

## HOW TO.....MAKE THE MOST OF APPRENTICESHIPS

### Overview

Suffering from skill shortages but can't afford big training costs? Apprenticeships are a great way to build the capability you need to ensure your organisation can grow, and you can get funding so won't need to pick the bill up for the training element of the apprenticeship.

This guide outlines the key points of apprenticeships in England. If you want to know more, you can visit <https://www.gov.uk/take-on-an-apprentice>

### What is an apprenticeship and who can complete these?

Apprenticeships are training programmes for people in work.

People of any age can complete these, as long as the apprenticeship enables them to develop a new set of skills.

To be eligible to be an apprentice an individual must:

- ✓ have the right to work in England
- ✓ spend at least 50% of their working hours in England
- ✓ not be in full-time education
- ✓ be employed by the employer, or a connected company or connected charity, as defined by HMRC; and
- ✓ not already hold a qualification at a level the same as, or higher than, the apprenticeship, unless the training content is materially different

### The four levels of apprenticeships

*Intermediate:* Level 2 (Equivalent of 5 GCSEs)

*Advanced:* Level 3 (Equivalent of 2 A-levels)

*Higher:* levels 4 to 7 (Equivalent to a foundation degree or above)

*Degree:* level 6 (bachelor's degree) and level 7 (master's degree)

### What is the apprentice Levy?

The levy is a government fund available to support the cost of apprenticeships.

All employers can claim funding from the levy, regardless of whether they pay the levy or not, but employers who do not pay the levy are required to contribute 10% of the apprenticeship training costs.

### What rules apply to apprentices?

- ✓ You can only advertise a role as an apprenticeship if it is linked to approved standards or frameworks.
- ✓ An apprenticeship programme must last for at least one\* year
- ✓ Apprenticeships can be undertaken on a part-time\* basis but if an apprentice works fewer than 30 hours per week, the minimum duration of the apprenticeship increases on a pro rata basis.
- ✓ Apprentices should spend at least 20% of their time in off-the-job learning, and 80% on-the-job learning, and be working towards achieving an approved "apprenticeship standard" or "apprenticeship framework", and there must be a genuine job available during the apprenticeship.
- ✓ You can't spend the levy funding on work-based learning programmes if they are not an approved standard or framework.
- ✓ You can only spend levy funding on training that is provided by a registered training provider.
- ✓ Funding can't be spent on any other costs associated with apprentices.

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What if there isn't an approved standard available yet?

If there isn't an approved standard available in your industry, you may be able to become a "trailblazer" and get involved in creating one.

**Selecting an apprenticeship programme, an approved training provider and an approved end-assessment organisation**

The links below will help you set up your apprenticeship:

<https://www.instituteforapprenticeships.org/apprenticeship-standards/>

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

<https://www.gov.uk/guidance/register-of-end-point-assessment-organisations>

### **Apprenticeship Agreements**

You need to put an Apprenticeship Agreement in place. It is important you ensure these conditions are met, or else the apprentice may be employed under a traditional contract, which would give them enhanced rights.

### **Supervision and training of apprentices**

You will need to make sure your apprentice is working with experienced and skilled colleagues on work that is relevant to the skills set out in the framework or standard. There are also legal obligations in relation to working time and health and safety if you employ apprentices who are aged under 18.

### **What happens when the apprentice completes their programme?**

There is no legal obligation to offer your apprentice a job but if your apprentice has at least two years' service, make sure you follow a fair process if you terminate their employment; as the expiry of a fixed-term contract constitutes a dismissal under the law.

### **Useful Links**

Use this link to access a template agreement:

<https://www.gov.uk/government/publications/apprenticeship-agreement-template>

### **Statutory rights**

Apprentices have the same statutory rights as other employees, except that the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 (SI 2002/2034) do not apply.

### **Rates of Pay**

You must pay apprentices at least the national minimum wage rate for their age if they are aged 19 or over and have completed the first year of their apprenticeship. See link below:

<https://www.gov.uk/national-minimum-wage-rates>

I hope you found this guide useful. Contact me at [Karen@KDHRsolutions.com](mailto:Karen@KDHRsolutions.com) if you would like more information