

Moving Forward – New National Apprenticeship Arrangements

Guidance for Schools – Issue 3, July 2017

Introduction

Welcome to North Yorkshire County Council's (NYCC's) third guide for schools on the new apprenticeship arrangements which came into effect from May 2017. Previous guidance 'Get on Board' and 'Getting Started' are available on cyps.info.

Whilst we appreciate that the majority of this guidance relates to locally maintained and voluntary controlled schools (for whom NYCC manages the apprenticeship levy), please note that the 'Support to Schools' section and the Frequently Asked Questions (FAQ) briefing at **Appendix 1** apply equally to Academies and other educational settings.

The purpose of this document is to:

- update schools on the recent survey
- provide NYCC's current thinking on distribution of the levy
- update schools on further practical guidance we will be sending to help schools arrange apprenticeships for both new recruits and existing members of staff
- remind all schools of the support available from NYCC
- update the 'Frequently Asked Questions' (FAQs) briefing to cover questions coming through from schools since May (**Appendix 1**)

Survey

Thank you for taking the time to complete the online survey to identify the likely demand for apprenticeships in locally maintained and voluntary controlled schools over the next three academic years (given that NYCC manages the levy for such schools). The survey ran until 30th June and we are delighted with the number of responses.

The survey results are now being evaluated and we may be contacting you to confirm your responses before we start procurement. As such, please note that there will be a lead-in time before these apprenticeships can be progressed. We plan to do as much as possible over the summer break so we're in a position to start commissioning and procuring training providers on behalf of those schools concerned as soon as possible in the autumn term.

Don't worry if you haven't completed the survey. If you would like to start an apprentice, or seek further information, please contact Maggie Swinden, Workforce Development Advisor, by e-mailing maggie.swinden@northyorks.gov.uk.

We have received a number of direct requests for apprenticeships starts outside the survey and are working with the respective schools to progress these.

Please can we take this opportunity to remind you that you can use the levy for developing existing staff (providing the school has identified a service need to acquire **new** skills), as well as for new recruits. Examples of use for existing staff could include: recent recruits who don't have the full qualifications needed for the role, job changes as a result of restructures, staff redeployment into new roles, job redesign for other reasons, statutory or regulatory changes requiring new skills.

Engagement with Schools

We were grateful to be given the opportunity to talk to schools directly over the past few months at Improvement Networks, Finance and Admin Conferences and at the Primary Headteachers' Joint Development Planning (JDP) meeting. Attending these events gave us an appreciation of how schools colleagues feel the apprenticeship agenda is moving forward.

Business Engagement Officers from NYCC's Adult Learning and Skills Service (ALSS) have also been visiting schools and Schools HR Advisors have been raising awareness of apprenticeships at their schools meetings.

Spending the Levy

The first year of operating the new apprenticeship scheme is effectively a pilot, given that it is new to everybody, including supporting agencies. However, NYCC is aware of the need to consider establishing a principle on the distribution of the levy in a way that is fair to all participating schools. NYCC currently proposes that the levy be spent in relation to each school's demand and need for the first year, as opposed to proportionate to levy paid.

As such, NYCC is planning to do a piece of work to forecast the estimated expenditure of the levy once we have evaluated the results of surveys returned by schools. The outcome of this will indicate if we need to review the demand and need principal for the first year of the scheme. The distribution of the levy will be reviewed on a regularly basis.

NYCC is working on an effective and efficient way to report to schools on the amount of levy expenditure. An update on this will be provided in our next communications.

Guidance and Flow Chart

NYCC is currently finalising practical guidance to help schools either recruit new apprentices or organise apprenticeships for existing staff (the latter where training and development needs have been identified).

This guidance, along with a flow chart, will be issued in due course, to be available for use from the autumn term.

Support to Schools

Just to remind all schools that only organisations who have been nationally approved as apprenticeship providers on or after 1 May 2017 are able to deliver training or assessment. The list of approved providers is available at:

<https://www.gov.uk/guidance/register-of-apprenticeship-training-providers>

NYCC has been approved by the Education and Skills Funding Agency as a 'Main Provider' of new apprenticeships. This means that our Adult Learning Skills Service (ALSS) is able to deliver apprenticeships in a number of areas relevant to all schools, irrespective of their status.

NYCC is also commissioning with the local Higher Education sector for degree level apprenticeships in Digital & Technical Solutions and Management & Leadership.

NYCC's Resourcing Solutions Team has a proven track record in recruiting apprentices effectively for both NYCC, Schools, and partner organisations in both the public and private sectors. They have developed a range of packages to help organisations with apprentice recruitment which include writing effective adverts, advertising vacancies using a range of media, corresponding with candidates, providing support to and preparing candidates for interview.

If you are interested in pursuing any of these areas, please contact your School's HR Advisor in the first instance, who will be pleased to pass you onto the relevant NYCC team.

Contact Us

If you have any queries, or wish to take on an apprentice, please contact NYCC's Schools HR Advisory Team on schoolshradvisory@northyorks.gov.uk or ring **01609 798343**. The team will direct enquiries to the relevant NYCC team as appropriate.

Please also refer to the Government guidance 'Schools' guide to apprenticeship reforms' which you can access via the following link:

<https://www.gov.uk/government/publications/apprenticeships-reforms-guide-for-schools>

APPENDIX 1

Frequently Asked Questions (FAQs) on Schools' Apprenticeships

Updated July 2017

What is an apprenticeship?	An apprenticeship is a job with training
Who is it for?	<p>Apprenticeships are available to anyone over the age of 16 living in England. They can be undertaken by both new recruits or existing members of your team for:</p> <ul style="list-style-type: none"> • Building the talent pipeline: apprenticeships can be used either for new recruitment or to develop internal talent to fill critical skills gaps. • Developing existing staff: Apprenticeships offer a route for anyone who needs to develop new skills due to changes in job roles or job requirements, provided the school has identified a service need to acquire new skills.
How long does it last?	The minimum length is 12 months, but can last up to 4 years depending on the level of qualification. Where staff work part time, (min 16 hours per week) the length of the apprenticeship is increased proportionately.
Is it a paid job?	<p>Yes. You must pay the apprentice at least the national minimum apprenticeship wage, and if you are a locally maintained school you must pay in accordance with the existing North Yorkshire County Council pay policy and banding, including the existing entry level apprenticeship salary.</p> <p>Existing members of staff will continued to be paid on their normal salary in their current job, unless they are applying for a new job role under the apprenticeship scheme, then they will be paid the rate determined for that post.</p>
How many hours?	<p>Apprentices or existing staff undertaking approved apprenticeship training should be employed for 30+ hours a week and must work alongside experienced staff.</p> <p>If you employ someone part time, the minimum hours is 16 hours per week. If you employ someone on less than 30 hours the length of the apprenticeship program must be extended pro-rata.</p>
How much study	All apprentices, including existing staff undertaking

time is required?	apprenticeship training, must have a minimum of 20% off the job training related to the job role and skills.								
What counts as off the job training?	Training and development which is a requirement for the job role and apprenticeship award is what counts. This generally means being given protected time away from their normal duties, it could include attending college, undertaking online learning or attending relevant training courses. Off the job training could still be within the workplace.								
What level of apprenticeships are available?	<p>There are various levels of apprenticeships someone can undertake depending on the current skills and qualifications of the individual. Apprenticeships have equivalent educational attainment levels:</p> <table border="1" data-bbox="608 781 1382 1122"> <tr> <td data-bbox="608 781 839 857">Intermediate</td> <td data-bbox="839 781 1382 857">Level 2 - equivalent to studying for up to 5 GCSEs.</td> </tr> <tr> <td data-bbox="608 857 839 934">Advanced</td> <td data-bbox="839 857 1382 934">Level 3 - equivalent to studying for 2 A levels.</td> </tr> <tr> <td data-bbox="608 934 839 1041">Higher</td> <td data-bbox="839 934 1382 1041">Levels 4, 5; equivalent taking a level 4 NVQ, Higher National Diploma or Foundation Degree.</td> </tr> <tr> <td data-bbox="608 1041 839 1122">Degree</td> <td data-bbox="839 1041 1382 1122">Levels 6, 7; equivalent to a Bachelor's or Master's degree.</td> </tr> </table>	Intermediate	Level 2 - equivalent to studying for up to 5 GCSEs.	Advanced	Level 3 - equivalent to studying for 2 A levels.	Higher	Levels 4, 5; equivalent taking a level 4 NVQ, Higher National Diploma or Foundation Degree.	Degree	Levels 6, 7; equivalent to a Bachelor's or Master's degree.
Intermediate	Level 2 - equivalent to studying for up to 5 GCSEs.								
Advanced	Level 3 - equivalent to studying for 2 A levels.								
Higher	Levels 4, 5; equivalent taking a level 4 NVQ, Higher National Diploma or Foundation Degree.								
Degree	Levels 6, 7; equivalent to a Bachelor's or Master's degree.								
What are the Key Terms & Conditions for an apprentice?	<p>An apprentice should be treated like any other employee. However, apprentices must :</p> <ul data-bbox="576 1267 1398 1458" style="list-style-type: none"> • have 20% off the job paid training and development time • agree and sign a learning agreement (this is in addition to their terms and conditions) 								
What are the School's roles and responsibilities?	<p>As a Headteacher, or other schools manager supporting a new apprentice or an existing member of staff undertaking apprenticeship training, you will need to agree to:</p> <ul data-bbox="576 1648 1398 2018" style="list-style-type: none"> • Providing an appropriate induction • The associated roles and responsibilities of being responsible for an apprentice and your requirements throughout the journey of the apprenticeship • Timeframes for the completion of the apprenticeship program e.g. the qualification • Time allocations to training and development (minimum 20% off the job training) • Keep in touch with the Training provider on a regular basis to monitor and review progress and act on any 								

	<p>additional needs that the apprentices may present</p> <ul style="list-style-type: none"> • Sign an Individual Learning Plan with the apprentice and Training provider • Access to the school for the training provider/assessor to observe the candidate and feedback • Regular catch ups and / or supervision with the apprentice • Identify a mentor to support the apprentice day to day (if applicable) • Assist in the end-point assessment with the independent assessor • Raise any concerns with the appropriate personnel
<p>So, what is the Apprenticeship levy?</p>	<p>The Government has imposed an annual levy on all employers operating in the UK, with a pay bill over £3 million each year, to invest in apprenticeships. This levy is 0.5% of total pay bill and HMRC will collect this on a monthly basis. The Government will then provide a 10% top up to spend on apprenticeship training and assessment only.</p> <p>The funding will sit in a Digital Online Account provided by the Education and Skills Funding Agency, which will be managed by employers through the Digital Apprenticeship Service (DAS). The funding can only be spent on an individual undertaking an approved apprenticeship program. For more information visit:</p> <p>https://www.gov.uk/government/publications/apprenticeship-levy-how-it-will-work/apprenticeship-levy-how-it-will-work</p>
<p>Why is this levy being introduced?</p>	<p>The Government is committed to boosting productivity by investing in people. As part of this, the Government is committed to developing vocational skills and to increasing the quantity and quality of apprenticeships. It has committed to an additional three million apprenticeship starts by England by 2020.</p> <p>The levy will help to deliver new apprenticeships and will support quality training by putting employers at the centre of the system. Employers who are committed to training will be able to get back more than they put in by training sufficient numbers of apprentices.</p>
<p>When will this be introduced?</p>	<p>Levy deductions by HMRC will start on 6th April 2017.</p>

<p>When can we start drawing down the levy?</p>	<p>HMRC will deposit levy deductions into the Digital Online Account so it is available to pay for statutory approved apprenticeships from 1st May 2017.</p>
<p>Providers</p>	<p>An approved providers list was published by the Skills Funding Agency on 13th March 2017. All schools must use approved providers.</p>
<p>What can we use the apprenticeship levy fund for?</p>	<p>The Apprenticeship Levy can only be spent on those undertaking a statutory approved apprentice programme (this could be a standard or framework) and delivered and assessed by an approved training and assessment provider. This includes both new staff and existing staff. However you can only use the funding for developing existing staff where <u>significant</u> new skills & knowledge development is required. For example, you may have someone who has a degree in one area, but the job they are doing is considerably different and they require a new set of knowledge and skills. In this instance you could use the levy to fund either a lower or same level qualification in the new occupational area. However, you can't use the levy just to gain a qualification.</p>
<p>What can I not use the levy for?</p>	<p>The Regulations stipulate that you <u>cannot</u> use the apprentice levy to fund qualifications or training which is not a statutory approved apprenticeship standard or framework. In addition the funding cannot be used to fund:</p> <ul style="list-style-type: none"> • Apprentice salary and on costs • Travel and subsistence costs • Managerial costs • Traineeships • Work placement programmes • Covering the costs of setting up your apprenticeship programme •
<p>What is an apprenticeship Framework or Standard?</p>	<p>There are currently two different types of apprenticeship training that you can choose from:</p> <ul style="list-style-type: none"> • New Apprenticeship Standards - each standard covers a specific job role and sets out the core skills, knowledge and behaviours an apprentice will need to be fully competent in their job role and meet the needs of employers • Current Apprenticeship Frameworks – a series of work-related vocational and professional qualifications, with workplace and classroom based training. <p>By 2020, nearly all frameworks will have been replaced by</p>

	employer-led standards.
How will I know which standard or framework will best meet our workforce needs?	<p>A list of current frameworks and standards can be found here:</p> <p>For current frameworks: http://www.afo.sscalliance.org/frameworkslibrary/index.cfm</p> <p>For new standards: https://www.gov.uk/government/collections/apprenticeship-standards</p> <p>You can also access the Government's 'Find Apprenticeship Training' on-line tool at: https://www.gov.uk/government/news/find-apprenticeship-training-tool-is-now-live</p> <p>This allows you search available training and shows the level, duration, funding cap, entry requirements and other useful information.</p>
What benefits will taking on an apprenticeship bring to my team?	<p>Many organisations are realising the value of apprenticeships and on the job training as a means of improving their services. Employers have reported benefits including: the introduction of new ideas to their business, improved staff morale and better staff retention.</p> <p>In addition, by offering apprenticeships you can:</p> <ul style="list-style-type: none"> • Grow your team while keeping costs down. • Develop new recruits to meet your needs. • Free up time for your existing employees to work on other projects. • Give your team new skills and energy. • Develop the skills on your team in a cost effective way. • Encourage employee loyalty
April Update	
When teaching comes into play, we need to think about the likes of School Centred Initial Teacher Training (SCITT) providers and how they might fit in.	<p>The Education and Skills Funding Agency has advised that this route doesn't qualify as an apprenticeship and as such, is not appropriate for apprenticeship funding.</p> <p>A teaching apprenticeship reflecting the same standards as Initial Teacher Training programmes is currently under development and expected to be ready by September 2018.</p>
As a locally maintained / VC	As NYCC is the employer and levy payer and manages the DAS system for locally maintained and voluntary controlled

<p>school, can I go to my usual training provider for new apprenticeships and draw down the levy held in NYCC's DAS?</p>	<p>schools, you will need to commission your apprenticeship needs through NYCC's Schools HR Advisory Team on schoolshradvisory@northyorks.gov.uk or ring 01609 - 798343. The apprenticeship will then be commissioned via the DAS system and the levy will be used to pay for the apprenticeship training (provided specified criteria has been met). Providers can only be paid through the DAS.</p> <p>To be eligible to deliver apprenticeship training for apprenticeships that start on or after 1 May 2017, organisations must be listed on the register of apprenticeship training providers (RoATP).The list is available at: https://www.gov.uk/guidance/register-of-apprenticeship-training-providers</p> <p>In the meantime, we would urge locally maintained and voluntary controlled schools not to enter into any agreements with training providers who may contact you directly, as this could result in you being unable to draw down the levy.</p> <p>This does not mean that you cannot use your normal supplier if they are on the register, but you need to come via NYCC to ensure that process is followed and the provider properly procured via the DAS system to enable levy monies to be drawn down.</p>
<p>Do Foundation and Voluntary Aided Schools, Academies and Multi Academy Trusts have to use approved providers?</p>	<p>All schools whether they pay the levy or not will need to use the Education and Skills Funding Agency list of approved providers rather than making their own arrangements.</p> <p>Levy payers will need to use their own procurement rules to commission approved providers for the apprenticeships they want to run.</p>
<p>What is the latest position on development of the new apprenticeship standard for Teaching Assistants?</p>	<p>We received feedback from the DfE that the standard would be approved subject to some amendments. One amendment was to remove the requirement for the apprentice to hold five GCSEs grades A* to C, another was to amend a knowledge statement as it read like a skills statement.</p> <p>The standard should be published in the next few weeks. However, we still need to wait for the assessment plan to be approved and published for it to be "approved for delivery". The standard is expected to be ready to use from late 2017.</p>
<p>I understand that each organisation</p>	<p>Public Bodies have an Apprenticeship Levy Allowance of £15,000 each year, which reduces the amount of</p>

<p>gets an initial grant of £15,000. Will this be shared out between the schools?</p>	<p>Apprenticeship levy we have to pay by £15,000 across the year.</p> <p>Although this allowance may be allocated between all NYCC's PAYE schemes, NYCC does not currently intend to share the allowance proportionately with schools. This is because the amounts involved would be too small once divided out and exceeded by administration costs. The County Council is investing money to run the scheme effectively.</p>
<p>July Update</p>	
<p>How do I calculate how long an apprenticeship will last in cases where the apprentice works less than 30 hours a week?</p>	<p>If the apprentice works fewer than 30 hours a week, the provider must extend the minimum duration of the apprenticeship (pro rata) to take account of this.</p> <p>This will also apply to any temporary period of part time working (or indeed, where term time only contracts average out at fewer than 30 hours a week).</p> <p>Where a part time working pattern is needed, the extended duration of the apprenticeship must be agreed by the apprentice, school and the provider. The school must:</p> <ul style="list-style-type: none"> • Record the agreed average number of hours each week • Evidence why this working pattern is needed • Extend the minimum duration using the following formula: <p>$12 \times 30 / \text{average weekly hours} = \text{new minimum duration in months}$</p>
<p>Is it ok for an apprenticeship to be aspirational rather than in the employee's current role? E.g. could someone who does not lead a team do a management apprenticeship?</p>	<p>An apprenticeship can be aspirational in terms of stretching the individual and/or helping them prepare for the next level.</p> <p>However, it is important to remember that an apprenticeship can only be used for existing staff in cases where training and development needs have been identified.</p> <p>Employees would still need to be able to collect the evidence to complete the apprenticeship and for this to happen they may need to be exposed to certain aspects of a job role.</p> <p>If they are not currently doing this job role this will make it more difficult and the programme will have to be very carefully planned.</p>

<p>Are tie-in agreements to apprenticeships allowed within the funding rules?</p>	<p>It is clear in the funding rules for employers that the individual must not be asked to contribute financially to the direct cost of learning or assessment - this includes where an apprentice leaves their programme early (e.g. employers must not claim training or assessment costs back from ex-apprentices).</p>
<p>Does the 20% off the job training take into account annual leave?</p>	<p>If the holiday is paid working time, then yes. The 20% is based on the learner's paid working hours.</p>
<p>Can induction be used for the 20% off the job training, given that the apprentice is not productive for quite a period / they are learning for some weeks before becoming competent</p>	<p>Not unless the content of the induction helps the apprentice achieve the apprenticeship.</p>
<p>Induction is a broad description - what about skills that are required to fulfil the role and a legal requirement that are included in initial training?</p>	<p>This phase should be treated the same as an induction. As the apprentice completes any initial training or works towards a legal requirement, if the knowledge, skills and behaviours they gain contribute to the achievement of the apprenticeship then this could be counted as part of the 20% off-the-job training requirement.</p>
<p>For off-the-job training, does the whole 20% need to be planned up front, or is there flexibility to develop the programme as the apprentice progresses?</p>	<p>It would be preferable to have a plan of how the off-the-job training will be delivered at the outset. However, we appreciate that it will not be possible to do this exactly for an apprenticeship that lasts a number of years, or where there is a change of circumstances or changes to the apprentice's job role. The most important thing is that the apprentice gets an appropriate amount of quality off-the-job training and that this is evidenced.</p>
<p>Can attending meetings \ shadowing others that are not part of the day-to-day job count towards the</p>	<p>Yes, if it helps the achievement of the knowledge, skills and behaviours of the apprenticeship.</p>

20%?	
If the apprentice is continually failing assessments and underperforming, are there any restrictions or can schools manage their performance like any other employee?	An apprentice should be treated the same as any other employee. However, the school might want to consider if the training approach is correct by involving the training provider before taking any performance management action. The delivery may need adjusting to better meet the individual's needs.
How long should the probation period be for newly recruited apprentices?	Under NYCC's current Probation Procedure, probation for apprentices is 12 months. However, NYCC is looking to change this to six months to align with the probation period for other employees. Due to lead in time for making policy changes, it is unlikely that this would happen prior to September 2017.
What happens to the levy payment / apprenticeship costs if a locally maintained / voluntary controlled school becomes an Academy, VA, Free school or Foundation school part way through a tax year?	<p>The Governing Body or Trust will be responsible for the apprenticeship levy from that point onwards.</p> <p>Any levy contributions already made via NYCC are not transferable to the Academy or Trust. The liability of any outstanding training costs for staff undertaking apprenticeship training, either as a new starter or existing staff development, are transferred to the Academy or Trust.</p>
My school is an NYCC levy payer and I'm considering an apprenticeship for an employee within the 16-18 age bracket. I've been approached by a training provider offering free apprenticeships for 16-18 year olds. Can I take advantage of this without having to	<p>The training provider may not be aware that you pay into NYCC's levy and may think that, as your school's pay bill will be under £3 million, it will be able to claim back 100% of the cost of training from the government and hence offer the apprenticeship to you for free.</p> <p>However, this will not be possible as any apprenticeship training undertaken by a locally maintained / voluntary controlled school has to be paid for from the NYCC levy pot, given that NYCC is technically the employer.</p>

go via NYCC?	
How much will it cost the school to have an apprentice?	<p>The levy can be used to fund the training costs but the school must meet the salary and associated costs (including on-costs.)</p> <p>The salary will naturally depend upon the role. If the apprenticeship is an entry level role, schools should pay the NYCC entry rate (£7,800). If it is at a higher level – it should be paid at the rate for the job and may need to be evaluated via NYCC. Existing staff would remain on their current salary. Academies and voluntary-aided schools would use their own pay rates. Detailed information is included in the manager guidance for schools attached at Appendix 2.</p> <p>There are 15 nationally prescribed funding bands and the amount of levy you can draw down for training depends which band the chosen training falls within (there is a maximum amount for each band). NYCC will aim to work within these funding bands when we commission and procure training on behalf of locally maintained and voluntary controlled schools.</p>