



SOUTH WEST ESSEX
COMMUNITY EDUCATION TRUST

The South West Essex Community Education Trust comprises of:

- **Deneholm Primary School**
- **Stifford Clays Primary School**
- **William Edwards School**

Name of Policy: APPRENTICESHIPS GUIDANCE

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Chair of the Board**

Date:

Apprenticeships – Guidance for Academies

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1. What is an Apprenticeship?

An apprenticeship is an integrated programme of learning to develop the skills and knowledge of an apprentice. An apprentice will work towards a work-based qualification ie National Vocational Qualification (NVQ), and in most cases, a technical certificate (designed to demonstrate technical knowledge in the chosen vocation). An apprenticeship qualification is usually gained within 6 to 18 months, depending on the individual's abilities, framework undertaken and the nature of the role.

2. Apprenticeship Frameworks

There are around 180 apprenticeship frameworks covering many occupational areas. Some examples are: Business Administration, Customer Service, Information and Communication Technologies (ICT) and Teaching Assistants.

There are three levels of apprenticeship available:

Intermediate Level - an apprentice will work towards a work-based learning qualification ie an NVQ Level 2, and, in most cases, a relevant knowledge based qualification ie BTEC. These provide the skills an apprentice will need for their chosen career and allows entry to an advanced apprenticeship.

Advanced Level – an advanced apprentice will work towards a work-based learning qualification ie an NVQ Level 3, and, in most cases, a relevant knowledge based certificate ie BTEC. To start this programme, the applicant should ideally have 5 GCSE's (grade C or above) or have completed an apprenticeship.

Higher Level – a higher apprentice will work towards a work-based learning qualification ie an NVQ Level 4 and, in some cases, a knowledge based qualification ie Foundation degree. In some cases, an apprentice can also progress to higher education, including university degrees.

3. Funding

Funding is available from the National Apprenticeship Service for the qualification undertaken by the apprentice, not the salary. The amount of funding varies depending on the sector and the age of the apprentice. If the apprentice is 16–18 years, an academy will receive 100% of the cost of the training; if they are 19-24 years, an academy will receive up to 50%; and if they are 25 years or over, an academy may only get a contribution. The funding is paid directly to the academy that provides and supports the apprenticeship.

4. Training

As apprenticeships are work-based training programmes, most of the training is on-the-job at the workplace. The apprentice can start on simple tasks and progress onto more complex work once they have received the training. It is important to get the right mix of support and challenges for the apprentice. The work-based qualification can be provided by a local college or a specialist learning provider. An academy must give the apprentice a structured induction.

The college or learning provider will provide a representative who will support and guide the academy to:

- help them decide which apprenticeship is right for them;
- explain how an apprenticeship might work and if funding is available;
- agree a training plan with the apprentice;
- recruit an apprentice;
- manage the training and evaluation; and
- ensure the national quality standards are met.

The National Apprenticeship Service will help the academy to find suitable training providers in the area that suit the needs of them and the apprentice.

5. Different Apprenticeship Opportunities

There are 2 types of apprenticeships:

- i) The apprentice is recruited into a substantive permanent post - the apprentice is employed into a permanent post from day one of the apprenticeship. Once the training has been completed, they will be transferred into the associated substantive annual salary and their job title will change accordingly.
- ii) The apprentice is recruited into a supernumerary post - employment is not guaranteed at the end of the apprenticeship.

6. Recruitment and Discrimination

A academy should uphold its obligations under law not to discriminate in any of its activities against employees or applicants for employment. The Equality & Diversity in Employment Policy is applicable to the recruitment and employment of apprentices.

Apprenticeship schemes should be open to all age groups. Restricting recruitment opportunities for apprentices in line with the government funding levels will be discrimination on the grounds of age.

An academy should not limit the age range of applicants for apprenticeship schemes unless they can demonstrate that restricting the age range of applicants is a proportionate means of achieving a legitimate aim. (A academy may have an objective of increasing the numbers of young people it employs or may be seeking to address high levels of youth unemployment in their community. However, these elements of justification are untested in the courts).

6.1 Recruitment Process

If an individual approaches the academy with a request for an apprenticeship, the academy can decide to appoint them if the candidate is suitable for an apprenticeship role. Otherwise, if the academy wishes to seek candidates for an apprenticeship, the recruitment process is as follows:

- The academy identifies a vacancy or supernumerary opportunity.
- The academy sources a suitable training provider (See Appendix A for details)
- The training provider discusses options with the academy to ensure their needs are met.
- The academy creates a job description that reflects the learning and related job activities of the particular role.

- The vacancy template is completed and advertised on the Apprenticeships national recruitment portal. (See Appendix B).
- The training provider screens all applications for eligibility to undertake apprenticeship.
- The academy and training provider (where required) interview short-listed applicants.
- The successful candidate is selected and all pre-employment checks are completed in accordance with the Pre-Employment Checks Procedure.
- Offer letter and contract sent.

7. Contractual Status & Terms and Conditions

7.1 Status

Apprenticeships have a special form of employment contract ie primarily it is a contract for training, however, employment rights still apply. It is not a fixed term contract as apprenticeships are excluded from the Fixed Term Employee (Prevention of Less Favourable Treatment) Regulations 2002. The apprentice will have additional rights not available to other employees (see 8.2). The academy can expect the apprentice to comply with the normal terms and conditions and management policies, however, the overarching protection for apprenticeships may override contractual provisions e.g redundancy.

7.2 Probationary Period

The probationary period will be 6 weeks.

7.3 Working Hours

Employment should be for at least 30 hours per week, except in the minority of circumstances where the apprentice cannot complete the full 30 hours. In these cases, employment must be for more than 16 hours per week. Working hours and flexibility around lunch and other breaks should be agreed locally between the apprentice and the line manager.

7.4 Rate of Pay

A national minimum wage was introduced for apprentices in October 2012. This will apply to all apprentices under 19 years. It also applies to those apprentices 19 years or over who are in their first year of their apprenticeship. If the apprentice is still employed after a year, they are entitled to receive the national minimum wage appropriate for their age or the appropriate salary for the job.

The apprentice must be paid at least the national minimum wage, however, a school / academy can pay above it if they so wish. If an apprentice is on a higher wage, the academy must continue to pay that for the remainder of the training or until the apprentice becomes eligible for the full national minimum wage.

7.5 Annual Leave

For an apprentice working full-time, the annual leave entitlement will be the same given to any other employee at your school/academy. The leave period is 1 April to 31 March the following year. For an apprentice working for less than 52.14 weeks per year, they are paid

their annual leave entitlement within their salary. Entitlement to annual leave and public holidays is calculated on a pro-rata basis according to the number of hours and weeks per year worked as a proportion of a full-time employee.

7.6 Sick Pay

Apprentices are entitled to the contractual sickness benefit scheme which, subject to certain pay and length of service criteria. Apprentices are not entitled to Statutory Sickness Pay (SSP) if their wage is below the lower earnings limit. If an apprentice is unable to attend their workplace or training provider due to sickness, it is their responsibility to advise their line manager and training provider in accordance with the current sickness reporting procedure. Line managers are still responsible for completing the sickness absence forms.

7.7 Maternity

Apprentices are entitled to the contractual maternity benefits scheme if they have completed at least 1 year's continual local government service at the beginning of the 11th week prior to the expected week of confinement and continue to be employed immediately before their maternity leave starts. Apprentices are not eligible for Statutory Maternity Pay if their wage is below the lower earnings limit. The apprentice is solely responsible in notifying their line manager and training provider of their pregnancy as soon as reasonably practicable, so that health and safety procedures can be adhered to in line with the school's Family Friendly policy.

8. At the end of the Apprenticeships

8.1. Ending the Apprenticeship upon completion of the training

An apprentice who has successfully completed their apprenticeship in a substantive post (permanent post) will be automatically transferred into the associated substantive annual salary and their job title will change accordingly.

If an apprentice is in a supernumerary post, there is no guarantee of an offer of permanent employment on completion of the apprenticeship. There is no legal duty to provide employment or redeploy them into a similar alternative post at the end of the apprenticeship.

Because an apprenticeship contract is for a specific purpose ie training, the contract will be discharged on the completion of that training. The dismissal will therefore be for 'some other substantial reason'. Because the end of the contract is reached upon the successful completion of the training, the notice is implied in the contract and there is no need to provide notice of dismissal.

8.2 Ending the Apprenticeship early

All apprentices are asked to commit to a course of study which is integral to their apprenticeship. If they do not complete the course, it could result in the termination of their apprenticeship. The decision would be taken after consultation between the apprentice, line manager (and/or mentor) and the training provider.

The ability to dismiss an apprentice before the scheduled end of the apprenticeship is limited. The apprenticeship creates a relationship for a defined period of time to enable the apprentice to learn a particular vocation.

The contract cannot be terminated early merely by giving notice to the apprentice. This means that the apprentice cannot be made redundant. If an academy wishes to end the apprenticeship early because there is strong evidence of capability or conduct issues (ie it is impossible to teach them the agreed vocation) the academy can decide that an early dismissal is fair and appropriate.

If there are organisational changes (ie restructuring) that mean the academy can no longer fulfil the agreed training and work programme, this is a breach of contract and the apprentice will be entitled to receive remuneration and benefits to the end of the apprenticeship, and also compensation for the failure to complete the training and the potential loss of prospects. This payment for damages for breach of contract is not a redundancy payment and therefore the apprentice has no right to be redeployed. The apprentice should be dismissed for 'some other substantial reason' and receive appropriate compensation.

(The compensation would be calculated in the way that damages are normally assessed. In basic terms, there would be an assessment of what the apprentice would have earned for the remainder of the apprenticeship, less any sums actually earned in that period, and what they could have earned in the future once the apprenticeship was completed, less what they would get in an 'unskilled' post. In making the assessment, the court would expect the apprentice to have mitigated their loss, so if they unreasonably failed to apply for other work or training courses, that would be taken into account and the court would deduct from any claimed losses what the apprentice could reasonably have earned or would earn in the relevant period).

9. Contacts

National Apprenticeships

Tel Number: 08000 150 600

Website: www.apprenticeships.org.uk

Appendix A – Training Providers

Training Provider	Contact Details	Frameworks
ABA Training	South Suffolk Business Centre Alexandra Road Sudbury Suffolk. CO10 2ZX Tel. 01787 377988	Business Administration
Badgehurst Training	Badgehurst Training Ltd, Fen Lane, Orsett Essex RM16 3LT 01375 891440	Animal Care Floristry
BPIF	Farringdon Point 29-35 Farringdon Road London EC1M 3JF 020 7915 8400	Print and Printed Packaging
Cambridge Regional College	Science Park Campus Kings Hedges Road, Cambridge CB4 2QT 01223 418 200	Plumbing
Chapel Manor College	Bullsmoor Lane, Enfield, Middlesex EN1 4RQ	Construction
Career Track	Town Hall, Station Road, Clacton on Sea, Essex, CO15 1SE 01255 686868	Business Administration Customer Services
Catten College	The Arena Leisure Centre Circular Road East, Colchester, Essex CO2 7SZ 01206 366 199	Active Leisure and Learning Youth Work Business Administration Children's Care, Learning and Development Hairdressing Construction Active Leisure and Learning Health and Social Care Dental Nursing
Central Training Group	London Road Studio, 112-114 London Road, Southend on Sea, Essex SS1 1PQ 0800 783 2901	Hairdressing
Chelmsford College	Moulsham Street Campus 102 Moulsham Street Chelmsford, Essex CM2 0JQ Tel: 01245 265611	Construction
Chelmsford Training Services	Unit 4/Beehive Lane Works/Beehive La	Warehousing & Storage

	Chelmsford CM2 9TE 01245 494 992	
Colchester Institute	1 Freebournes Ct Witham CM8 2BL 01376 521 411	Dental Nursing Engineering Business Administration Accounting Creative Vehicle Maintenance and Repair Hospitality and Catering Retail Construction Plumbing Electrotechnical Customer Services IT Users Youth Work Supporting Teaching and Learning
Crown College	129 North Road Westcliff-on-Sea SS0 7AH 01702 341 169	Business Administration
CSTT	16th Floor The Tower Building 11 York Road London SE1 7NX 0207 871 0454	Construction
DB Training	DB Training UK LTD London House 111 New London Rd Chelmsford Essex CM2 0QL Tel:01245 850850	Supporting Teaching and Learning IT Users Heating, ventilation, air conditioning and refrigeration Business Administration
Derby College		Retail
EASI Hairdressing Academy	EASI Hairdressing Academy Colchester 109 Magdalen Street Colchester Essex CO1 2LA Tel: 01206 796677 email: colchester@easihair.co.uk	Hairdressing
ECC VLT	The Adult Community College Witham Spinks Lane Witham	Customer Services Business Admin Supporting Teaching and Learning in Schools

	Essex CM8 1EP 01376 516533 Julie.Stowers@essex.gov.uk	Storage and Warehousing Health and Social Care
Eden Training	875 London Road, Westcliff-on-Sea, Essex SS0 9SZ 01702 680068 info@edentraining.co.uk	Childrens Care Learning and Development
Every Step	Unit 4 Colchester Business Centre 1 George Williams Way Colchester Essex CO1 2JS 01206 710 943 enquiries@everystep ltd.co.uk	Business Administration Warehousing and Storage IT Users
Graham Webb International	103 High Street, Billericay Essex, CM12 9AJ 01277 622 730	Hairdressing
Harlow College	Velizy Avenue, Town Centre Harlow Essex CM20 3LH	Storage and Warehousing Business Administration Construction Skills Childrens Care Learning and Development Engineering
HIT Training	24 Cecil Pashley Way, Shoreham by Sea, West Sussex BN43 5FF	Hospitality and Catering
InTraining	722 Prince of Wales Road Sheffield S9 4EU	Business Administration
Itec Learning Technologies	Burnt Mills Road, Basildon, Essex SS13 1DQ 01268 286929	ICT Professionals IT User Business Admin
ITS Training Services	Cliff House Hamilton Gardens Felixstowe Suffolk IP11 7EJ	Business Admin
IWA	Unit 3 Blackhall Industrial Estate Hamberts Road South Woodham Ferrers Essex CM3 5UW	Glass Industry Occupations

J&E Training	1 The Gloucesters Crompton Close Basildon, SS14 3AY	Hairdressing
JHP Training	The Old Coalyard, Little Waltham Road, Springfield, Chelmsford, CM1 7TG	Childrens Care, learning and development Customer Services Warehousing and Storage Health and Social Care
JTL Training		Electro technical
Kaplan financial	7th Floor, 100 Cannon Street, London EC4N 6EU	Accounting
Key Training	Orchard House 35 -37 St Helens Street Ipswich, Suffolk IP4 2JL	Customer Services Business Administration
Life skills Solutions	33 Sternhall Lane, LONDON, SE15 4NT T: 02077321255	Customer Services Business Administration
LOTA Training	Unit 3, Cullen Mill, Braintree Road, Witham, Essex CM8 2DD	Engineering Business Administration IT User Childrens Care learning and Development Telecommunications Customer Services Hospitality and Catering
National Construction College	Bircham Newton Kings Lynn PE31 6RH	Construction Skills
North Hertfordshire College	Monkswood Way, Stevenage, Hertfordshire SG1 1LA 01462 424239	Allied Health Profession Support
Norwich City College	Ipswich Road, Norwich, NR2 2LJ 01603 773311	Allied Health Profession Support
Otley College	Charity Lane, Otley, Ipswich, Suffolk IP6 9EY 01473 785543	Sea Fishing Construction Skills Active Leisure and Learning Security Systems Animal Care Business Administration Horticulture Equine Floristry
PB Development		Childrens Care learning and

		Development
Prospects College	Prospects House, Crompton Close, Basildon, Essex SS14 3AY 01268 272454	Construction Skills Engineering IT User Plumbing Marine Industry Electro Technical
ReMit		Health and Social Care Sales and Telesales
SEETEC	Main Road Hockley SS5 4RG 01702 201071	IT User Business Administration
SEEVIC College	Runnymede Chase Benfleet Essex SS7 1TW 01268 756 111	Active leisure and Learning Health and Social Care Business Administration Childrens Care learning and Development Accounting
Southend ACL	Civic Centre Essex CM2 5PB Victoria Avenue Southend-on-Sea Essex SS2 6ER	Business Administration
TBG Learning	Lombard House 145 Great Charles Street Birmingham B3 3LP	Customer Service
The Lightbulb Ltd	Edison House, 2-3 Paycocke Road Basildon, Essex SS14 3DP 0845 031 0066	Beauty Therapy IT User Customer Services Storage and Warehousing Business Administration Active Leisure and Learning
Universal Training	Endeavour House Coopers End Road Stanstead Airport CM24 1SJ	Horticulture Nail services
VTS Training	Chalkwell Lawns 648 - 656 London Road Westcliff-on-Sea Essex SS0 9HR 01702 353 557	Childcare learning and development
Writtle College	Chelmsford Essex	Equine Horticulture

	CM1 3RR 01245 424200	Amenity horticulture Agriculture, livestock and Crops
WS Training	Manor Barn, Church Road Great Barton Bury St Edmunds Suffolk IP31 2QR	Business Administration ICT Professionals

Appendix B – Vacancy Template

Vacancy Details		
Vacancy Title		
Academy Name This should be the school/academy's full registered name		
Academy Address Please provide the full address, including postcode		
Contact Name Please provide these details for the main contact for the Academy <i>PLEASE NOTE, THIS IS FOR NOVA/AV INFORMATION ONLY AND WILL NOT BE PASSED TO CANDIDATE</i>	Title	
	First Name	
	Surname	
	Position	
	Telephone	
	Mobile No (optional)	
	Email Address	
	Fax no (optional)	
	Contact by email/mail/phone?	
Description of vacancy to Identify: <ul style="list-style-type: none"> • The role and how it fits within the organisation • The department, area or team that the vacancy applies to • Key responsibilities • The day to day contact within the organisation 		
Number of positions available		
Weekly Wage: The better the wage and/or prospects the more candidates will be attracted to the vacancy.		
Working Week: This must set out: <ul style="list-style-type: none"> • Working days • Times to detail shift work • Summary of the hours 		
Future prospects description: This should be completed so that candidates can see the opportunities which the vacancy could lead to, but this must be realistic. A low starting wage		

may be offset by the prospects.	
Academy Details	
Academy Description: This should clearly describe what the Academy does. Please reflect the size, location and environment where possible.	
Academy website	
Vacancy Location	
Vacancy Location: This is the address where the Apprenticeship will be based, if not located at the address in Academy Details.	
About the Candidate	
Skills required: List the key skills (technical and soft skills) sought.	
Personal Qualities: Identify the key personal qualities required for the role.	
Qualifications Required: List the key qualifications for this role.	
Additional Detail	
Important Other Information For example: <ul style="list-style-type: none"> • Working away • Travel • Shift Work • Study for additional examinations 	
Reality Check: This should be completed when it is important for the candidate to be aware, for example, that the vacancy will be based outdoors or will involve long of periods of working on a computer.	
LEARNING PROVIDER DETAILS	
Occupation Type (Sector)	
Job Role (Framework)	
Expected Apprenticeship	

Duration	
Suitable Candidates to be sent to:	
Supplementary Application Form Questions	
Two Vacancy Specific Questions: You may wish to ask two additional questions on the application form. These need to be appropriate to the vacancy and/or help to identify a candidate's wider attributes and motivations. You can discuss these with your Learning Provider.	Question 1:
	Question 2:
Closing date	
Interview start date	
Possible start date	