



**STOUR VALE
ACADEMY
TRUST**

APPRENTICESHIPS POLICY

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1.0 PURPOSE OF POLICY

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

2.0 BACKGROUND

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.

The total pay bill of the Trust is the sum of all the constituent schools' pay bill, plus that of the Central function. 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.

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 Apprenticeship Levy so is only entitled to one £15,000 allowance.

The Apprenticeship Levy funding is accessed through a Digital Apprenticeship Services Account. Funds will expire 24 months after they enter our Apprenticeship Services Account unless it is spent on apprenticeship training with a registered training provider. Whenever a payment is taken from the account, the service automatically uses the funds that entered the account first.

3.0 OPERATION

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

It is the Trust's principle that the Levy should first be used to fund the training of any apprentices that are or can be recruited into existing vacancies or newly created roles, where appropriate.

A School must contact the Trust HR team 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. The Trust HR team 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.

There will be one Digital Apprenticeship Service Account for all the schools in the Trust, managed by the Trust Central Finance Team. The Levy will be taken monthly by HMRC via payroll, alongside Income Tax, National Insurance and any other amounts owed to HMRC by the Trust.

4.0 SELECTING A TRAINING PROVIDER

Funding for all elements of each apprenticeship will be routed through a 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.

A broker may be involved in finding any approved provider in the local area for a particular candidate and providing suitable interviewees where a new apprentice is to be appointed. Any associated costs to this process and in interviewing candidates remain with the appointing school

The Trust HR team 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.

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 must be agreed with the apprentice assessment organisation.

When agreeing a price with the provider the Trust 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.

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

5.0 APPRENTICESHIP FUNDING RULES

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.

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

There must be a genuine job available during the apprenticeship.

- 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)
- the cost of the apprentice's wages must be met by the Trust as their employer, through the budget(s) of the school(s) where the apprentice is based.
- 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.
- the apprentice must have appropriate support from within the organisation to carry out their job role. To achieve this, the apprentice has an individual learning plan used to develop a structured work experience and development programme to support the formal study element of the apprenticeship. The apprentice must also receive regular 1:1 support for mentoring, coaching and ensuring satisfactory performance from the Headteacher / Head of Service / Line Manager
- When the apprenticeship is achieved, the apprentice should remain with the Trust, where a job opportunity continues to exist and where the apprentice wishes to remain with the Trust. Such an opportunity may be in an establishment different to that where the apprenticeship itself was undertaken. Where this is not possible, the school, Trust and the provider must support the apprentice to seek alternative opportunities.
- The ESFA 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 ESFA will take action if employer recruitment practice is detrimental either to the apprentice or to the apprenticeship band.

Funding from the Apprenticeship Levy will be available subject to the following criteria;

- The apprenticeship must be eligible for funding before the individual starts.
- Apprentices can only be enrolled against an apprenticeship standard once the Trust has approved and published the assessment plan on GOV.UK and assigned the apprenticeship to a funding band.
- 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.
- 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, usually through the budget(s) of the school(s) where the apprenticeship is to be based.

6.0 RENUMERATION REQUIREMENTS

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).

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.

7.0 CHECKS AND RESPONSIBILITIES THAT MUST BE UNDERTAKEN

Appropriate Eligibility Checks should be undertaken, prior to commencement of the apprenticeship contract and these must include

- Safeguarding checks, including DBS as appropriate
- 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

The apprenticeship must be recorded correctly in the Digital Apprenticeship Service Account.

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. It must be signed by both parties.

The employer must have a commitment statement, signed by the employer, the apprentice and the main provider.

The employer must make sure the apprentice is taking part in learning throughout the apprenticeship.

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

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

The employer must give the training provider evidence of the apprentice's eligibility at the start of their apprenticeship.

8.0 SAFEGUARDING, DUTY OF CARE AND EQUALITIES

The Trust takes its responsibilities seriously under the Safeguarding Vulnerable Groups Act 2006 and statutory guidance Keeping Children Safe in Education 2016.

The Headteacher / Head of Service / Line Manager is responsible for ensuring that safe recruitment practices are followed, and equalities and diversity issues considered when recruiting into roles dealing with young persons and vulnerable adults.

All apprenticeship roles in schools will require an enhanced DBS check.

9.0 DIGITAL APPRENTICESHIP SERVICE ACCOUNT

The Trust is responsible for recording the required details of the apprenticeship in the account. The Trust can give the provider permission to enter this information on their behalf but will need to authorise the apprentice details so they can use the digital funds to pay for that apprentice's apprenticeship.

Only the Trust CFO or Head of HR can approve and confirm the spending of funds from the Trust digital account. A school must not delegate this function to the provider and they must not take on this responsibility.

To be funded from the digital account, the data entered into the digital account must correspond with the information submitted by the provider. Payments to the chosen training provider will only be made if these details match.

HMRC will pay the training provider 80% of the agreed price up to the maximum value of the funding band, in equal monthly instalments according to the planned duration of the apprenticeship. The deductions from the digital account will mirror these payments where funds are available.

The remaining balance of the agreed price will be paid, up to the maximum value of the funding band, to the training provider when the apprentice has undertaken all the learning activity relevant to the apprenticeship.

10.0 MONITORING

The Trust Finance & Resources 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.

A report will go to the Finance & 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.

11.0 GUIDANCE

More detailed guidance and the latest funding bands can be found at <https://www.gov.uk/topic/further-education-skills/apprenticeships/latest>

12.0 ADOPTION OF THE POLICY, MONITORING AND REVIEW

This policy has been adopted by the Trustees of Stour Vale Academy Trust. This policy will be monitored and reviewed by the Trust Board on a 3 year cycle.