



POLICY RELATING TO THE APPOINTMENT OF APPRENTICES

September 2018

1. Introduction

1.1. This Policy sets out the Framework for how apprenticeships are going to be managed and operate for all schools within the Trust, following the introduction of the Apprenticeship Levy in April 2016.

2. Background

2.1. The apprenticeship levy, which came into force through the Finance Act 2016, requires all employers operating in the UK with a pay bill of over £3million each year to invest in apprenticeships.

2.2. The total pay bill of all schools within the Trust is added together. This determines that the Trust pay bill is over £3million. The levy is 0.5% of the pay bill with an allowance of £15,000 offset against this payment.

2.3. Whilst the Trust operates more than one PAYE reference, HMRC considers them to have connections (linked PAYE schemes) therefore the Trust is effectively classed as a single employer when calculating the apprentice levy so is only entitled to one £15,000 allowance.

2.4. The apprenticeship levy funding is accessed through a digital services apprenticeship account. Funds will expire 24 months after they enter our apprenticeship service account unless it is spent on apprenticeship training with a training provider. Whenever a payment is taken from the account, the service automatically uses the funds that entered the account first.

3. How it will Operate

3.1. The Apprenticeship Levy will be funded from the Trust Central Budget. The apprenticeship scheme will be set up, operated and managed by the Trust Central Services Team, however the school will still be responsible for managing the apprentice who is in post at the school, or the member of staff who is accessing the CPD apprenticeship training.

3.2. A School must contact the Head of Trust HR in the first instance if they are looking to appoint an Apprentice, or looking to offer CPD training for an existing member of staff, which could be funded from the Apprenticeship Levy. Head of HR will support the school in contracting with the Training Provider and negotiating the price. It must be noted that the school will still be responsible for funding the wages and any other associated costs that cannot be funded from the actual Levy.

3.3. There will be one Digital Apprenticeship Service Account for all the schools in the Trust, managed by the Trust Central Finance Team.

4. Selecting a Training Provider

4.1. Funding for all elements of each apprenticeship will be routed through a single provider who must contract with the Trust and directly delivers some of the apprenticeship training and/or on-programme assessment associated with the apprenticeship programme.

4.2. The main provider must be published on the register of apprenticeship training providers and listed as a main provider.

4.3. The Head of Trust HR is responsible for contracting with the main provider and negotiating the price for the apprenticeship. This ensures the contract set up meets the funding rules criteria of being eligible to be paid from the Apprenticeship Levy and ensures the details are entered on to the Digital Apprenticeship Services Account.

5. Apprenticeship Funding Rules

5.1. The apprenticeship must last for at least one year, or more if specified in the apprenticeship standard or framework. The minimum duration of each apprenticeship is based on the apprentice working 30 hours a week or more, including any off-the-job training they undertake.

5.2. The apprentice must spend at least 20% of their time on off-the-job training.

5.3. There must be a genuine job available during the apprenticeship

a.) the apprentice must have a contract of employment which is long enough for them to complete the apprenticeship successfully or be employed by an apprenticeship training agency (ATA).

b.) the cost of the apprentice's wages must be met by the Trust.

c.) the apprentice must have a job role (or roles) within the organisation that provides the opportunity for them to gain the knowledge, skills and behaviours needed to achieve their apprenticeship.

d.) the apprentice must have appropriate support from within the organisation to carry out their job role.

e.) When the apprenticeship is achieved, the apprentice should remain with you, where a job opportunity continues to exist and where the apprentice wishes to remain with you. Where this is not possible, you and the provider must support the apprentice to seek alternative opportunities.

f.) The SFA will monitor apprentice destination data and HMRC data to ensure that job roles are genuine and are not created purely for the purposes of the apprenticeship programme. The SFA will take action if employer recruitment practice is detrimental either to the apprentice or to the apprenticeship band.

5.4. Selecting a Training Provider and Negotiating a Price

a.) The Trust and the main provider must agree a price for the total cost of each apprenticeship, including the training costs and any subcontracted training. The price for apprenticeship standards must include the cost of the end-point assessment which you must agree with the apprentice assessment organisation.

b.) When agreeing a price with the provider you must ensure that the provider has reduced the length or content of the apprenticeship to account for prior learning. Funds must not be used to pay for skills already attained by the apprentice.

c.) The selection of the training provider and the negotiation of the price will be undertaken by the Trust Head of HR to ensure the funding rules are abided by.

5.5. Is the Apprentice on the correct wage?

a.) Apprentices must be an employee on the first day of their apprenticeship and as a minimum at least be paid a wage consistent with the law for the time they are in work, in off-the-job training and studying English and maths (if appropriate).

b.) The wage set for the apprentice must be approved by the Trust Head of HR, to ensure consistency across the Trust in terms of legal compliance of being one Employer.

5.6. The following must be undertaken

a.) Appropriate Eligibility Checks, which must include

- having the right to work in England
- spending at least 50% of their working hours in England
- the apprentice must work for you, or a connected company, or connected charity as defined by HMRC

b.) The apprenticeship must be recorded correctly in the digital apprenticeship service account.

c.) An apprenticeship agreement must be signed at the start of the apprenticeship. It is used to confirm individual employment arrangements between the apprentice and the employer.

d.) You must have a commitment statement, signed by you, the apprentice and the main provider.

e.) You must make sure the apprentice is taking part in learning throughout the apprenticeship.

f.) You must provide evidence to the training provider of the apprentice's average weekly hours and any changes to working patterns.

g.) You must also have evidence needed for any additional payments made to you because of the apprentice's characteristics (for example, their age).

h.) You must give the training provider evidence of the apprentice's eligibility at the start of their apprenticeship.

6. What can be funded?

6.1. The apprenticeship must be eligible for funding before the individual starts.

6.2. Apprentices can only be enrolled against an apprenticeship standard once we have approved and published the assessment plan on GOV.UK and assigned the apprenticeship to a funding band.

6.3. These funds must only be used to pay for training and assessment, including endpoint assessment to attain an apprenticeship that is eligible for funding up to the limit of the funding band.

6.4. The costs of taking part in any of the activities must be included in the negotiated price for training agreed between the Trust and the provider and the end-point assessment, agreed between the Trust and the apprentice assessment organisation. If this means the total price exceeds the maximum of the funding band, then the Trust (as the employer) must pay in full the difference between the band maximum and the agreed price.

7. Monitoring

7.1. The Trust Finance Committee will have delegated responsibility for monitoring the Apprenticeship Levy, to ensure it is being spent in accordance with the funding rules and that best value is being achieved from the levy fund.

7.2. A report will go to the Audit & Resources Committee, showing the budget and expenditure, including the detail of what training has been taken to date and a strategy of what training is being planned for the future to demonstrate that the funding will be spent before the two year expiry date.

8. Guidance

9.1. Further more detailed guidance can be found - Apprenticeship funding: rules and guidance for employers May 2017 to July 2018 Version 3.