

Apprenticeship Scheme Guidance for New & Existing Staff (England)

1. Introduction

The Open University is committed to attracting, developing and retaining individuals who will provide the best possible study experience for our students. This commitment supports our mission to transform the lives of our students, through the provision of high-quality learning.

As an employer, the University is committed to the continuous professional and personal development of its' staff. The University recognises that apprenticeships offer: a unique opportunity to develop new and existing staff for current and future roles with nationally recognised qualifications, increase the diversity of our workforce and make a valuable contribution to our strategic goals. Apprenticeships support the University's mission to promote social justice through the development of knowledge and skills.

This document provides guidance to managers wishing to either support existing staff, or to recruit new staff, to complete an apprenticeship. In addition, it aims to highlight that the University recognises its' responsibility for the development of its' workforce and seeks to support individuals who wish to develop new skills through an apprenticeship.

Apprenticeships are available to core staff employed by the University, who meet the eligibility requirements (see section 4 for further information regarding eligibility criteria). Existing staff can use apprenticeship training for continued professional development (CPD), career progression and succession planning purposes.

New staff may also be recruited into vacancies on an apprenticeship, provided that the role is supported by a suitable apprenticeship standard.

The University already successfully delivers apprenticeship programmes to employees of external organisations and therefore wishes to make use of this internal expertise for the benefit of its' own staff. Where the University does not offer a particular apprenticeship programme, external apprenticeship providers may also be utilised by the University.

2. Scope of this guidance

The University defines an apprenticeship as a real job with an industry recognised and Education and Skills Funding Agency (ESFA) approved structured study programme.

The purpose of this guidance is to:

- provide a university-wide framework for employing, recruiting and developing apprentices within England
- outline the University's overall commitment to supporting apprenticeships for the development of staff and the advancement of its workforce
- ensure legal obligations regarding the employment of apprentices are met

The University defines that an apprentice is any University employee undertaking a structured skills development programme relating to their role and who is using apprenticeship levy funds to complete the apprenticeship. The employee has an employment contract with the University and must be in a role that gives them suitable opportunity to develop and put new behaviours, knowledge and skills into practice.

As such, an apprentice is first and foremost a member of University staff and has the same employment rights as all other University employees. All other University employment policies will therefore apply.

This guidance does not form part of an apprentice's contract of employment and will be reviewed and amended, as appropriate, as the University develops its infrastructure and approach to offering apprenticeship programmes to staff.

3. Apprenticeships overview

The Government reformed the way that apprenticeships are delivered and funded in England, from 6 April 2017. The reforms were introduced to address the skills shortages reported by many industries and to help keep the UK internationally competitive.

Apprenticeships offer high quality opportunities for people, at all stages of their careers, to develop their talents, progress their careers or pursue a new a career path.

The English apprenticeship levy is a charge on employers to fund the costs of apprenticeship training and assessment. The levy is set at 0.5% of an employer's pay bill; only employers with a pay bill of more than £3 million are liable to pay. The levy is paid through PAYE on a monthly basis. The University accesses funding for apprenticeships through the digital apprenticeship service account.

Apprentices are an effective way of increasing the diversity of our workforce and developing University employees to meet the future requirements of the organisation. Apprenticeships are paid employment which incorporates both on and off-the-job training and can be used for achieving a variety of qualifications.

Apprentices may be employed on a permanent or fixed term contract. They must be contracted to work at least a minimum of 30 hours per week.

Exceptions may apply for part-time employees working 16 hours per week or more, but this is considered an exception rather than normal practice by the Education & Skills Funding Agency (ESFA).

Where an apprentice is either recruited on a fixed term contract or is a current employee on a fixed term contract, the contract must cover the duration of the apprenticeship including the end point assessment (EPA).

All apprenticeships include elements of on-the-job and off-the-job training, leading to industry recognised standards or qualifications. The apprenticeship standards also require an assessment at the end of the programme to assess the apprentice's ability and competence in their job role i.e. an end point assessment (EPA).

Apprenticeship standards are available at Levels 2-7:

- Level 2 (Intermediate): equivalent to 5 GCSE passes
- Level 3 (Advanced): equivalent to 2 A' level passes
- Level 4,5,6 and 7 (Higher): equivalent to a foundation degree and above

Staff can undertake an apprenticeship at a higher level than a qualification they already hold, including a previous apprenticeship. Funding can also be given to staff wanting to undertake an apprenticeship at the same or lower level than a qualification they already hold if the apprenticeship will allow the individual to acquire substantive new skills and they can evidence that the content of the training is materially different from any prior qualification or a previous apprenticeship.

Apprenticeships can last from between one to four years, depending on the level and complexity of the standard being undertaken. The length of an apprenticeship should be set in accordance with the anticipated time required for the apprentice to gain sufficient job experience, their qualification(s) and work-place learning which will eventually enable them to demonstrate job performance to the standards expected of an equivalently qualified professional.

4. Eligibility Criteria

For the Open University to use the apprenticeship levy to cover the full cost of any apprenticeship training they must adhere to the Education and Skills Funding Agency (ESFA) eligibility criteria for apprenticeships. People Services can advise units/faculties and individuals of the latest guidance and further details can be found at the ESFA website.

Current ESFA funding rules state that the apprentice must:

- Be aged 16 or over
- Be employed in a real job: they must be an existing employee or a new recruit
- Work towards achieving an approved apprenticeship standard

- Be able to complete the apprenticeship within the time they have available
- Undertake an apprenticeship over a period of at least 12 months
- Not be undertaking another apprenticeship or be in receipt of any other DFE funding during their apprenticeship programme
- Not be asked to contribute financially to the cost of the apprenticeship, on-programme or end point assessment (EPA)
- Not be asked to contribute financially to the cost of professional membership fees, where the membership is a requirement to complete the apprenticeship e.g. those in accounting
- Not use a student loan to pay for their apprenticeship.
- Spend at least 50% of working hours in England over the duration of the apprenticeship
- Have the right to work in England
- Have an eligible residency status
- Spend at least 20% of working time on off-the-job training during the apprenticeship

5. The twenty per cent off-the-job time

An apprenticeship requires at least 20% of an employee's working time to be engaged in off-the-job learning and development. The government have set this as a requirement for all apprenticeships to ensure quality training is provided. This level of learning gives a fully rounded set of skills, so the apprentice is occupation-ready at the end of their course. However, individual apprentices may need more time than this. For example, if the individual is required to undertake a qualification in English or maths, to meet the minimum requirements for the standard.

By agreeing to support an apprentice, the line manager must be prepared to release the employee for that time, as the University will not provide additional funding to cover any shortfall in work hours due to an apprenticeship. The University recommends that all managers and units supporting apprentices make plans and assess resources to ensure they can accommodate the 20% off-the-job time.

How this 20% off-the-job training is implemented is flexible and should be discussed between the apprentice and their line manager. An agreement can then be reached, to ensure that the time given is based upon what works best for both the apprentice and the Unit, and that a suitable timetable for the level of apprenticeship is set. Some examples include a dedicated day each week, smaller 2 to 3-hour blocks spread across a week or more time allocated in quieter times and less in peak periods.

Off-the-job training is measured over the course of the full apprenticeship (as opposed to an academic year) and excludes the end-point assessment. When calculating the 20% off-the-job entitlement, the latest Education & Skills Funding Agency Guidelines should be consulted to calculate accurately.

If an apprentice misses their planned off-the-job training time (e.g., due to holiday leave, sickness, operational pressures) then they should be given the

opportunity to catch up on what they have missed, as all planned delivery will relate to skills, knowledge and behaviours that they require for the successful completion of the apprenticeship.

Off-the-job training can include training that is delivered at the apprentice's normal place of work, so long as it is relevant to the apprenticeship standard and is not part of the apprentices normal working duties. Examples include:

- The teaching of theory (for example, lectures, role playing, simulation exercises, online learning, and manufacturer training);
- Practical training, shadowing, mentoring, industry visits, and attendance at competitions; or
- Learning support and time spent writing assessments/assignments.

Off-the-job training must be relevant to the apprenticeship standard and be different to the apprentice's day-to-day tasks, teaching new knowledge, skills and behaviours required to reach competence in the chosen occupation. The apprenticeship provider will include how they and the employer calculate and deliver the 20% off-the-job training in their commitment statement and will be monitored throughout the duration of the programme delivery.

The core skills, knowledge and behaviours required for an apprentice to be fully competent in their job, are set out in the relevant apprenticeship 'standard'. The standards can be found on the Institute of Apprenticeships (IFA) website and each one covers a specific job role.

The apprenticeship standards have been designed by employers to meet the needs of different industry sectors and the economy more widely. The standards are written definitions of the learning requirements for apprenticeship programmes and have been developed to ensure that all apprenticeship programmes are delivered and measured consistently.

The standards focus on how an apprentice should demonstrate mastery of an occupation and meet professional registration requirements in sectors where this exists (for example, in engineering, science and accountancy).

6. Employment of Apprentices Under 18 years / 25 years old

Employer Incentive Payment

The University is entitled to a £1,000 incentive payment for recruiting a 16 to 18-year-old apprentice or a 19 to 24-year-old apprentice with an Education, Health and Care (EHC) plan.

This will be paid to the University by the government, via the apprenticeship provider. It will be paid in two instalments i.e. £500 after 3 months and £500 after 12 months. This payment will be managed by People Services who will use the money to provide additional support and development for apprentices.

Apprentices under 18 years old

Managers of apprentices should adhere to the University Health and Safety Policy to ensure they are carrying out their duty of care as required.

Where an apprentice is under 18 years old, the manager should also take advice from the Health and Safety manager, to ensure that they are meeting any additional requirements for these employees. For apprentices under 18, line managers and mentors will require an enhanced DBS check, to be paid for by the host unit.

Apprentices under 25 years old

Apprentices under the age of 25 on the start date of their apprenticeship are exempt from national insurance contributions for the duration of the apprenticeship.

7. Recruitment and Employment of Apprentices (New Recruits)

Process

Regular workforce planning activity undertaken within units/faculties, in partnership with People Services, may result in plans to recruit new apprentices. Examples of reasons for this might include: to meet skills gaps, to increase diversity or to support the delivery of a unit/faculty's strategic business plans.

Plans for the recruitment of apprentices should go through the normal annual unit planning process.

People Services will provide units/faculties with support in the procurement of an apprenticeship provider. Existing University external recruitment procedures will apply to the recruitment of a suitable candidate. The role will be clearly identified as an apprenticeship opportunity throughout all stages of the recruitment and selection process.

Terms and Conditions / Salary

New apprentices recruited into the University will be appointed on the Support Staff Terms and Conditions on either a fixed term or permanent contract. Units will work with People Services to determine the most appropriate contract type, as would happen for any other University appointment. Fixed term contract apprenticeship appointments must last at least the length of the apprenticeship, including the end point assessment.

The starting salary for newly recruited apprenticeships will be linked to the level of the apprenticeship i.e., Advanced, Higher or Degree level, to ensure that a consistent approach is adopted for all University apprenticeships and University salaries are in line with the agreed national framework.

The apprenticeship starting salaries will be reviewed each year, to ensure they remain at an appropriate level and are competitive with other similar external schemes.

Salary progression will be in line with the University wide reward policy. Eligibility for an increment would be the same as any other member of staff on the same type of contract (i.e. fixed term contract or permanent).

University salaries are subject to national negotiations and may be increased annually as a result of an agreed cost of living award. Where such agreement is reached, the cost-of-living increase will be applied to both the University apprenticeship starting salaries and the incremental points for staff on apprenticeships.

Probation

All offers of a first appointment at the University are subject to an initial probationary period, in the case of support staff this is 6 months and so this period will apply to all newly recruited apprentices. Within this period, the appointment will be subject to one week's notice in writing on either side.

Performance Management

Poor performance, failure to achieve the agreed learning milestones or any other conduct issue should be addressed in the normal way, using the University support staff capability or disciplinary procedures. Managers should refer to the People Hub for further advice in relation to any concerns. The University Senior Talent Adviser and the People Business Partner must be consulted in all such cases before any formal process is followed.

Whilst the normal People Services processes for University support staff apply to apprentices, there may need to be special consideration given in respect of the apprenticeship and the University's desire to provide support to that apprentice.

End of contract / Appointment beyond Apprenticeship

Where an apprentice was initially recruited onto a permanent contract, upon successful completion of the apprenticeship they will move into the substantive role with the accompanying job description, salary and terms and conditions

Where an apprentice is on a fixed term contract, the University cannot and does not guarantee employment with the University following the completion of an apprenticeship. Despite this, it is hoped that the skills and experience the apprentice has acquired throughout their apprenticeship can be retained within the University. Line managers and mentors are encouraged to provide advice and support to help apprentices find suitable employment at the end of the contract.

At the end of their apprenticeship, the apprentice may apply for any roles that they believe are appropriate to their experience, knowledge and skills. Where a suitable post is available and the apprentice is successfully appointed, a new

standard contract of employment should be issued. Where there is no break in service with the University between the appointments, the start date of the apprenticeship will be used as the date of continuous service with the University. Continuous service is used for the purposes of certain entitlements, i.e. the University's sick pay and annual leave scheme.

8. Developing Existing Staff through an Apprenticeship

Apprenticeships support the development of a dynamic and inclusive culture by enabling staff to maximise their contribution to the University's success. Apprenticeships also offer a way to develop existing staff to support workforce development and succession planning within units/faculties and should be incorporated into the annual unit planning process.

Process

People Services offer a select range of apprenticeships to support university wide development as appropriate. As units/faculties develop their People Plans, they may also identify areas of key skills to develop which can be met via an apprenticeship. Alternatively, an apprenticeship may be identified as being able to support development needs that emerge for an individual via regular one-to-ones with their line manager or via the CDSA process.

In each case, individuals will need to speak to their line manager in the first instance to discuss if the unit/faculty can accommodate the 20% off-the-job training time and are able to support them to complete the apprenticeship. This ensures a balance is achieved between the operational needs of the unit/faculty and the individual's development needs. If both parties agree, the individual should contact People Services to request an Expression of Interest Form.

The eligibility for current members of staff to undertake an apprenticeship is defined by the government funding rules.

Where several members of staff from the same unit wish to undertake an apprenticeship, a selection process may be used.

Contractual Terms

Current members of staff undertaking an apprenticeship remain on the same terms and conditions, salary and contract.

9. Ensuring the Success of an Apprenticeship

The ultimate success of an apprenticeship will involve several parties working together to support the employee who is undertaking the apprenticeship.

In addition, the following documents are vital to underpin this success:

Apprenticeship Agreement: signed by the line manager and the apprentice, the agreement outlines the details of the apprenticeship, including the standard connected to the apprenticeship as well as the amount of off-the job training that the apprentice will receive.

Commitment Statement: signed by the apprentice, line manager and training provider, this sets out how the employer, the training provider and the apprentice will support successful achievement of the apprenticeship.

Line Manager (Supervisor)

The line manager of the apprentice will:

- ensure that the staff member gets all the support they need to successfully complete their apprenticeship
- ensure that they are given their 20% (minimum) off-the-job time to complete their studies
- offer support to the apprentice, if they should encounter any difficulties or at the end of a fixed term contract to help them plan the next step in their career
- monitor the performance of the apprentice and manage them in line with University policies and procedures i.e. probation and the Career Development and Staff Appraisal scheme (CDSA)
- inform the apprenticeship provider and the Talent and Development team of any issues which may affect completion of the apprenticeship qualification in the agreed timescale
- assist the apprentice in finding a mentor who can provide additional support for them

Mentor

The line manager and the mentor should not be the same person. The mentor will:

- support the apprentice in the workplace, this is particularly useful where the apprentice has limited experience in the workplace
- offer a sounding board for advice/guidance in a wide range of matters
- not ordinarily be involved in the apprentice's day to day work

Apprentice

The apprentice is expected to:

- adhere to the policies and procedures of the University
- complete the apprenticeship standard and meet deadlines for work submissions
- pay the cost of professions subscriptions where membership is not mandatory to undertake the apprenticeship
- pay the cost of professions subscriptions once the apprenticeship has been completed
- meet regularly with the assessor
- advise their line manager, or the assessor, where they experience issues concerning the course or their studies

People Services

People Services will:

- identify and procure a suitable apprenticeship provider
- provide support throughout the recruitment process for new apprenticeship staff
- administer the apprenticeship levy funding and manage the government digital dashboard
- liaise with the apprenticeship provider to monitor the progress of an apprentice and provide quality assurance

Host Unit / Faculty

The unit / faculty that is hosting the apprentice will provide:

- any additional payments required outside of the levy funding, e.g. to cover extra books, equipment, DBS checks etc
- cover the cost of a professional subscription where this is mandatory to undertake an apprenticeship, for the duration of the apprenticeship

10. Useful website links

Open University SharePoint site: [Apprenticeships for OU Staff](#)
[Institute for Apprenticeships Website](#)
[Education and Skills Funding Agency - Funding Rules](#)

11. Useful references

CDSA
Recruitment Guide for Managers
Reward Scheme Policy
Reward Scheme Procedure
Salary Progression Policy
Starting Salary Levels and Increments for Apprentices
Support Staff Terms & conditions