

## **FAQ Apprenticeships in Maintained Schools**

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## 1. What are reforms?

From April 2017 the Government introduced a new way of funding apprenticeships by introducing a financial levy on employers to encourage, promote and support the creation of apprenticeships to cover all ages and all levels of qualification. This includes the creation of new higher level apprenticeship standards up to level 7, which is equivalent to a master's degree and post graduate level qualification.

## 2. How does this impact on Lincolnshire County Council?

From April 2017 employers with a payroll of over £3M have an annual levy imposed which will be 0.5% of their payroll. LCC falls into this category of employer.

## 3. What happens to our levy payment?

The levy is placed in an online apprenticeship funding account called the Digital Apprenticeship System (DAS) and can be drawn on to fund each apprenticeship we set up for our employees. The more apprenticeships we set up the more of our levy we get back.

### 3.1 We are a Prime Account School – what do we need to do?

Click on the link below:

<http://www.gateway.gov.uk/>

4.1.1 Register as an organisation

4.1.2 Enrol for PAYE services - HMRC will send an activation code (takes about a week)

4.1.3 Enter activation code

Send confirmation email to [Talent@Lincolnshire.gov.uk](mailto:Talent@Lincolnshire.gov.uk) and include the following information in the email:

a. Government Gateway Login

b. Password

c. PAYE Reference Number (*The employer **reference number** is in two parts. The first part is 3 digits, which identifies the HMRC office **number** that deals with the company's **PAYE** (e.g. 135). The second part of the **reference**, which follows a forward slash, is the tax office's **reference** for the employer itself e.g. AB56789).*)

## 4. How many apprentices will we need to set up to get our levy back?

This depends on the level of apprenticeships we set up as each has a different maximum funding. Public Sector organisations have also been set a target of 2.3% of annual apprenticeship starts. For LCC, this will depend on the number and level of apprenticeships we look to undertake.

## 5. How much is our levy?

The total for the whole organisation including Schools and Fire and Rescue will be approximately £1.0M per annum.

**6. What happens if we don't set up any apprenticeships?**

We have 24 months per financial accounting period in which to spend our levy funds on apprenticeship training and assessment. It is therefore crucial that we plan our apprenticeship training accordingly or we lose the funds if not utilised within that 24-month period.

**7. Apprenticeships are made up of both on and off-the-job training. How much time off the job is required?**

Off-the-job training is defined as learning which is undertaken outside of the normal day-to-day working environment and leads towards the achievement of the apprenticeship. This can include training that is delivered at the apprentice's normal place of work but must not be delivered as part of their normal working duties. There is a requirement that every apprenticeship must consist of 80% on-the-job training and 20% off the job training. The off-the-job training must be directly relevant to the apprenticeship standard and could include the following:

- The teaching of theory: Lectures, role playing, simulation exercises, online learning, or manufacturer training
- Practical training: shadowing, mentoring, industry visits and attendance at competitions
- Learning support and time spend writing assessments/assignments

**It does not include:**

- English and Maths (up to level 2) where the assessment plan states that the individual must either have achieved this level or gain it during their apprenticeship
- Progress reviews or on-programme assessment needed for an apprenticeship standard
- Training which takes place outside of the apprentices normal working hours

**8. Setting this up on a much larger scale and the extra draw on resources to support apprentices and the 20% off-the-job element will be costly. Have we considered the option of just losing the levy?**

Yes, we have fully considered this but have decided to look at this as an opportunity to boost our training and development budget rather than just another cut to our budgets. We have identified several standards that relate to our hard to recruit specialist roles that give us the opportunity to 'grow our own' and support our succession planning aspirations.

**9. Does this mean we are recruiting 200 extra young people as apprentices?**

No, whilst there will be some external recruitment, the higher-level apprenticeships give us an opportunity to use the funding for existing employee's development and as part of succession planning.

**10. How will we identify opportunities for existing employees?**

Director Areas have been mapping roles against apprenticeship standards to identify possible opportunities. Several sources will be used to identify needs, for example personal development plans and service succession planning needs. Any opportunities identified within vacant posts will be advertised internally.

**11. Will I be called an apprentice if I undertake an apprenticeship?**

Not if you are an existing employee, as you would be undertaking an apprenticeship standard of learning and will need to sign an apprenticeship agreement. However, you would still use your current job title and retain your existing terms and conditions.

**12. What is the impact on our existing apprentices?**

The only impact on current apprentices is that there will be more progression options for them in the future.

**13. I don't understand the levels of apprenticeships and how they equate to other qualifications, can you please explain this?**

<b>Entry Level</b>	Qualifications in functional skills, personal development and vocational which combine to form a Foundation Learning Programme. E.G. Adult Numeracy, Literacy and Skills for Working Life
<b>Level 1 &amp; 2</b>	GCSE's, NVQ's, BTEC's, Diplomas
<b>Level 3</b>	A Levels, NVQ's, BTEC's, Diplomas, International Baccalaureate or Access Qualifications
<b>Level 4</b>	HNC, BTEC's, Professional Diploma, Certificate of Higher Education
<b>Level 5</b>	HND, BTEC'S, Professional Diploma, Certificate of Higher Education, Foundation Degree
<b>Level 6</b>	Honours Degree, Advanced Professional Diploma
<b>Level 7</b>	Master's Degree, Postgraduate Certificate or Diploma, Chartered Professional Qualifications, Doctorate

**14. What organisations will provide the standards/learning/training support and quality assurance for the qualifications?**

To be eligible for levy funding, Lincolnshire County Council is required to follow strict public procurement rules which includes completing a fair and transparent procurement process to select external Training Providers. This is done through an online portal whereby Training Providers complete several stages and submit delivery plans for each standard they wish to deliver. LCC then verify that the providers are approved by the Government and on the National Register of Approved Training Providers. Once

approved, they are added to a digital catalogue and evaluation tool which allows you to select the most appropriate Training Provider based on your selection criteria and evaluation.

**15. Is there any account of prior learning?**

For some apprenticeships, prior learning will be considered and will be discussed both with LCC and the Training Provider to ensure you are on the correct apprenticeship and to ensure that where appropriate, the length or content of the apprenticeship has considered any relevant prior learning. Apprenticeship funds must not be used to pay for skills already attained.

**16. Are there any pre-requisite qualifications to do before applying for an apprenticeship?**

Most apprenticeship standards do ask for level 2 in English and Maths which needs to be evidenced with certificates from the awarding body. Additional help and support can be given to those individuals who need to achieve the required entry levels.

**17. Can we have some examples of apprenticeships available for schools?**

There are many apprenticeship routes available for school employees, ranging from level 2 through to L7. You can find a full catalogue and supporting course overviews on your schools document pool. You will also be able to find case studies of employees who are undertaking or recently completed apprenticeships on the document pool which provide a useful insight into the commitment and experience of doing an apprenticeship.

**18. I have a permanent member of staff who would like to undertake an apprenticeship – are they allowed?**

Anyone who doesn't have an equivalent qualification and on the proviso that they work sufficient hours (minimum is 16 per week in accordance with the Education & Skills Funding Agency (ESFA), but we would suggest a minimum 30 hours particularly when there are college or university days to attend). We ask that you ensure the full 20% off-the-job training commitment can be honoured for the full duration of the apprenticeship before signing anyone up to the qualification.

Age is no longer a consideration, if you have a thriving staff member who would benefit from the opportunity to obtain formal qualifications, we encourage you to complete an apprenticeship request form and submit to [Talent@Lincolnshire.gov.uk](mailto:Talent@Lincolnshire.gov.uk).

**19. Where can I access the apprenticeship request form?**

By contacting [Talent@Lincolnshire.gov.uk](mailto:Talent@Lincolnshire.gov.uk) or visiting the schools document pool.

**20. I'm still confused about the 20% off-the-job hours; do I have to pay whilst my apprentice is learning?**

Yes, you do need to be paying staff wages on their off-the-job training day; training can include working in other areas of your school, college, or university days, completing

assignments, etc. a lot will depend on the qualification they are undertaking, and we would expect your apprenticeship Training Provider to go through the details and build a timetable of learning with you and the apprentice.

**21. Can I choose anyone to deliver the apprenticeship training?**

No, public organisations are very strictly governed by Public Contract Regulations. By law we must undertake appropriate procurement exercises that are fair and transparent, where equal treatment to all potential providers is applied. We have a range of approved Training Providers on our catalogue who have successfully completed the procurement process and are available to support your apprenticeship needs. Once the Apprenticeship Request Form has been completed and returned to the Talent team, you will be sent the evaluation document to secure the right Training Provider for your needs.

**22. My current apprenticeship Training Provider is suggesting training for the future and wants me to sign up, what do I do?**

Refer them to their Lincolnshire County Council Contract Manager – regardless of their company or charity status if LCC is paying out of the levy for their services, they should not be canvassing for future work. If you are interested in the next level apprenticeship they are offering please get in touch with [Talent@Lincolnshire.gov.uk](mailto:Talent@Lincolnshire.gov.uk) who can support with your request.

**Please DO NOT agree to any training provision from Training Providers, as this could result in your school being ineligible for levy funds if the Apprenticeship Board feel that it would jeopardise a transparent procurement process.**

**23. I am employing an apprentice in my school – what is my responsibility?**

Firstly, contact [Talent@Lincolnshire.gov.uk](mailto:Talent@Lincolnshire.gov.uk) and ask for the Apprenticeship Request Form. They will then support you with securing a Training Provider.

You are also responsible for ensuring the apprentice receives an employment contract that meets the minimum duration required to complete the apprenticeship training plus 1 (one) day. If reasonable adjustments need to be applied to support an individual apprentice, the employing manager should liaise with their HR Advisor and the training provider and amend the employment contract accordingly.

Permission for employment contract amendment needn't be sought from the project team.

For schools employing newly appointed Apprentices, please continue to read the following FAQs as regards recruitment and the employment contract so that you can ensure your responsibilities are met in that regard.

**24. What terms and conditions apply to an Apprentice?**

Apprentices are entitled to the same employment terms and conditions as any other staff member in your school.

As with all term time only employees, Apprentices will be paid on an equated pay scheme to ensure they receive a consistent salary every month throughout the year.

Apprenticeships have different lengths of completion depending on the level and complexity of the training. There is usually a requisite minimum number of hours to successfully complete the Apprenticeship; this is usually 1560 hours over the course of the contract.

#### **24.1 What should the Full Time Equivalent (FTE) for an Apprentice be?**

The Full Time Equivalent (FTE) depends on the Conditions of Service that apply to the post. The Conditions of Service for a Teaching Assistant role dictates that the fte is 32.5 hours i.e. 32.5 hours is considered to be full time. All other support staff roles have an fte of 37 hours i.e. 37 hours is considered to be full time. The fte for part time members of staff is calculated based on the fte for the role.

For an Apprentice, the fte on which the contract (and therefore salary) is based should be that of the role that it most closely aligns to. For example, an Administration Apprentice would have an fte of 37 hours, whereas an Apprentice undertaking a TA type role would have an fte of 32.5 hours.

#### **24.2 Should a PE/Sports Apprentice have a 32.5 hour or 37 hour fte?**

The fte for a PE/Sports Apprentice should be 32.5 hours.

#### **24.3 What contract should the Apprentice be offered so that they fulfil the requisite 1560 hours?**

If the individual is to complete the Apprenticeship in one academic year, the terms offered will be 40hrs per week over 39 weeks to achieve the 1560 hours required.

Some training providers require additional weeks beyond the 12 months to complete the End Point Assessment. Therefore schools should check with the training provider whether this is a requirement so that this can be factored into the duration of the contract from the outset.

Less than 40 hours per week can be worked but this will extend the duration of the Apprenticeship beyond one year (which may or may not be acceptable to the training provider and would need to be checked with them before a contract is offered).

#### **24.4 Can an Apprentice working in a school be offered a 52-week contract?**

This is not recommended. During the school closure periods, the Apprentice will not be supervised, there will be no interaction with children and there will be no learning undertaken. Access to resources will also not be possible/will be limited due to the closure of the school building.

If a 52-week contract is offered, annual leave and bank holiday entitlement will need to be factored in which will result in a higher number of weekly hours or a contract of longer duration.

#### **24.5 What should an Apprentice be paid?**

From April 2021, the National Minimum Wage (NMW) for apprentices is £4.30 per hour regardless of age **if it is the first year of their apprenticeship.**

After the first year of the Apprenticeship, the NMW for the relevant age category will apply.

Please check GOV.UK for future increases to the NMW as these change annually every April.

#### **24.6 Can the 40 hours be paid at plain time?**

No. 40 hours is above the normal fte for a member of support staff and therefore the individual will be eligible for pay at the overtime rate of pay for the hours that are over and above the fte of the role.

For example, an Administrator on a 37-hour fte would receive time and a half for every hour worked beyond 37.

A Teaching Assistant on a 32.5-hour fte would receive time and a half for every hour worked beyond 32.5.

For example:

An Apprentice Teaching Assistant working 40 hours a week would be paid 32.5 hours at plain time and 7.5 hours at time and a half.

#### **24.7 Where an Apprentice is set up on less than 40 hours per week term time only, the contract will run for more than 12 months to achieve the 1560 hrs. As a result, is the hourly rate paid at the first year apprentice rate or does this then move onto the second year Apprentice rate despite not having achieved 1560 hrs at that point?**

Pay should increase in line with the NMW for the relevant age category once the first year (12 months) of the apprenticeship has been completed i.e., it is the calendar that dictates what constitutes 'a year' and not the number of hours worked towards achieving the apprenticeship.

#### **24.8 What job description should I use for an Apprentice?**

There are no generic job descriptions (JDs) for School Apprentice roles and it is not necessary to state the reference number of the JD that an individual has been matched to on the new starter form. (This is because the pay for the Apprentice is off scale and not determined by the JD as is the case for other support staff roles).

It is advisable however to identify a generic JD that most closely aligns with the Apprentice role so that the individual has a general guide as to the role they are learning.



**25. What recruitment procedure applies when appointing an Apprentice?**

The Recruitment and Selection Policy and accompanying Toolkit containing supporting guidance, documentation and templates etc, can be found within the School Employment Manual on Perspective Lite:

*LA Documents > HR & Employment Policy > 09 Employment > School Employment Manual*

The Apprentice will be employed by the school and therefore all of the usual safer recruitment rules apply. For example:

- An LCC application form should still be completed.
- References should be requested.
- All other pre-employment clearances should be undertaken.
- The individual should be included on the Singe Central Record.

Any Hiring Manager recruiting to a position where someone will be working with children and vulnerable groups must undertake safer recruitment training.

**26. Is it necessary to advertise an Apprenticeship vacancy?**

This is not a legal requirement but is recommended for equal opportunities purposes and ensuring you get as wide a field of applicants as possible from which to make an appointment.

The training provider may however advertise themselves and provide you with details of suitable candidates and you may feel advertising is not necessary if this is the case.

**27. How should I end an Apprenticeship Contract?**

The normal dismissal procedure used to end any temporary contract should be used to end an Apprenticeship contract and this should be done in a timely manner to enable the contractual notice period to be complied with.

Please contact your HR Provider for details of the dismissal procedure.

**28. Is an Apprentice entitled to redundancy pay at the end of their contract?**

No. An Apprentice contract ends on the grounds of Some Other Substantial Reason (SOSR) rather than redundancy. The Substantial Reason will be either the successful completion of the Apprenticeship or the failure to do so.

**29. I have additional queries, who can I contact?**

Query	Team	Initial Contact	Escalation Contact
Payment of £1000 additional funding for	Schools Finance Team	<a href="mailto:Schools_finance@lincolnshire.gov.uk">Schools_finance@lincolnshire.gov.uk</a>	<a href="mailto:Angela.lawton@lincolnshire.gov.uk">Angela.lawton@lincolnshire.gov.uk</a>

apprentices 18 years and below			
Monthly levy contributions	If supported by Serco: Schools Finance Team If supported by 3rd party payroll provider, the school will need	<a href="mailto:Schools_finance@lincolnshire.gov.uk">Schools_finance@lincolnshire.gov.uk</a>	<a href="mailto:Angela.lawton@lincolnshire.gov.uk">Angela.lawton@lincolnshire.gov.uk</a>
HR Queries	The school may contact their HR Provider.	School HR contact	<a href="mailto:Talent@Lincolnshire.gov.uk">Talent@Lincolnshire.gov.uk</a>
Payroll Queries	If supported by Serco: Payroll If supported by 3rd party payroll provider, the school will need to liaise with them directly	<a href="mailto:HRSchoolsTeam@lincolnshire.gov.uk">HRSchoolsTeam@lincolnshire.gov.uk</a>	<a href="mailto:Kerry.Gibson@lincolnshire.gov.uk">Kerry.Gibson@lincolnshire.gov.uk</a>
Apprenticeship Provider Queries	Talent & Early Careers	<a href="mailto:Talent@Lincolnshire.gov.uk">Talent@Lincolnshire.gov.uk</a>	<a href="mailto:Natalie.holbrook@lincolnshire.gov.uk">Natalie.holbrook@lincolnshire.gov.uk</a>
Schools wanting to take on an apprentice	Talent & Early Careers	<a href="mailto:Talent@Lincolnshire.gov.uk">Talent@Lincolnshire.gov.uk</a>	<a href="mailto:Natalie.holbrook@lincolnshire.gov.uk">Natalie.holbrook@lincolnshire.gov.uk</a>