programmes as well as other strategic interventions as detailed in the SP and APP
- e. Any additional income received shall be allocated to discretionary projects.

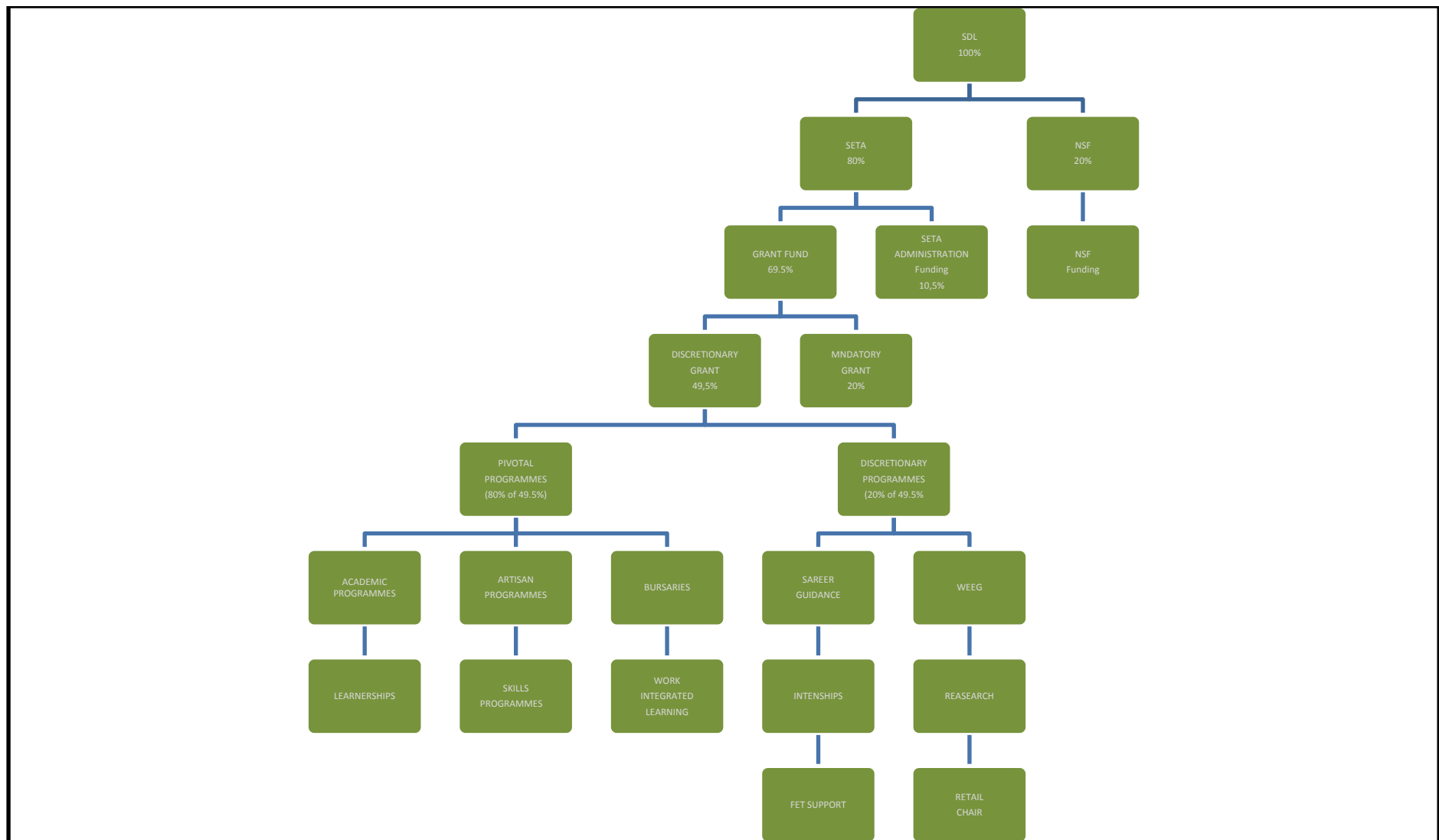


Figure 1. FUNDING STREAMS 2013- 2018

11.4. CRITERIA FOR DISCRETIONARY GRANTS

Criteria for discretionary grant allocations will be reviewed on an annual basis and linked to the W&RSETA's SSP, the W&RSETA's Strategic Plan, the W&RSETA SLA with the DHET and the objectives of the NSDS. The recommendations in the SSP as well as National, Sectoral and Industry needs will be used as the basis to ensure that resources are aligned to best achieve the skills development targets and objectives for the Wholesale and Retail Sector.

11.3.1. CRITERIA

Discretionary grants may only be paid to:

- a. Employers that pay levies to the W&RSETA.
- b. All other employers, training providers, FETs, HETIs and stakeholders will be allocated discretionary grants based on predetermined W&RSETA priorities.
- c. Before paying a discretionary grant, the W&RSETA will ascertain the following:
 - I. The applicant must have submitted a PIVOTAL plan and report
 - II. The applicant must be up to date with levy contributions unless exempt from paying levies (proof of exemption must be submitted)
 - III. The application for grants must be submitted on the prescribed discretionary grant application form that accompanies the application for mandatory grants
 - IV. The organization applying for discretionary grant funding must have made satisfactory progress with the projects awarded in the previous funding dispensation
 - V. The provider identified to deliver the training must be accredited with the relevant quality assurance body.
- d. The SETA reserves the right to allocate or not allocate to a programme for more than 1 year

11.3.2. EXCLUSIONS

Items including, but not limited to, those stated below shall not be considered for discretionary grant funding:

- a. Set up or Start up costs
- b. Capital expenditure e.g. building costs
- c. Operational Unit Setup Costs
- d. Provision of Working Capital
- e. Salaries
- f. Awareness Creation Interventions
- g. Development costs of learning programmes
- h. Policy development
- i. Any programmes that are funded from other sources where no partnership arrangements exist (Double Dipping)

11.3.3. REASONS FOR REJECTING A DISCRETIONARY GRANT APPLICATION

The W&RSETA will reject a discretionary grant application if:

- a. The discretionary grant criteria are not met.
- b. The submission deadline has not been met.

11.3.4. GRANT APPLICATION PROCESS

Grant applications must be submitted by XXXXX for the 2013 – 2014 financial year. All eligible grant applications may be submitted electronically (online) or in hard copy. Details of the grant application shall be entered onto the grant applications register and a letter acknowledging receipt of application shall be issued to the applicant. The grant applications shall be assessed against published guidelines / criteria.

Procedures for the processing of applications, the communication of a decision, and payment schedules shall be undertaken in accordance with the W&RSETA procedure relating to the grant applications. In terms of this procedure, grant applications shall be processed within a period of 3 months and communication shall be provided periodically to the applicant during the course of the assessment process. The outcome/decision of the application shall be provided to the applicant in writing. Such outcome (approval or rejection) shall be logged on the W&RSETA grant applications register. A letter of approval or rejection shall be issued to the applicant and kept on file by the Skills Planning Department.

11.3.5. PAYMENT SCHEDULE FOR DISCRETIONARY GRANTS

Professional Vocational Occupational Technical Academic Learning (PIVOTAL)
Programmes

Intervention	First payment	Second Payment	Final Payment
1. Learnership (NQF 1-5)	<ul style="list-style-type: none"> • Signing of contract • Registration of learner agreements on Seta Management System • Verification and Monitoring Report • 40% of the contract value on M&D • 50% of stipends • The project must start immediately after the signing of the contract. • Payment of this tranche must be made at least 3 months after the contract has been signed. 	<ul style="list-style-type: none"> • Q2 Verification and Monitoring Report • 40% of the contract value on M&D • 50% of stipends 	<ul style="list-style-type: none"> • Q3 Verification and Monitoring Report • Certification • 20% of the contract value on M&D
2. Skills Programme (NQF 1-5)	<ul style="list-style-type: none"> • Signing of contract • Registration of learner agreements on Seta Management System • Verification and Monitoring Report • 50% of the contract value on M&D • 100% of stipends • The project must start immediately 	<ul style="list-style-type: none"> • Verification and Monitoring Report • 50% of the contract value on M&D • Certification 	N/A

	after the signing of the contract. <ul style="list-style-type: none"> • Payment of this tranche must be made at least 3 months after the contract has been signed. 		
3. Artisan Programmes	<ul style="list-style-type: none"> • Signing of contract • Registration of learner agreements with the approved apprenticeship workplace. • Verification and Monitoring Report • 40% of the contract value on M&D • 50% of stipends • The project must start immediately after the signing of the contract. • Payment of this tranche must be made at least 3 months after the contract has been signed. 	<ul style="list-style-type: none"> • Verification and Monitoring Report • 40% of the contract value on M&D • 50% of stipends 	<ul style="list-style-type: none"> • Verification and Monitoring Report • Certification/ Qualified artisan • 20% of the contract value on M&D
4. National Diploma / Certificate (NQF 5) and Higher Diploma /Certificate (NQF6)	<ul style="list-style-type: none"> • Proof of registration with the education institution at the beginning of the year. • Verification and monitoring Report • Fee Schedule from the relevant institution. 	<ul style="list-style-type: none"> • Proof of registration with the education institution at mid year • Verification and monitoring Report 	N/A
5. Undergraduate Degree (NQF7)	<ul style="list-style-type: none"> • Proof of registration with the education institution at the beginning of the year. • Verification and 	<ul style="list-style-type: none"> • Proof of registration with the education institution at mid year • Verification and monitoring Report 	N/A

	monitoring Report <ul style="list-style-type: none"> • Fee Schedule from the relevant institution. 		
6. Honours Degree / Professional Qualifications (NQF8)	<ul style="list-style-type: none"> • Proof of registration with the education institution at the beginning of the year. • Verification and monitoring Report • Fee Schedule from the relevant institution. 	<ul style="list-style-type: none"> • Proof of registration with the education institution at mid year • Verification and monitoring Report 	N/A
7. Masters (NQF9)	<ul style="list-style-type: none"> • Proof of registration with the education institution at the beginning of the year. • Verification and monitoring Report • Fee Schedule from the relevant institution. 	<ul style="list-style-type: none"> • Proof of registration with the education institution at mid year • Verification and monitoring Report 	N/A
8. PhD (NQF10)	<ul style="list-style-type: none"> • Proof of registration with the education institution at the beginning of the year. • Verification and monitoring Report • Fee Schedule from the relevant institution. 	<ul style="list-style-type: none"> • Proof of registration with the education institution at mid year • Verification and monitoring Report 	N/A

11.5. W&RSETA INITIATED DISCRETIONARY GRANT PROJECTS

The W&RSETA will annually finalise the list of projects not covered by grants to be implemented during the financial year and then develop project implementation plans and procure the services of suitably qualified service providers in accordance with the provisions of the Public Finance Management Act (PFMA) and Treasury Regulations as contemplated in Section 16A of the Supply Chain Management (SCM) policy. The thresholds stipulated in the W&RSETA's SCM policy shall apply in the process of appointing discretionary grant project applicants.

Upon receipt of applications, a Tender Evaluation Committee shall be appointed who will compile a summary of proposals and recommendations for approval. The evaluation team may carry out a due diligence visit to conduct an assessment of the grant application. Upon approval, both successful and unsuccessful discretionary grant applicants will be informed in writing.

Upon approval of the successful service provider by the Tender Adjudication Committee, a contract, which clearly sets out deliverables, timeframes and the conditions of the tender, will be concluded.

The successful service provider will provide regular reports on the implementation of the project in line with the stipulations in the contract. According to section 6(9)(iii) of the Skills Development Grant Regulations, the W&RSETA may allocate a maximum of 7.5% of the project costs relating to a discretionary grant to project administration costs, subject to the Board approving a separate budget setting out those project administration costs.

11.4.1. CONDITIONS FOR PAYMENT

- a. Payments in respect of discretionary grants shall be made in line with the contract and will be outlined in the payment schedule as per paragraph 11.3.4
- b. The W&RSETA reserves the right to conduct site verification visits before authorising the contracted party to raise an invoice for payment.
- c. Should the project terminate, for whatever reason, any funds that have not been used will be transferred into the discretionary grant fund.
- d. In the event that funds have been used negligently or fraudulently, the W&RSETA will institute the necessary action to recover the funds.
- e. Payment for services rendered should be paid within 30 days from receipt of an authorised and approved invoice from the contracted party.
- f. In the event of breach of contract, constituting fruitless and wasteful expenditure due to non-completion of training, the W&RSETA may reclaim the monies paid out.

11.6. UNSOLICITED PROPOSALS FOR DISCRETIONARY GRANTS

The National Treasury Practice Note No.11 of 2008/2009 describes an unsolicited proposal as any proposal received by an institution outside its normal procurement process. It also provides a mechanism for the deliberate consideration of such bids and establishes consistency in approach by both the government and private sector.

As a Government Entity, the W&RSETA is not obliged to consider unsolicited proposals but may consider such proposals if they meet the following requirements:

- a) A comprehensive and relevant project feasibility study has established a clear business case
- b) The product or service involves an innovative design
- c) The product or service involves innovative approach to project development and management
- d) The product or service presents a new and cost effective method of service delivery

The W&RSETA as an Accounting Authority must reject the unsolicited proposal if:

1. It relates to known institutional requirements that can, within reasonable and practicable limits, be acquired by conventional competitive bidding methods
2. Relates to products or services which are generally available
3. Does not fall within the W&RSETA's powers and functions
4. Does not comply substantially with a) to d) above
5. Has not been submitted by a duly authorised representative of the proponent
6. Contravenes the provisions of any law

If the W&RSETA decides to reject the unsolicited proposal, it must then:

- a. Notify the authorised representative of the proponent by registered post that the W&RSETA has rejected the proposal.
- b. Ensure that the W&RSETA does not make use of any of the intellectual property or proprietary data in the unsolicited proposal
- c. Return to the proponent by registered mail all documents received in the unsolicited proposal including any copies of the documents

11.7. Higher Education and Training Institutions

DHET has, through the NSDS, mandated SETAs to work closely with Public Education and Training Institutions in a bid to create one coherent post school education system. In pursuing this imperative, the W&RSETA, will enter into Memorandums of Understanding (MOUs) with Public FETCs and HETIs that focus on Wholesale & Retail Business as a field of study. These partnerships will be used to develop a link between the institutions and the sector for the benefit of employed and unemployed learners. This therefore means that funds will be set aside to make the partnership with Public Institutions possible.

12. DISPUTE RESOLUTION

- a. All disputes arising from the application of this policy shall be submitted forthwith to the Chief Executive Officer of the W&RSETA who will act as informal and non-binding mediator.
- b. If not resolved within one month after the matter has been referred to the Chief Executive Officer, either party has the option to refer the matter to the W&RSETA Board.
- c. Only after the dispute has been referred to the W&RSETA Board for consideration, may the dispute be referred to arbitration in terms of the rules of the Arbitration Foundation of Southern Africa, if either party is not satisfied with the resolution of the W&RSETA Board.
- d. Either party shall not be precluded from approaching any competent court for relief or to hear the dispute or to exercise any other right that it may deem necessary in law against the other.

13. REVIEW OF POLICY

This policy shall be reviewed on an annual basis or as and when substantial changes to the legislative framework warrants amendment.

14. APPROVAL:

Date submitted:
Date approved:
Governance Committee
Approved by (Name):
Committee Chairperson signature: _____

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