



NOTICE OF MEETING

EMPLOYMENT COMMITTEE

TUESDAY, 28 FEBRUARY 2017 AT 12.15 PM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Vicki Plytas 02392 834058

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If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Membership

Councillor Donna Jones (Chair)
Councillor Luke Stubbs (Vice-Chair)
Councillor John Ferrett
Councillor Jim Fleming
Councillor Darren Sanders
Councillor Gerald Vernon-Jackson CBE

Standing Deputies

Councillor Simon Boshier
Councillor Steve Hastings
Councillor Leo Madden
Councillor Lynne Stagg
Councillor Linda Symes
Councillor Matthew Winnington

(NB This agenda should be retained for future reference with the Minutes of this meeting.)
Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendation/s). Email requests are accepted.

AGENDA

- 1 Apologies for Absence

2 **Declarations of Members' Interests**

3 **Minutes of the Meeting held on 29 November 2016** (Pages 5 - 12)

RECOMMENDED that the minutes of the meeting held on 29 November 2016 be confirmed and signed by the chair as a correct record.

4 **Pay Policy Statement** (Pages 13 - 22)

The purpose of the report is to fulfil the requirement in section 38(1) of the Localism Act 2011 (openness and accountability in local pay) to prepare a Pay Policy Statement.

A Pay Policy Statement must be prepared for each financial year, approved by Full Council no later than 31st March of each financial year and published on the council's website. The attached Pay Policy Statement was presented as a draft statement in June 2016 and now is confirmed as the final Pay Policy Statement for the financial year 2016/17.

In March 2016, the Employment Committee requested that, in order to increase transparency and public accountability, a draft Pay Policy Statement for the relevant financial year, be presented at an earlier stage of the financial year. To achieve this, a further draft Pay Policy Statement will be published for 2017/18 using financial data from March 31st 2017.

RECOMMENDED that the Employment Committee agrees the draft Pay Policy Statement attached as Appendix 1 to go forward for approval by the Full Council by 31 March 2017.

5 **Sickness Absence** (Pages 23 - 34)

The purpose of this report is to update Employment Committee about levels of sickness absence across the council and actions being taken to manage absence.

RECOMMENDED that Members of Employment Committee:

- (1) Continue to monitor sickness absence, and ensure appropriate management action is taken to address absenteeism**
- (2) Note the actions detailed in section 3 of the report.**

6 **Employee Assistance Programme** (Pages 35 - 40)

The purpose of this report is to respond to members' request for further information about the Employee Assistance Programme (EAP) including;

- a. Details on the contract itself and options available
- b. Details of current low usage of EAP and potential reasons for the low take-up

c. Details of what is being done to increase awareness of EAP

RECOMMENDED that Members note the information regarding the Employee Assistance Programme and approve the continuation of this service to staff.

7 Performance Development Reviews - Verbal Update

A verbal update will be provided to the Committee by the Director of HR, Legal and Performance.

8 Apprenticeship Levy project plan (Pages 41 - 140)

The purpose of the report is to provide details of the city council's plan for using its apprenticeship levy allocation that was requested following the Apprenticeships report presented at the Employment Committee on 29th November 2016.

RECOMMENDED that Members note and agree the contents of the plan to maximise the use of the city council's apprenticeship levy allocation.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

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Agenda Item 3

EMPLOYMENT COMMITTEE

MINUTES OF THE MEETING of the Employment Committee held on Tuesday, 29 November 2016 at 12.15 pm at the The Executive Meeting Room - Third Floor, The Guildhall

Present

Councillor Donna Jones (in the chair)
Councillor Luke Stubbs (Vice-Chair)
Councillor John Ferrett
Councillor Jim Fleming
Councillor Darren Sanders
Councillor Gerald Vernon-Jackson CBE

Officers Present

David Williams, Chief Executive
Michael Lawther, Deputy Chief Executive
Jon Bell, Director HR Legal and Procurement
Roland Bryant, HR Business Partner
Alison Jeffery, Director Children's Services
Innes Richens, Director of Adult Services & Chief Operating Officer NHS Portsmouth CCG
Angela Dryer, Deputy Director Adult Services

19. Declarations of Members' Interests (AI 1)

There were no declarations of members' interests.

20. Apologies for Absence (AI 2)

Apologies for absence were received on behalf of Chris Ward. Julian Pike attended in his place.

21. Minutes of the Meeting held on 14 June 2016 (AI 3)

RESOLVED that the minutes of the meeting held on 14 June 2016 be confirmed and signed by the chair as a correct record.

22. Sickness Absence Quarterly Report (AI 4)

(TAKE IN REPORT)

The Chair thanked Alison Jeffrey, Innes Richens and Angela Dryer for attending the meeting.

Jon Bell introduced the report saying that there had been a small increase in absence levels but generally the sickness absence levels appeared to have

reached a plateau. Mr Bell said that at the last meeting members requested that the director of children's services and the director of adult services be invited to attend this meeting to answer questions from members about sickness absence as it was high in both directorates.

Alison Jeffrey referred to a paper that had been circulated before the meeting and explained that it had been prepared by Sarah Newman. She began by referring to the benchmarking summary.

She said Brighton and Hove are the most comparable children social care department who responded to the bench marking data request. Sickness absence at PCC was 11.17 compared with 11.42 average days lost per employee recorded by Brighton and Hove. However, Plymouth children social care department showed a lower number of days lost due to absence with only 6.3 average days lost per employee.

Alison outlined the measures put in place since the last employment committee. Recent activities included

- (1) introduction of values based recruitment (VBR), this is to ensure CSC recruit the right workforce not only with the right skills and in the right numbers but individuals who have the right values to support effective team working and who indicate an ability to be resilient to working in a CSC environment
- (2) developing a strong culture of addressing problems early
- (3) introduction of an absence champion role within CSC. This has been taken on by senior manager Debbie Price.
- (4) building resilience across the service
- (5) benchmarking against other CSC teams within comparable local authorities.

Alison Jeffrey said that although the figures are better than they were, there is still room for improvement.

During discussion the matter of return to work interviews was raised. It was agreed that these should not be perfunctory. Jon Bell agreed to check whether there was a way for the electronic system to notify managers about whether return to work interviews had taken place or not.

A comment was made that the employee assistance programme (EAP) needed to be promoted as often employees were not aware of it

The chair thanked Alison for her comments.

Innes Richens was then invited to speak. He said that adult social care experienced similar problems to those encountered by CSC. Adult social care was also carrying out a benchmarking exercise. Some figures were still awaited - including from Plymouth, but data received so far showed there is an issue around long-term sickness absence rather than medium and short term sickness. He said that often staff go off sick while working out their voluntary redundancy notice.

He hopes that the data will show an improvement going forward. He has an active list of the top 20 employees going off sick and is arranging for conversations to be had with those people and also for return to work interviews to take place. Training is also taking place on-line. There had been a problem with sickness absence in residential units so there is now a dedicated senior manager to try to address any issues. This arrangement has been in place since the beginning of December because of the knock-on effects of those not off sick having to do more work.

There was some perception that the occupational health referral service was not felt to be sufficiently responsive. Angela Dryer said that there was a perception that referring employees to occupational health was not helpful. She said it was important to refer employees early where stress was a factor in sickness absence and it was also important to realise that often stress was not only work related.

The chair asked for details of the cost of EAP and Jon Bell advised that it was between £2.50 and £3 per head based on the number of employees. The chair asked Jon Bell to bring back to a future meeting of employment committee detailed information about the EAP contract, usage and how to publicise its existence.

During discussion the following matters were raised

- A suggestion was made that the council should ensure that the good practice outlined in the paper provided by Alison Jeffrey be applied consistently across the council. It was suggested that an additional recommendation should be made to that effect.
- Members commented that the fifth most common reason for absence was recorded as "blank". In effect this meant that no data was being collected in this category. Jon Bell said he would look into this and report back.
- Members asked whether the condition of the Civic Offices which was part of the Well-being survey could be a factor in sickness absence and also the requirement for some staff to "hot-desk". Jon Bell said that for the majority of employees the hot-desking arrangements with the multi adjustable seating worked well. The Chair commented that there had been much feedback on the temperature variation within the office.

The Chair suggested that changes were made to the original recommendations in light of the discussion on this item and this was agreed.

RESOLVED that Members

- (1) Continue to monitor sickness absence, and ensure appropriate management action is taken to address absenteeism.**

- (2) Note the findings from the Health and Wellbeing Survey and instruct Officers to continue to develop actions to improve the management of sickness absence and the promotion of employee wellbeing.**
- (3) Request that a report be brought back to this Committee to explain how sickness absences are recorded in the EBS system, including recommendations about how this could be improved, particularly with regard to employees returning to work, and avoiding the need for absence reasons to be recorded as "blank".**
- (4) Request that a separate report be brought back to this Committee (following discussions between the Chair and the Director of HR) on the Employment Assistance Programme (EAP) to include**
 - a. Details of the contract itself and options available to PCC**
 - b. Details of the current low usage of EAP and potential reasons for the low take-up**
 - c. Details of what is being done to increase awareness of EAP**
- (5) That consideration be given by HR to the good practice being operated in Children's Services to ensure that measures across the rest of the Council are equally as effective.**

23. Employee Opinion Survey (AI 5)

(TAKE IN REPORT)

Jon Bell introduced this report which provides members with the results of the recent employee opinion survey and seeks approval from members for the proposed actions arising from the survey results.

During discussion the following matters were raised.

- One third of staff who completed the survey said they had not had a Performance Development Review (PDR) during the last 12 months. Jon Bell said this was disappointing given that the process had been reviewed only about a year ago when the recording process had been simplified. Of those who had received a PDR during the last 12 months only half considered it to be a useful experience. Members felt that this should be addressed.
Members were aware that there had been a persistent conflict between the "systems thinking" approach and carrying out PDRs on a regular basis particularly in the Property and Housing directorate. In the past clear instructions had been given that PDRs had to take place for everyone. Members queried why this was still not happening and wanted steps to be taken to ensure that PDRs are done for everyone.
- With regard to the percentage of responders who did not think they were paid fairly, Jon Bell said that on recruitment HR made clear the whole reward package, not just the baseline salary figure.

Members asked about the low percentage of people completing the employee opinion survey. Jon Bell said that there was a huge differential across the organisation concerning completion of the survey and that it was lower where employees worked outside the civic offices.

In future members suggested a joint message is sent out from HR and the trade unions to encourage employees to complete the survey.

Actions

- Director of HR to work with unions so that when surveys are done in future, a joint communication can go to staff from unions and management to encourage participation.
- HR to look in greater detail at the percentage of those saying they had not had a PDR in the last 12 months (32.76% of those who completed the survey) and to email the results to members outside the Committee.

RESOLVED that the Committee

- (i) Note the results of the Employee Opinion Survey (attached at Appendix 1)**
- (ii) Note the further actions taken to better understand the results of the survey and approve the further actions (Appendix 2)**
- (iii) Request that the Director of HR provides further information (to be circulated to members by email) with regard to the levels of PDR completion across directorates**
- (iv) Request that, where PDR coverage is low, Directors devise individual plans to address this.**
- (v) Requests the Director of HR to consider how to increase the response rates for future surveys, including discussing the role of Trades Unions in encouraging response rates.**

24. Apprenticeships (AI 6)

(TAKE IN REPORT)

Jon Bell and Roland Bryant introduced the report. Good progress had been made in recruiting apprentices overall - especially in Adult Social Care. Jon Bell said that details of the levy itself were set out in section 9 of the report. He said that paragraph 4.2 of the report detailed the number of apprentices in post and that Appendix 1 shows the breakdown of apprentices by Directorate, detailing the qualification being undertaken.

The Chair said that this was a key report and that the number of apprenticeships represents a success story for the Council. She wished to place on record on behalf of the Council her thanks to all concerned.

A discussion took place concerning whether the apprenticeship levy was an example of the government placing additional burdens on councils without providing the money to fund it. A contrary view was that this did not amount to

a new burden - it was about making sure that this was managed so as to be able to claim the money back for training.

RESOLVED that Members

- (i) **Note the progress in recruiting apprentices across the City Council**
- (ii) **Note the requirements of the Apprenticeships Levy, the planned public sector targets and the financial implications of these**
- (iii) **Place on hold the recruitment of apprentices from February 2017 in readiness for the introduction of the Levy from May 2017 thus enabling the City Council to make full use of the Levy from day one**
- (iv) **Request the Director of HR to report back to members on the plan for optimising use of the levy funding.**

25. Legislation Briefing (AI 7)

The Chair commented that parts of the report were now out of date as it had been prepared prior to the Chancellor's Autumn Statement.

Jon Bell said that he wanted to draw attention to matters in the first part of the report at this meeting and this was agreed. He said that 3.1 of the report set out details of the likely cap on public sector exit payments and possible consequences of this. 3.2 sets out information on recovery of exit payments and 3.3 sets out the response to government consultation on further reforms to exit payments.

In response to queries

- it was confirmed that HR was not aware of any employee being affected by 3.6 of the report concerning English language requirements.
- Although there will be a gender pay gap within PCC, this did not mean that there are equal pay issues.

RESOLVED that Members

- (1) **noted the changes and any implications for the Local Authority detailed in the first part of the report**
- (2) **requested that an update dealing with item 3.8 onwards and to include details of implications from the Government's recently issued Autumn Statement be circulated to Employment Committee as soon as practicable.**

26. Exclusion of Press and Public (AI 8)

RESOLVED that in view of the contents of the following items on the agenda, the committee adopted the following motion

"That under the provisions of Section 100 A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded for the consideration of the

following item on the grounds that the appendix contains information defined as exempt in Part 1 of Schedule 12 A to the Local Government Act 1972" exemption paragraph 5."

27. Living Wage (AI 9)

(TAKE IN REPORT)

Jon Bell advised that the report had been brought to allow the decision taken on 14 June 2016 to be reconsidered.

He advised that there were two options that could be adopted

- (i) Continue to implement the recommendation agreed by members at Employment Committee on 15th December 2015. This was to continue to pay the 2015/16 Living Wage Foundation rate of £7.85 per hour and allow the National Living Wage (currently £7.20 per hour but anticipated to increase in April 2017) to catch up.
- (ii) Following the recent announcement on 31st October 2016 by the Living Wage Foundation, regarding the increase to the rate, to adopt the 2016/17 Living Wage Foundation rate of £8.45 per hour, with effect from 1 April 2017.

Discussion took place in exempt session about the affordability of the two options. The legal advice and the equality impact assessment were unchanged from the previous reports on this matter.

The meeting resumed in open session.

The Chair proposed that option (i) be approved and this was seconded by Councillor Luke Stubbs.

Upon being put to the vote, this was carried.

RESOLVED that

Employment Committee agreed to continue to implement the recommendation agreed by members at Employment Committee on 15th December 2015. This was to continue to pay the 2015/16 Living Wage Foundation rate of £7.85 per hour and allow the National Living Wage (currently £7.20 per hour but anticipated to increase in April 2017) to catch up.

The meeting concluded at 2.05 pm.

Councillor Donna Jones

Chair



Decision maker:	Employment Committee
Subject:	Pay Policy Statement
Date of decision:	28 th February 2017
Report by:	Jon Bell - Director of HR, Legal and Performance
Wards affected:	n/a
Key decision (over £250k):	n/a
Full Council Decision:	Yes

1. Purpose of report

The Council is required by section 38(1) of the Localism Act 2011 (openness and accountability in local pay) to prepare a Pay Policy Statement.

The Local Government Transparency Code 2014 further clarifies and describes the information and data local authorities are required to publish to increase democratic accountability.

A Pay Policy Statement must articulate the Council's policies towards a range of issues relating to the pay of its workforce, particularly its senior staff, Chief Officers and its lowest paid employees.

A Pay Policy Statement must be prepared for each financial year, approved by Full Council no later than 31st March of each financial year and published on the council's website. The attached Pay Policy Statement was presented as a draft statement in June 2016 and now is confirmed as the final Pay Policy Statement for the financial year 2016/17.

In March 2016, the Employment Committee requested that, in order to increase transparency and public accountability, a draft Pay Policy Statement for the relevant financial year, be presented at an earlier stage of the financial year. To achieve this, a further draft Pay Policy Statement will be published for 2017/18 using financial data from March 31st 2017. This will be presented at the Employment Committee following March 2017.

2. Recommendations

RECOMMENDED that the Employment Committee agrees the draft Pay Policy Statement attached as Appendix 1 to go forward for approval by the Full Council by 31 March 2017.

3. Background

3.1 Increased transparency about how taxpayers' money is used, including the pay and reward of public sector staff is now a legislative requirement under section 38(1) of the Localism Act 2011. The Department for Communities and Local Government published a revised Local Government Transparency Code on 3rd October 2014. The code enshrines the principles of transparency and asks relevant authorities to follow these three principles when publishing the data they hold. These are as follows:

- Responding to public demand
- Releasing data in open format available for re-use; and
- Releasing data in a timely way

This includes data on senior salaries and how they relate to the rest of the workforce (pay multiple).

- 3.2 The Council must have regard to the Secretary of State guidance "Openness and accountability in local pay: Draft guidance under section 40 of the Localism Act". It is now essential that an authority's approach to pay, as set out in a Pay Policy Statement, is accessible for citizens and enables taxpayers to take an informed view of whether local decisions on all aspects of remuneration are fair and make the best use of public funds.

Approved statements must be published on the authority's website and in any other manner that the authority thinks appropriate, as soon as reasonably practical after they have been approved by Full Council.

- 3.3 The Act also requires that authorities include in their pay policy statement, their approach to the publication of and access to information relating to the remuneration of chief officers. Remuneration includes salary, expenses, bonuses, performance related pay as well as severance payments.
- 3.4 The definition of a chief officer as set out in the Act is not limited to Heads of Paid Service or statutory chief officers. It also includes those who report directly to them.
- 3.5 The Portsmouth Pay Policy statement is attached as **Appendix 1**.

4. Conclusions

The Council is required by the Localism Act 2011, section 38(1) to publish a Pay Policy Statement on a yearly basis which is approved by Full Council.

5. Equality Impact Assessment (EIA)

An equality impact assessment is not required as the recommendation doesn't have a negative impact on any of the protected characteristics as described in the Equality Act 2010.

6. Legal Comments

- 6.1 The Director of HR, Legal and Performance is satisfied the Pay Policy Statement at Appendix 1 meets the legislative requirements under Section 38 Pay Accountability, of the Localism Act 2011 and is in line with the Local Government Transparency Code 2014.
- 6.2 The Council is required to prepare a Pay Policy Statement for the financial year 2016/17 and each subsequent year, which sets out the policies, remuneration and other benefits of its chief officers and lowest paid employees and the relationship between its chief officers and every other officer.
- 6.3 The Pay Policy Statement must be approved by Full Council before 31st March 2017 and can only be amended thereafter by a resolution to Full Council.

7. Finance Comments

There are no financial implications arising from the recommendations contained within this report.

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Signed by: Jon Bell - Director of HR, Legal & Performance

Appendices: Pay Policy Statement

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

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PAY POLICY STATEMENT FOR THE FINANCIAL YEAR 2016/17

INTRODUCTION

This policy statement has been produced in accordance with Sections 38 to 43 of the Localism Act 2011 (the Act), and is compliant with the Local Government Transparency Code 2014.

The pay policy statement will be reviewed on an annual basis, and a new version of the policy will be approved before the start of each subsequent financial year, which will need to be complied with during that year.

SECTION 1: REMUNERATION OF STATUTORY AND NON-STATUTORY CHIEF OFFICERS, DEPUTY CHIEF OFFICERS, AND MONITORING OFFICER

1.1 REMUNERATION COVERED IN THIS SECTION OF THE POLICY

This section covers the Council's policies in relation to the remuneration of its senior employees, including:

- Its Chief Executive (who is its Head of Paid Service);
- Its Deputy Chief Executive (and Monitoring Officer);
- The Directors, who report to and are directly accountable to the Chief Executive or Deputy Chief Executive. These Directors fulfil the roles of statutory Chief Officers, Section 151 Officer, and non-statutory Chief Officers;
- The Port Manager;
- The managers who report to and are directly accountable to the Port Manager.

1.2 OVERALL POLICY ON REMUNERATION FOR SENIOR ROLES

The Council's remuneration policy complies with all equal pay, discrimination and other relevant legislation.

The Council's Job Evaluation Support Scheme (JESS) is used when setting pay levels for all posts within the Council. This system is a factor-based analytical job evaluation scheme designed to measure the relative responsibilities of all jobs fairly and accurately.

1.3 THE REMUNERATION OFFERED TO SENIOR EMPLOYEES

At Chief Executive, Deputy Chief Executive and Director level (and for the Port Manager and his direct reports), the Council offers only an annual salary, access to the Local Government Pension Scheme, and the payment of a small number of allowances, details of which are set out below. No other cash benefits or benefits in kind are offered. The Council does not offer performance related payments or bonuses to its senior employees.

All are employed on PAYE taxation arrangements. However in exceptional circumstances e.g. interim appointments, an alternative form of engagement/employment may if appropriate be used.

Annual salaries

Annual salary levels for senior employees are set in accordance with the overall principles set out in section 1.3, above. At Chief Executive and Director level, they consist of a grade range which is determined locally by the Council. This grade range consists of a number of incremental salary points, through which employees may progress until the top of the grade is reached.

The current pay ranges are:

Chief Executive	£136,052 to £150,374
Deputy Chief Executive	£101,997 to £110,524
Port Manager	£101,997 to £110,524
Director (upper band)	£101,997 to £110,524
Director (mid band)	£87,426 to £96,632
Director (lower band)	£74,937 to £82,826
Senior Managers	£68,106 to £74,773

The Council has entered into shared working arrangements with Gosport Borough and Isle of Wight Councils to share senior management and their related statutory functions. All Councils have retained their clear identities as individual councils under this arrangement. Gosport Borough and Isle of Wight Council pay a contribution under this arrangement to Portsmouth City Council. Additional payments are made to these Chief Officers for carrying out the statutory functions under this shared working arrangement. These payments are separate to the level of pay received for performing their duties within Portsmouth City Council - see Section 4 - Honoraria payments.

Remuneration of senior employees on recruitment

The Council's policy is that any newly appointed senior employee will commence employment at the lowest pay point in the pay range for their job, other than in circumstances where it is necessary to pay at a higher point within the range in order to match the salary of their previous post with another organisation. Any decision to appoint a senior employee on a higher pay point within the relevant pay range would be made by the Members Appointment Committee.

Pay progression

Pay progression is by annual increment, payable from 1st April. Pay progression is based on the period of time the employee has served in that grade.

There is no scope for accelerated progression beyond one increment per annum, or for progression beyond the top of the grade's pay range.

Pay awards

The salaries of Directors will be increased in line with any pay increase agreed nationally in line with the Joint National Councils (JNCs) for Chief Executives and Chief Officers. Senior Managers pay will be increased with any pay increase agreed nationally in line with the National Joint Council (NJC).

Bonuses

The Council does not pay bonuses to any of its employees.

Other Allowances and Payments

Other payments and allowances that the Chief Officers may be eligible for are detailed in Section 4 – **POLICIES COMMON TO ALL EMPLOYEES**. This includes Market Supplements, Local Government Pension Scheme (LGPS), Payments on Termination of Employment, Allowances.

Election fees

Senior Manager salaries are inclusive and election fees are not paid.

Where a Director acts as the Deputy Returning Officer the appropriate fee at that time is paid.

SECTION 2: REMUNERATION OF LOWEST PAID EMPLOYEES

2.1 DEFINITION OF LOWEST PAID EMPLOYEES

The definition of the “lowest-paid employees” adopted by the Council for the purposes of this statement is as follows:

The lowest paid employees within the Council are those employees who are paid on the minimum salary point of the Council’s substantive pay structure, i.e. spinal column point 1, within Band 1 of its salary scales.

However, with effect from 1st November 2014, the Employment Committee made the commitment to Portsmouth City Council Employees (subject to agreement by governing bodies of schools) to pay the Portsmouth Living Wage rate as a supplement to base pay. Therefore, all employees* from SCP1 to SCP7 will receive a minimum hourly rate of £7.85 per hour.

The current annual full-time equivalent value of this pay level, based on a 37-hour standard working week at £7.85 per hour, for the financial year 2016/17 is £15,144.

(*This excludes Apprentices and temporary staff employed via Portsmouth City Council’s temporary staff agency).

SECTION 3: PAY RELATIONSHIPS

Under the provisions of the Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government under Section 2 of the Local Government Planning and Land Act 1980, the Council is expected to publish its “pay multiple”, i.e. the ratio between the highest paid salary and the median salary of the whole of the local authority’s workforce. This multiple, for the financial year ending 31 March 2016 was 6.4 with a median salary of £23,293. Based on the agreed national pay awards for 2016/17, it is predicted that this multiple will be 6.3 for the financial year ending 31st March 2017 with a median salary of £23,935.

(The median salary figure is the salary value at which 50% of the salaries which apply to the whole of the local authority’s workforce are below that value and 50% are above it. The lowest pay point in the overall salary range which has been used by the Council in calculating the median salary is that which applies to its lowest paid employees, as defined in section 2 of this pay policy statement.)

The Council considers that the current pay multiple, as identified above, represents an appropriate, fair and equitable internal pay relationship between the highest salary and the pay levels which apply to the rest of the workforce. It will therefore seek to ensure that, as far as possible, the multiple remains at its current level.

The Council also considers that the relationship between the base salaries of its highest and lowest paid employees, which is currently a ratio of 10.4, represents an appropriate, fair and equitable internal pay relationship.

SECTION 4: POLICIES COMMON TO ALL EMPLOYEES

The following elements of remuneration are determined by corporate policies or arrangements which apply to all permanent employees of the Council (including its Chief Executive, Deputy Chief Executive, Directors and the lowest paid employees as defined above), regardless of their pay level, status or grading within the Council:

Market Supplements

A Market Supplement payment may be made if there is a clear business need, supported by effective market data, where a post is difficult to recruit to or to retain key members of staff, in addition to the normal reward package.

The supplement payment will be made in strict accordance with the Recruitment and Retention Policy and will be reviewed biennially. The full Recruitment and Retention Policy will be provided on request.

Payments on Termination of Employment

Other than payments made under the LGPS, the Council's payments to any employee whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. This policy (Early Termination of Employment Payments) has been published in accordance with the requirements of Regulation 7 of these regulations and is available on request.

Reimbursement of removal/relocation costs on appointment

The Council's relocation scheme is to enable financial assistance (within pre-defined limits) to be given to any employee who is required to relocate to the Portsmouth area to take up an appointment in a post deemed 'hard to fill' by the appropriate Director. Full details of the policy can be provided on request.

Honoraria

The Council pays honoraria to any employee only in accordance with its corporate scheme for such payments. This scheme provides that honoraria payments may be made to any employee who undertakes exceptional additional duties unrelated to those of a higher post, for example a special project. Such payments must be approved by the Director for HR where payments will exceed £1,000 per annum.

Acting-up/additional responsibility payments

Where employees are required to "act-up" into a higher-graded post and take on additional responsibilities beyond those of their substantive post, for a temporary/time-limited period (which must exceed 4 weeks), they may receive an additional payment in accordance with the terms of the Council's policy. The payment will be based on the percentage of the higher duties and responsibilities undertaken and on the salary that would apply were the employee promoted to the higher post. (i.e. the lowest spinal column point of the higher grade).

Standby and call out allowances

Any employee who is required to undertake standby and call-out duties will be paid at the appropriate rate and in accordance with the policy. A full copy of the policy can be provided on request.

Mileage rates

The Council compensates employees who are authorised to use their own car, motorcycle or bicycle on Council business, in accordance with the mileage rates set out by HMRC.

Subsistence allowance

The Council reimburses expenditure on meals and accommodation and any other expenses necessarily incurred by employees who have to be away from home on Council business on the basis of actual expenditure incurred. These allowance rates are set out by HMRC.

Child care (salary sacrifice scheme)

Childcare is available to all employees via the HMRC-approved salary sacrifice scheme. There is no direct subsidy towards childcare costs by the Council.

SECTION 5: DECISION MAKING ON PAY

The provisions of this pay policy statement will apply to any determination made by the Council in the relevant financial year in relation to the remuneration, or other terms and conditions, of a Chief Officer of the Authority and of its lowest paid employees, as defined in

this statement, The Council will ensure that the provisions of this pay policy statement are properly applied and fully complied with in making any such determination.

This pay policy statement has been approved by the Full Council of the Authority on 21st March 2017.

Any proposal to offer a new chief officer appointment on terms and conditions which include a total remuneration package of £100,000 or more, which would routinely be payable to the appointee and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions), will be referred to the Full Council for approval before any such offer is made to a particular candidate.

Additionally, any severance payments over £100,000 are referred to Full Council for approval.

With effect from Spring/Summer 2017, there will be a cap of £95,000 on all Public Sector Exit Payments.

SECTION 6: AMENDMENTS TO THIS PAY POLICY STATEMENT

This pay policy statement relates to the financial year 2016/17.

The Council may agree any amendments to this pay policy statement after it has been approved, but only by a resolution of the full Council.

A new policy statement will be agreed by the Council in March 2018 for the financial year 2017/18.

SECTION 7: PUBLICATION OF AND ACCESS TO INFORMATION

The Council will publish this pay policy statement on its website as soon as is reasonably practicable after it has been approved by the Council. Any subsequent amendments to this pay policy statement made during the financial year to which it relates will also be similarly published.

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Title of meeting:	Employment Committee
Date of meeting:	28 February 2017
Subject:	Sickness Absence - Quarterly Report
Report by:	Jon Bell - Director of HR, Legal and Performance
Wards affected:	N/A
Key decision:	No
Full Council decision:	No

1. Purpose of report

The purpose of this report is to update Employment Committee about levels of sickness absence across the council and actions being taken to manage absence.

2. Recommendations

Members are recommended to:

- **Continue to monitor sickness absence, and ensure appropriate management action is taken to address absenteeism.**
- **Note the actions detailed in section 3 of the report**

3. Background

- 3.1 In the period since the last update in November 2016 the level of sickness absence has increased from 8.46 to 8.75 average days per person per year. This is against the corporate target of an average 7 days per person per year. The principle cause of this increase is an increase in the amount of absence in Adult Social Care, and further information about this is provided in section 3.7 below.
- 3.2 Analysis of data indicates that since the last report there has been a slight increase in the amount of long term absence from 4.82 to 4.90 average days per person per year. Short term absence has for the first time in some months seen an increase from 2.29 to 2.51 average days per person per year over the same period.
- 3.3 Absence levels by Directorates for the period from 01 February 2016 to 31 January 2017 are attached in Appendix 1.
- 3.4 Of the 14 Directorates, eight (excluding schools) are over the corporate target of an average 7 days per person per year. The number of Directorates that are over an average 10 days per person per year has reduced to one in the last quarter.

- 3.5 A table of reasons for absence over the last four years is included in Appendix 2. The analysis of the data indicates that the main reasons for absence have remained the same, with the three main reasons; musculoskeletal; anxiety, stress and psychological and colds, flu and virus, accounting for 51.72% of absences in the last 12 months. This compares to 53.8% in the period 01 November 2014 to 31 October 2015.
- 3.6 At the last meeting, members requested further clarification about the recording of absence, in particular why some absences were reported as being "blank". Members are advised that when an absence is recorded the manager is required to select a reason for the absence from a list of options. However, the design of the system meant that it was possible for a manager to leave the field empty (causing the absence to be unhelpfully reported as "blank"). Changes have now been made to the software to correct this feature. However, it will take some time for historic records to be corrected, and so the "blank" line will continue to appear in reports for the next few issues.
- 3.7 The majority of the increase in absence levels is attributable to a significant increase in absence levels in Adult Social Care. Since the last Employment Committee Adult Social Care has re-distributed services amongst its senior management team. As a result of this change the directorate has identified a significant amount of absence that was incorrectly entered onto the Oracle system. Appropriate action has been taken to address this issue. Also, two residential units have been subject to a norovirus type outbreak during December and January. The combination of the above has contributed towards the 10% increase in headline sickness absence figures in this Directorate.
- 3.7.1 Adult Social Care are continuing to brief and train staff new to absence management and will be creating a Senior Resources Role who's duties will include responsibility for managing attendance.
- 3.8 Members also requested further information about the use of back-to-work interviews and other aspects of the council's absence management arrangements.
- 3.8.1 Although the format of back-to-work interviews is not prescribed, it is highly recommended that managers do hold a discussion with returning absentees to understand the reasons for absence, any underlying causes (e.g. conflicts at work, domestic issues etc.) and the steps that could be taken to improve attendance in future. The notes from such discussions are important documents as they may be referred to in the event that further management action is taken in respect of the employee's attendance. As such, they should be stored on the employee's electronic file.
- 3.8.2 Managers are provided with comprehensive monthly reports about sickness absence in their areas. HR Officers work with managers to ensure that appropriate action is being taken in all cases, and that absences are not allowed to "drift".

3.8.3 Managers are separately notified, through the self-service system, of any absences that have reached 21 days.

3.8.4 HR have and will continue to provide briefings to service management teams to ensure that managers are familiar with policies and procedures, and are properly-supported in managing absence. These cover topics such as:

- How an employee should report sickness
- Handling return to work interviews
- How to handle 'fit notes'
- What to consider when reviewing an employee's absence record
- The procedures and process for formally managing short and long term absence
- The Role of Occupational Health
- Phased returns to work
- Equality Act 2010
- Absence in Probation
- Access to additional services such as EAP and the back-care specialist

4. Reasons for recommendations

The continued monitoring of sickness absence and the identification of good management practices is an important part of maximising attendance, which will in turn increase productivity, improve engagement and build resilience.

5. Equality impact assessment (EIA)

A preliminary Equality Impact Assessment has been completed.

6. Legal implications

There are no immediate legal implications arising from this report.

7. Finance comments

There is no significant cashable saving resulting from the reduction in sickness absence. However there will be an improvement in productivity in terms of total days worked.

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Signed by:

Appendices:

Appendix 1: Sickness Absence by Directorate 31 January 2017

Appendix 2: Summary of reasons for absence

Appendix 3: Equality Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:

Appendix 1: Sickness Absence by Directorate 28 February 2017

Sickness Absence by Directorates - 01 February 2016 to 31 January 2017

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Directorate	Sickness - Working Days Lost														Total Average Per Person Per Year (Previously Reported)
	HeadCount			Total				Long Term		Medium Term		Short Term			
	Head Count at End of January 2017	Head Count at End of January 2016	Average HeadCount	Working Days Lost To Sickness	% Working Time Lost	Average Per Person Per Year	Trend	Working Days Lost To Sickness	Average Per Person Per Year	Working Days Lost To Sickness	Average Per Person Per Year	Working Days Lost To Sickness	Average Per Person Per Year		
Agency Workers	103	127	115	0		0.00	↔	0	0.00	0	0.00	0	0.00	0.00	
Adult Services	633	736	684.5	10699	8.43%	15.63	↑	7107	10.38	1485	2.17	2107	3.08	14.17	
Children's Services and Education	263	230	246.5	1351	2.71%	5.48	↑	461	1.87	246	1.00	644	2.61	4.95	
Children's Social Care	310	322	316	3101	4.37%	9.81	↓	1758	5.56	500	1.58	843	2.67	11.17	
Community and Communication	204	213	208.5	1376	2.91%	6.60	↑	524	2.51	308	1.48	544	2.61	6.57	
Culture and City Development	324	295	309.5	1197	1.87%	3.87	↓	375	1.21	229	0.74	592	1.91	3.94	
Executive	17	19	18	119	2.72%	6.62	↑	70	3.86	17	0.93	33	1.83	5.12	
Finance and Information Services	311	312	311.5	2106	2.87%	6.76	↓	1097	3.52	284	0.91	725	2.33	7.41	
Human Resources, Legal and Performance	114	125	119.5	377	1.44%	3.15	↑	177	1.48	48	0.40	152	1.27	2.52	
Integrated Commissioning Service	24	34	29	212	3.64%	7.31	↑	42	1.46	104	3.57	66	2.29	5.16	
PCC Schools	2878	2661	2769.5	20009	5.09%	7.22	↑	9444	3.41	2938	1.06	7628	2.75	7.13	
Portsmouth International Port	81	79	80	668	3.21%	8.35	↓	360	4.50	104	1.30	204	2.55	9.24	
Property and Housing	821	850	835.5	7593	3.98%	9.09	↑	4010	4.80	1104	1.32	2478	2.97	8.56	
Public Health	70	134	102	900	5.75%	8.82	↓	482	4.73	151	1.48	267	2.61	8.96	
Regulatory Services and Community Safety	65	83	74	366	2.41%	4.94	↑	240	3.24	32	0.43	94	1.27	3.15	
Transport, Environment and Business Support	309	322	315.5	2871	5.60%	9.10	↓	1748	5.54	422	1.34	702	2.22	9.41	
Total (Including PCC Schools)	6424	6415	6419.5	52944		8.25	↑	27895	4.35	7971	1.24	17078	2.66	8.07	
Total (Excluding PCC Schools)	3546	3754	3650	32935		9.02	↑	18451	5.06	5034	1.38	9450	2.59	8.78	
Total (Excluding PCC Schools but including Agency Workers)	3649	3881	3765	32935		8.75	↑	18451	4.90	5034	1.34	9450	2.51	8.46	

Definition of periods of absence: Long-term absence: 21 days or more, Medium Term absence: 8 to 20 days, Short Term absence: 7 days or less

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Appendix 2: Summary of reasons for absence

Summary of reasons for absence, figures for last four years

Sickness - Reasons Rank comparisons by Year															
Directorate	Year to January 2017				Year to January 2016				Year to January 2015				Year to January 2014		
	Working Days Lost	% of Total	Rank	Direction	Working Days Lost	% of Total	Rank	Direction	Working Days Lost	% of Total	Rank	Direction	Working Days Lost	% of Total	Rank
Musculoskeletal	13869	21.08%	1	↕	14331	22.19%	1	↑	11699	18.21%	2	↓	14451	21.85%	1
Psychological	12258	18.64%	2	↕	12747	19.74%	2	↓	12872	20.03%	1	↑	11822	17.87%	2
Virus	7894	12.00%	3	↕	7663	11.87%	3	↕	8374	13.03%	3	↕	8837	13.36%	3
Gastrointestinal	7286	11.08%	4	↕	6676	10.34%	4	↕	6786	10.56%	4	↕	7250	10.96%	4
(blank)	4750	7.22%	5	↑	3436	5.32%	6	↑	2484	3.87%	9	↑	2423	3.66%	10
Neurology/Nervous System	3532	5.37%	6	↓	3571	5.53%	5	↑	2886	4.49%	7	↓	3364	5.09%	5
Respiratory Problems	2910	4.42%	7	↕	2979	4.61%	7	↓	3504	5.45%	6	↑	2769	4.19%	7
Dental/Oral	2561	3.89%	8	↑	2207	3.42%	10	↓	2849	4.43%	8	↕	2701	4.08%	8
Cancer and Tumours	2191	3.33%	9	↕	2487	3.85%	9	↓	3525	5.49%	5	↑	2776	4.20%	6
Gynaecological	1737	2.64%	10	↓	2677	4.15%	8	↑	2268	3.53%	10	↓	2607	3.94%	9
Heart Disorders	1244	1.89%	11	↑	867	1.34%	13	↑	855	1.33%	14	↓	1603	2.42%	11
Genitourinary	1182	1.80%	12	↕	986	1.53%	12	↓	1174	1.83%	11	↑	1065	1.61%	12
Pregnancy Related	1048	1.59%	13	↓	1156	1.79%	11	↑	1133	1.76%	12	↑	862	1.30%	13
Blood Disorders	788	1.20%	14	↑	453	0.70%	17	↓	865	1.35%	13	↑	588	0.89%	16
Family Bereavement	613	0.93%	15	↑	501	0.78%	16	↑	459	0.71%	17	↑	364	0.55%	19
Eye Problems	565	0.86%	16	↓	527	0.82%	15	↕	682	1.06%	15	↕	593	0.90%	15
Infectious Disease	487	0.74%	17	↑	365	0.56%	18	↑	386	0.60%	19	↑	356	0.54%	20
Skin Disorders	430	0.65%	18	↓	529	0.82%	14	↑	648	1.01%	16	↑	475	0.72%	17
Accident	282	0.43%	19	↑	78	0.12%	21	↓	419	0.65%	18	↓	766	1.16%	14
Endocrine/Hormonal	150	0.23%	20	↓	255	0.40%	19	↑	332	0.52%	20	↓	451	0.68%	18
Violence At Work	1	0.00%	21	↑	0	0.00%	22	↕	21	0.03%	22	↓	22	0.03%	21
Substance Misuse	0	0.00%	22	↓	81	0.12%	20	↑	34	0.05%	21	↑	0	0.00%	22

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Equality Impact Assessment

Preliminary assessment form v5 / 2013

www.portsmouth.gov.uk

The preliminary impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies which require a full EIA by looking at:
 - negative, positive or no impact on any of the equality groups
 - opportunity to promote equality for the equality groups
 - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

Directorate:

Director of HR, legal and performance

**Function e.g. HR,
IS, carers:**

Human Resources

Title of policy, service, function, project or strategy (new or old) :

Sickness Absence

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

Q1 - What is the aim of your policy, service, function, project or strategy?

To update members on the current absence and and actions being taken to manage absence.

Q2 - Who is this policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?

All employees

Q3 - Thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on members of the equality groups below?

Group	Negative	Positive / no impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "negative" or "unclear" consider doing a full EIA

Q4 - Does, or could the policy, service, function, project or strategy help to promote equality for members of the equality groups?

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy or maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "no" or "unclear" consider doing a full EIA

Q5 - Do you have any feedback data from the equality groups that influences, affects or shapes this policy, service, function, project or strategy?

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Pregnancy and maternity

Other excluded groups

If the answer is "no" or "unclear" consider doing a full EIA

Q6 - Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, service, function or strategy?

yes No

Q7 - How have you come to this decision?

There are no changes to the current absence management policy and therefore no detrimental affect on any groups.

If you have to complete a full EIA please contact the Equalities and diversity team if you require help
Tel: 023 9283 4789 or email:equalities@portsmouthcc.gov.uk

Q8 - Who was involved in the EIA?

Human Resources

This EIA has been approved by: Mark Folkes

Contact number: 023 9283 4934

Date: 06/02/17

Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789

Email: equalities@portsmouthcc.gov.uk



Title of meeting:	Employment Committee
Date of meeting:	28 February 2017
Subject:	Employee Assistance Programme (EAP)
Report by:	Jon Bell - Director of HR, Legal and Performance
Wards affected:	N/A
Key decision:	No
Full Council decision:	No

1. Purpose of report

The purpose of this report is to respond to members' request for further information about the Employee Assistance Programme (EAP) including;

- a. Details on the contract itself and options available
- b. Details of current low usage of EAP and potential reasons for the low take-up
- c. Details of what is being done to increase awareness of EAP

2. Recommendations

Members are recommended to note the information regarding the Employee Assistance Programme and approve the continuation of this service to staff

3. Background

- 3.1 Employee Assistance Programmes are widely used by employers to provide their staff with access to confidential information, support and counselling to assist with personal or work-related issues. Support is traditionally offered around the clock by telephone, with a comprehensive service providing face-to face counselling where necessary. Some schemes will also provide online support. Evidence suggests that around 47% of employees in the UK have access to an EAP, and, where an employer does provide an EAP, around 10% of employees typically access it each year.
- 3.2 As well as helping to support staff, employers also receive management information through EAPs, which, although anonymous can help them to identify and tackle potential workplace issues. As long as an EAP satisfies HM Revenue and Customs' definition of welfare counselling, it is regarded as a business expense rather than a benefit in kind.

- 3.3 The Council has provided its staff with access to EAP for some years. Prior to 2010 this was with Oakdale Counselling. In 2010 this changed to Right Core Care, and from January 2016, following a re-tendering exercise, the contract was awarded to Right Management.
- 3.4 When the contract was re-tendered, suppliers were invited to tender for a flexible range of services on the basis of either 'pay-as-you-go' or with standard charges based on headcount (or combinations of the two). Suppliers were invited to submit as part of their bid a list of additional services that are included in their pricing options including; 24 hour case management, red flag support and telephone access, on-site presentations to HR and leadership teams, intervention stress sessions and training solutions.
- 3.5 The winning bidder was selected on the basis of a fixed price per employee for the core offer - advice line, management support and website - plus additional services on a pay-as-you-go basis, e.g. telephone or face-to-face counselling. Within the contract there is an option to request volume variations, i.e. to add additional headcount. This has enabled CCG and Gosport staff to be added to the contract (with additional costs met by those organisations).
- 3.6 The new contract commenced on 01 January 2016, to operate for four years giving an end date of 31 December 2019. The estimated value of the contract was £31,680 per annum (including traded services). This was approximately 10% less than the all-inclusive offer. In 2016, the first year of the contract the Council spent £19,556 (non-schools), mainly as a result of lower-than-expected usage.
- 3.7 Local Authority schools provide their EAP through the Authority's EAP contract, and Academies can choose whether to buy into this contract as a traded service.
- 4 The Authority required an offer that gave staff access to support and wellbeing advice which includes counselling, a 24 hours, 365 days a year telephone advice line, counselling and web-based information, support and advice. The details of the services listed below form the Authority's Statement of Requirements.
- 4.1 **Telephone Advice Line:**
- Immediate confidential support and advice via telephone 24 hour, 7 days a week, 365 days a year
 - Advice line available via one Freephone telephone number
 - Unlimited access to support and advice for employees on a range of issues, including debt management, careers guidance and mediation
 - Support and advice for managers on management issues
 - The Supplier should meet the needs of clients with hearing difficulties and for those whose first language is not English
 - The Supplier will refer employees for counselling from the advice line where appropriate

4.2 **Counselling:**

- Confidential counselling service that offers support on a range of personal and work related matters, provided either face-to-face or via telephone
- Support to be provided on the basis of four sessions of counselling per annum, lasting 50 minutes each, available for each employee referred within each contract year
- Counselling sessions must take place at a suitable location near to the home or work location of the employee
- The location must be a professional environment which is confidential and free from disruption
- A maximum of two additional counselling sessions may be approved if the counsellor demonstrates that this would have a positive impact for the employee
- The counsellor should identify other voluntary organisations who may be able to support the employee where more than four sessions of counselling is required
- The Supplier should identify ways of reducing non-attendance, e.g. appointment reminders

4.3 **Website:**

- A website which offers advice, support and wellbeing initiatives that is hosted by the Supplier
- Free downloads from websites for various topics including wellbeing

4.4 The total telephone advice line usage from 01 January 2016 to 31 December 2016 was 96.

Service Type	Jan 16 - Mar 16	Apr 16 - Jun 16	Jul 16 - Sep 16	Oct 16 - Dec 16
Counselling	25	24	16	20
Legal & Information	0	4	3	3
Management Support	0	0	0	1
Total	25	28	19	24

Referrals - 45 of the 96 employees were onward referred for structured session based counselling.

4.5 The online EAP offers user-friendly guidance notes and factsheets, self-help guides, podcasts and links. These are readily available to support employees with many issues such as money management and debt, change, work life balance and stress and pressure. In total Right Management are offering **126** downloadable factsheets plus **33** downloadable factsheets for managers.

The EAP online service was visited on 268 occasions from 01 January 2016 to 31 December 2016, as shown below:

Visits to site	Number of downloads	Number of Guide viewings
268	355	487
Guide name	Number of times Guide accessed during current reporting period	
Manager Support	94	

Mental Wellbeing	69
Weight Management	32
Change	29
EAP Promotion Library	27
Relationships	26
Money and debt	23
Children	18
Dealing with different personalities	18
Loss and Bereavement	18
Your home	18
Caring	17
Women's health	17
Critical or Adverse Incidents	14
Sleep	14
Physical Activity	10
Work-Life Balance	9
Consumer issues	7
Nutrition	7
Cardiovascular Risk	5
Alcohol	4
Developing your skills	4
Smoking	4
Stress & Pressure	3

- 4.6 In total 96 individuals used the telephone advice line and the EAP online service was visited on 268 occasions from 01 January 2016 to 31 December 2016. This level of usage represents 9.44% of the non-schools workforce.
- 4.7 The Health and Wellbeing Survey, conducted in 2016 and previous reported to members, asked participants if they had accessed the EAP. 8.9% of respondents stated that they had. They were asked to rate the usefulness of the service on a scale from 1 to 5, and the results were:

1 (not useful)	26.7%
2	6.7%
3	26.7%
4	20%
5 (very useful)	20%

However, it must be borne in mind that response rates to the survey overall were very low. Generally those staff who had experienced short term rather than long term absences found the service more useful.

- 4.8 Right Management do also invite service users to provide feedback on the service, but to date response rates have been extremely low. Right Management have been requested to seek ways to improve this.
- 4.9 The following activities are in place or have been considered in order to increase awareness and usage of the scheme's offer.

- The rebranding of marketing materials with a new visual image and now includes the Portsmouth City Council branding so the staff can identify this support with their employer. All materials will include the free helpline number and website address and the login Password.
- The EAP pages on the staff intranet are being repositioning to ensure the range of support and information is clearer.
- A further email to third-tier managers reminding them that there are a number of downloadable factsheets aimed at assisting with their management of staff.
- Drop in and briefing sessions to staff from the provider have been considered. However, the provider has advised that these tend to be less successful as employees do not wish to be seen talking about confidential issues within the workplace. Also, this approach would need to include all reasonable sized units, not just the Civic Offices, to have best impact. This is outside of the contract and would incur an additional cost.

5. Reasons for recommendations

Although usage of the EAP service has been low, it is an important part of the council's employment package for staff, and provides a means for staff and managers to access a range of support and advice. Increased marketing activity is being undertaken to increase awareness of the service.

6. Equality impact assessment (EIA)

There are no equality impacts flowing from the recommendation to continue providing the existing service.

7. Legal implications

There are no immediate legal implications arising from this report.

8. Finance comments

As an EAP is about promoting and supporting the wellbeing of employees, there is no significant cashable saving resulting from promoting greater awareness of the programme. However it is recognised that there will be intangible benefits to how employees attend and engage and act within the workplace.

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Signed by:

Appendices: None

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:



Title of meeting:	Employment Committee
Date of meeting:	28 th February 2017
Subject:	Apprenticeship Levy project plan
Report by:	Jon Bell - Director of HR, Legal & Performance
Wards affected:	N/A
Key decision:	No
Full Council decision:	No

1. Purpose of report

Following the Apprenticeships report presented at the Employment Committee on 29th November 2016, a further report detailing the city council's plan for using its apprenticeship levy allocation was requested.

2. Recommendations

Members are **recommended** to:

- (i) Note and agree the contents of the plan to maximise the use of the city council's apprenticeship levy allocation.

3. Background

- 3.1 The apprenticeship levy is being introduced in April 2017 and will require all employers with a pay bill of more than £3 million to pay into the levy at a rate of 0.5%. These employers will be able to access their levy funds through a digital account (DAS) to pay for approved apprenticeship qualifications and end point assessments for apprentices within their organisation. The apprenticeships report presented to the employment committee on 29th November 2016 contained further detail on the levy, how it will work and the implications for the city council.
- 3.2 The Government's response to the consultation for the proposed Public Sector apprenticeship targets was published in January 2017. The target of 2.3% of headcount (approximately 140 for the Council including maintained Schools) will be introduced from April 2017. The Government has taken into account all responses and decided on balance to retain headcount as the basis for the target. They will, however, introduce flexibility by making the target an average from 2017/18 - 2020/21 inclusive. The council's target will be set at the headcount for 31st March 2017 for the duration of this period and will include all

staff on its payroll. The public sector apprenticeships targets consultation and government response is attached as Appendix 3.

- 3.3 The following sections of this report detail the apprenticeship levy plan which has been broken down into its key components.

4. Communications and engagement

- 4.1 In order to raise awareness of the levy and the opportunities it presents for workforce development throughout the council a series of 'communication bursts' have been planned. The first was sent to Directors and senior managers in December with others following over the next three months. To support the communications further, a series of briefings during 'Apprenticeships Week' (6th - 8th March 2017) have been booked in order to provide face to face information sharing and an opportunity for managers and their staff to ask questions. A 'frequently asked question' bank will be produced and located on IntraLINK and updated as new queries arise.
- 4.2 A PCC Apprenticeships award ceremony is planned for 8th March 2017 and will coincide with the National Apprenticeships week. This will further support the communications plan and reinforce the advantages and opportunities that apprenticeships present. PCC has five apprentices nominated for 'Apprentice of the Year' in The News Business Excellence Awards, the outcome of which was not known at the time of writing this report, but should one of these win the award their success will be added to the planned communications.
- 4.3 HR Business Partners are supporting Directors and their senior management teams to identify areas of workforce development that could be funded through the apprenticeship levy. This information is being collated to identify common areas of interest across the council and provide early indications of the types and numbers of qualifications that will need to be sourced.
- 4.4 A statement about the apprenticeship levy has been added to the PDR template to ensure personal development through this route is considered alongside any other development methods. A catalogue of apprenticeship opportunities will be produced to support managers in identifying suitable development routes for their staff.
- 4.5 An apprenticeships levy working group has been in place since January 2016 and consists of representatives from HR, Procurement, Finance, Economic Regeneration and Schools. The group is working to an action plan in readiness for the launch of the levy in April 2017.
- 4.6 There have been briefings about the apprenticeship levy to the Secondary and Primary Headteacher meetings and there are now Headteacher representatives on the apprenticeship levy working group. A plan to appoint to a temporary coordinating post to support Schools in identifying apprenticeship opportunities, accessing training providers and funds through the Digital account have been put forward for approval by colleagues in Education.

- 4.7 A new field is being added to the HR self-serve system that will enable all staff to select their highest level of qualification from a drop down menu. This data will help HR Officers to further identify potential staff development areas and target communications accordingly.

5. Recruitment

- 5.1 As agreed at the Employment Committee of 29th November 2016, a hold on apprenticeship starts will take place from February 2017 enabling those recruited in the period between February and March to commence their apprenticeship under the new system and have their qualification and end point assessment funded through the levy.
- 5.2 The requirement for all vacant posts at pay band 5 and under to be considered for an apprenticeship as agreed at the Employment Committee of 15th December 2015 will remain in place. Recruitment officers will also be working with recruiting managers to identify opportunities for apprenticeships at higher pay bands e.g. where a career pathway may be applicable.
- 5.3 The introduction of the levy will open up opportunities to 'convert' existing employees to an apprenticeship where a clear opportunity to develop skills and knowledge at a higher level or in a new skill area has been identified; and where the staff member meets the eligibility criteria. The apprenticeships officer has commenced work on this and is collating information to inform the procurement process. The work detailed in 4.3 and 4.6 will also support this activity.
- 5.4 New models of recruiting to posts will be considered for example; the Chartered Surveyor Apprenticeship will typically take 5 years to complete. It includes a BSc (Hons) degree and qualification as a full chartered member of the Royal Institution of Chartered Surveyors (MRICS). Apprentices studying this qualification will be expected to attend university one day a week and in the first 2 years the apprentice will studying towards a level 4 qualification, years 3 and 4 will be at level 5 and the final year will be level 6 leading to a full degree. The maximum cost for a degree apprenticeship is £27,000 but this cost will be divided over 5 years in this example working out approximately £450 per month. Officers will support Directorates looking to recruit degree level apprentices to develop and agree a progression pathway, which will reflect the work apprentices are undertaking over the course of the degree apprenticeship.

6. Procurement and training providers

- 6.1 Work is underway to create a 'Dynamic Purchasing System' (DPS) for the council to ensure compliance with the Public Contracts Regulations 2015. PCC is leading on a DPS which other local authorities may join or add to. The DPS will ensure we have approved training providers in place to begin to use our levy allocation from April 2017.

- 6.2 Our in-house training provider 'The Community Learning Service' will deliver apprenticeship qualifications in Business Administration at levels 2, 3 and 4, and Customer Service at levels 2 and 3. The levy rules allow for the appointment of an in-house training provider without the need to use the DPS. Our in-house provider is registered as an approved apprenticeships training provider with the government.
- 6.3 Early indications show that Leadership and Management apprenticeships at levels 4 and 5 could be popular within the council and work is underway to identify the staff for which this would apply. If demand is as expected it is likely this will need to be managed in 'cohorts' to ensure fair access and avoid unnecessary pressures on services releasing staff for study. There are two workshops planned with 26 first line managers in Children's Social Care and Safeguarding to look at their management training needs as an example of work already underway in this vocational area.
- 6.4 All transactions regarding the payment of apprenticeship providers will be via the DAS and will enable officers to monitor the city council spend against the levy as well as the level and type of apprenticeships being funded.
- 6.5 Appendix 1 provides an example of the amount of levy the city council would have used based on the apprenticeships it delivered through 2016. The table shows the maximum funding bands the Government will apply to each qualification and the number of staff who have undertaken them. Using these figures the council would have used £130,232 of its levy allocation.
- 6.6 Appendix 2 shows the plan officers will follow to both increase the uptake of apprenticeships and develop a wider breadth of opportunities to maximise the city council's levy allocation.
- 6.7 Appendix 5 shows the number of apprenticeships that are in development, published and or approved for delivery. It is worth noting that not all of the qualifications listed in this document will be available locally however officers, through their procurement activity, will be encouraging local apprenticeship training providers to offer any that are particularly pertinent to roles within the city council.

7. Future development

- 7.1 The apprenticeship levy is likely to encourage the development of a range of new apprenticeships including degree apprenticeships. Apprenticeship Trailblazers as they are known are employer led and require the development of standards which must be approved by the Department for Education and any regulatory body. We are currently aware of Trailblazers for Social Work, Teacher Training, Occupational Therapists, Teaching Assistants and Schools Business Support, all of which will be of interest to PCC once they are in place. It is likely we will identify roles within the council for which there are no apprenticeship standards available and joining a trailblazer with other

employers will be one way for the council to increase the breadth of its apprenticeships offer (see Appendix 2 Phase 4).

- 7.2 The apprenticeships officer is working closely with the University of Portsmouth and sits on their apprenticeship advisory group which is looking at developing the University's apprenticeships offer for the future.

8. Points for consideration

- 8.1 All apprenticeships have a requirement for 20% of the working week to be allocated as study which could impact on the number of apprenticeship places a team or unit could manage. Staff will need to be enabled the time for study which may be away from the workplace or on the job depending on the type and level of qualification being taken but in either case it will impact on their capacity to fulfil all the requirements of their post. Whilst increasing apprenticeship numbers in line with the city council's target and spending our levy allocation are key drivers this needs to be balanced against the demands of service delivery.
- 8.2 There may be circumstances where development opportunities are identified but staff do not wish or are apprehensive about taking up an apprenticeship and will need to be managed sensitively on a case by case basis.

9. Legal implications

- 9.1 PCC must comply with the Public Contracts Regulations 2015 when commissioning training providers to deliver Apprenticeship qualifications. The work Officers have undertaken with regards to the DPS will ensure PCC's compliance in this area.

10. Equality impact assessment

- 10.1 A preliminary Equalities Impact assessment (EIA) has been completed (Appendix 6) and identified a full EIA is not required as the actions in this report do not have a potential negative impact on any of the protected characteristics as described in the Equality Act 2010.

11. Finance comments

- 11.1 Final clarification and confirmation from the Government has been received (see appendix 4) regarding the levy and the table below shows the city council's predicted annual levy payment as of 31st January 2017.

Employee Spend actuals for period April 16 to January 2017 - pro rata to 12 months + 1%

Apprenticeship Levy Calculation

General Fund	
General Fund	£73,855,398.57
HRA	£16,024,089.35
School	£49,006,320.09

Total	£138,885,808.01	£694,429.04
10% Government top up		£69,442.90
	Total predicted annual Levy	£763,871.94

- 11.2 The Government will provide a 10% 'top up' on every pound the council pays into the levy based on the figures above this adds an extra £69,442.90 to the annual figure. It is worth noting that a significant proportion of the payroll costs are in Schools so if these were to all move to academies there would be a significant impact on our available balance (if they all moved to academy status the value in our digital account would be just under half a million rather than £760k). The schools that have transferred so far this year have been excluded from the calculations to make them more accurate. As the council continues to make savings it is likely that this will further reduce the payroll costs in the General fund further reducing this amount going forwards.
- 11.3 The final Government levy rules and guidance documentation clearly states that employers cannot reclaim apprenticeship costs for any apprentices who leave their programme early (appendix 4 page 12, 52.4) nor ask them to contribute to the cost of their training and end point assessment.
- 11.4 If an approximate average cost of £2,500 per apprenticeship per year is applied the council would need to recruit around 305 apprentices each year in order to spend its current levy allocation.

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 Signed by:

Appendices:

- Appendix 1 - Exemplar table to show 2016 apprenticeship activity in relation to the levy
- Appendix 2 - Table to show plan for developing apprenticeships and maximise the levy
- Appendix 3 - Apprenticeship Targets for Public Sector Bodies - Government Consultation Response
- Appendix 4 - Apprenticeship Funding Rules and Guidance May 2018 - March 2018
- Appendix 5 - Apprenticeship Standards - January 2017 - Skills Funding Agency
- Appendix 6 - Preliminary Equalities Impact Assessment - Apprenticeship Levy

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Shaping the Future of Portsmouth	Strategy Unit
Business Growth & Skills Plan	Strategy Unit
Apprenticeship Strategy	Strategy Unit
Apprenticeship Employment Committee Report 15 th December 2015	Employment Committee
Apprenticeship Funding Rules and Guidance May 2017 to March 2018	Skills Funding Agency (Appendix 3)
Apprenticeship Targets for Public sector Bodies - Government Consultation Response	Department for Education (Appendix 2)

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Appendix 1

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PCC Apprenticeship Name	Level	Funding band	Length of qualification with training provider	Monthly payment based on length of qualification	Sample amount based on 2016 employment	Age - 18 or under	Total	Cost for 1 year with current provision
Accounting (AAT)	3	£2,000	12 months	£166	2	2	£4,000	£4,000
Business and Administration	2	£2,000	12 months	£166	22	8	£60,000	£60,000
Business and Administration	3	£2,500	18 months	£138	6	0	£15,000	£9,936
Business and Administration	4	£4,000	24 months	£166	1	0	£4,000	£2,000
Catering	2	£2,000	12 months	£166	2	0	£4,000	£4,000
Customer Service	2	£1,500	12 months	£125	2	1	£4,500	£4,500
Customer Service	3	£2,000	18 months	£111	3	0	£6,000	£3,996
Facilities	2	£2,000	12 months	£166	1	1	£2,000	£2,000
Health & Social Care	2	£1,500	12 months	£125	3	1	£6,000	£6,000
Horticulture	2	£2,000	20 months	£100	2	2	£8,000	£4,800
Housing	2	£1,500	12 months	£125	1	0	£1,500	£1,500
Housing	3	£2,500	18 months	£138	2	0	£5,000	£3,312
IT	2	£2,000	15 months	£133	2	0	£4,000	£3,192
IT	3	£4,000	12 months	£333	1	0	£4,000	£4,000
Legal	3	£3,000	24 months	£125	2	0	£6,000	£3,000
Building Services Engineering Apprenticeship	3	£12,000	36 months	£333	1	1	£12,000	£3,996
Engineering	2	£4,000	12 months	£166	1	0	£4,000	£4,000
Procurement	3	£6,000	24 months	£250	2	1	£12,000	£6,000
Supporting teaching & learning in schools***	2	£2,000	12 months	£166	19	Unknown	£38,000	£38,000**
					75	£17,000 (money back to PCC)	£200,000	£130,232*

Appendix 1

**The number by schools assumes all apprentices are completing a level 2 business administration or level 2 teaching assistant apprenticeship.

*This figure shows the total costs of apprenticeship training and assessment if the levy funding caps were in place in 2016. A significant increase in apprenticeship recruitment or conversion of existing staff will therefore be needed if the council is to spend its allocation.

Table to show plan for apprenticeships delivery

	Qualification	Duration of apprenticeship	Cost per year Per apprentice
Phase 1 Business as usual (existing PCC apprenticeships)	Accounting (AAT) Level 3	12 months	£2,000
	Business Administration Level 2	12 months	£2,000
	Business Administration Level 3	18 months	£1,666
	Catering Level 2	12 months	£2,000
	Customer Service Level 2	12 months	£1,500
	Customer Service Level 3	18 months	£1,333
	Facilities Level 2	12 months	£2,000
	Health & Social Care Level 2	12 months	£1,500
	Health & Social Care Level 3	18 months	£1,000
	Horticulture Level 2	20 months	£1,200
	Housing Level 2	12 months	£1,500
	Housing Level 3	18 months	£1,666
	IT Level 2	15 months	£1,600
	IT Level 3	12 months	£4,000
	Legal Level 3	24 months	£1,500
	Building Services Engineering Level 3	36 months	£4,000
	Engineering Level 2	12 months	£4,000
	Public sector commercial professional (procurement) Level 4	24 months	£6,000
Supporting Teaching & Learning in Schools Level 2	12 months	£2,000	

	Qualification	Duration of apprenticeship	Cost per year Per apprentice
<p>Phase 2 Development areas identified for apprenticeships (minimal numbers) This is expected to grow as more apprenticeships come on line and Directorates engage in the process. NB: this list is dependent on availability through local apprenticeship training providers</p>	Business and Professional Administration Level 4	24 months	£4,000
	Chartered Surveying Level 6 (Degree)	60 months	£5,400
	Chartered Management Level 6 (Degree)	48 months	£6,750
	Social Media & Digital Marketing Level 3	18 months	£2,666
	Human Resource Management Level 5	12 months	£2,000
	Care Leadership & Management (ASC) Level 5	12 months	£2,000
	Recruitment Level 3	18 months	£1,000
	Recruitment Level 4	12 months	£1,500
	Learning & Development - Teaching & Lecturing Level 3	12 months	£2,500
	Project Management Level 4	12 months	£3,000
	Accounting Level 4	18 months	£1,666
	Children and Young People - Residential Care Level 3	20 months	£1,500
	Cultural & Heritage Venue Operations Level 3	12 months	£2,500
	Youth Work Level 2	12 months	£1,500
	Youth Work Level 3	12 months	£2,500

Phase 3 Areas where there is the potential for Cohorts (higher volume) at planned times of the year.	Qualification	Duration of apprenticeship	Cost per year Per apprentice
	Management - Team Leading Level 2	12 months	£1,500
	Management - Business Management Level 3	18 months	£2,000
	Management - Business management Level 4	12 months	£2,000
	Management - Business Management Level 5	12 months	£2,500
	Lead Adult Care Worker Level 3	12 months	£3,000

Phase 4 Trailblazer apprenticeships currently approved for development which PCC will monitor and could potentially use subject to availability and location.	Trailblazer group	Occupation
	Animal Care	Animal Care & Welfare Assistant
	Education	Academic Professional
		Teaching Assistant
		School Business Director
		Teacher (Degree)
	Healthcare Science	Occupational Therapist (Degree)
	Historic Environment	Historic Environment Practitioner
	Human Resources	Human Resources Advisor
	Leadership & Management	Senior Leader
	Maritime	Port Maritime Operations Officer
	Marine Pilotage	Marine Pilot
	Ports Operations & Supply Chain	Port Operative
		International Supply Chain Manager
	Project Management	Project / Programme / Portfolio Manager (Degree)
	Rehabilitation	Rehabilitation Worker (Visual Impairment)
	Social Care	Rehabilitation Practitioner
Social Worker (Degree)		
Youth Worker		



Department
for Education

Apprenticeship Targets for Public Sector Bodies

Government consultation response

20 January 2017

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Introduction

1. Delivering three million apprenticeships by 2020 is a key priority for the Government. Apprenticeships are a great way to progress in work and for employers to improve the skills base of their businesses.
2. The Government is actively encouraging large and small businesses in the private sector to employ apprentices. We also want to ensure that the public sector is a model employer in this regard and leads by example.
3. Expanding the number of apprenticeships in the public sector will support growth in the overall apprenticeship programme.
4. The Enterprise Act¹ 2016 amended the Apprenticeships, Skills, Children and Learning Act 2009 (the 2009 Act) to allow the Secretary of State to set apprenticeship targets for prescribed public bodies. The apprenticeship target relates to the number of apprentices working for a public body in England.
5. The 2009 Act imposes a duty on all public bodies, which are set a target, to have regard to that target. They must also publish certain information annually on their progress towards meeting the target and send this information to the Secretary of State.
6. The duty applies to England only. Where public bodies also operate elsewhere, the target will be set in respect of the proportion of the public body's workforce that works in England.
7. The Government published a consultation document on apprenticeship targets for public sector bodies on 25 January 2016. The consultation set out that:
 - We would use the Office for National Statistics (ONS) classification for public sector organisations for National Accounts as a starting point for determining organisations in scope;
 - The duty would apply to public bodies that have 250 or more employees in England;
 - The target would be for a minimum of 2.3% apprenticeship starts each year, based on the number of employees working for a body in England.
8. The consultation set out the methodology and rationale behind the target and listed the proposed bodies and reporting arrangements. It proposed a reporting

¹ <http://www.legislation.gov.uk/ukpga/2016/12/part/4/enacted>

period of the financial year and asked whether headcount was the correct basis for the target.

9. The full consultation document and proposed list of bodies in scope can be found here <https://www.gov.uk/government/consultations/public-sector-apprenticeship-targets>.
10. The consultation was launched on 25 January 2016 and closed on 4 March 2016.
11. The consultation was available on the GOV.UK and Citizen Space websites and was promoted on social media. Government received 180 responses (Annex B) with the majority from local government organisations and NHS Trusts.
12. In addition the Department regularly engaged with stakeholders informally. We met Whitehall departments to discuss their own target and that of their non-departmental public bodies and other bodies within their sectors. We also met with the Local Government Association alongside a number of local authorities, NHS representative bodies, and trade unions.

Summary of responses received and the Government's response

13. The Government received 180 responses with the majority responding on behalf of an organisation. The highest proportion of responses were from local government, followed by NHS trusts, police, fire and rescue services and schools.
14. Overall, respondents were very supportive of apprenticeships with many stating that they already consider apprentices as part of workforce planning. They commented that the setting of ambitious targets can be helpful and increase aspirations but they must be realistic and achievable.
15. The main areas of comment were regarding the target and reporting period. The Government has taken into account all responses and decided on balance to retain headcount as the basis for the target. We will, however, introduce flexibility by making the target an average from 2017/18 - 2020/21 inclusive. The Government also intends to introduce the target from April 2017 to coincide with the introduction of the apprenticeships levy and the Institute for Apprenticeships.
16. More detail on our decisions is given in the following sections which set out the original questions, respondents' views and the Government response. Where there are linked issues, we have grouped questions and responses by theme. Where there is a number in brackets in the text, this indicates the number of respondents who gave the response being described.

Question analysis

Public Bodies within scope

17. A public body is defined at section A9(7) of the 2009 Act as:

- A public authority, or
- A body or other person that is not a public authority but has functions of a public nature and is funded wholly or partly from public funds.

18. The Government identified public organisations and institutions proposed to be in scope with reference to the Office for National Statistics (ONS) National Accounts Sector Classification at www.ons.gov.uk/ons/rel/na-classification/national-accounts-sector-classification/index.html. A list of the organisations proposed to be in scope was included in an annex to the consultation.

Question 1: Do you agree that the organisations listed in the Annex and public corporations (at least with a headcount of 250 or more in England) should be in scope and if not, why?

19. The majority of respondents who answered the question (94) said that the proposed list of bodies was the correct one.

Question 2: Should any organisations listed in the Annex (plus public corporations with 250 or more headcount in England) be omitted and if so, which and why?

20. The majority of respondents who answered the question (71) said that none of the proposed list should be omitted. However, 39 respondents, largely from local government, thought that some bodies should be omitted and these are covered below.

Local Authority maintained schools

21. Some respondents said that schools should be omitted. They stated that teaching is a graduate profession so it is not possible to have teaching apprentices. Some respondents also suggested that a large number of school staff only work a few hours per week, so apprenticeships cannot be undertaken. Finally, there was concern that the costs of the targets (salaries, on-costs, training) would divert funds away from their core educational purpose. Some local authorities were concerned about their ability to meet the target as maintained schools have control over their own budget and recruitment.

Fire and Rescue/Police

22. A small number of respondents commented that some fire and rescue services still come under the responsibility of a county council and so expressed a similar concern to that of local authority maintained schools.
23. One organisation stated that fire and rescue, and police should be omitted until relevant standards are available. A standard for Police Constable has now been approved, and standards for other rescue services are now in development. We expect that standards should take no more than a year to fully develop, and with increasing Relationship Manager support, more standards have been approved in the last year than in the previous two years combined. It is important, however, that organisations think now about what further standards they might need in order to give maximum time for development.
24. In cases where the target has not been met because standards are in development and not yet available for use, this should be explained in the public body's annual report.

Other Bodies

25. Government received a range of representations about which bodies should be in scope, and has decided to remove the following organisations. This is in addition to those already established as out of scope in the January consultation.
26. As the BBC and Channel 4 are on the ONS list solely for the purpose of producing National Accounts and associated statistical products, we do not judge that they should be in scope of the duty. Channel 4 is also wholly commercially funded.
27. Post Office Limited has a setup where 97% of the approximately 11,500 post offices are run by independent postmasters on an agency basis, rather than by Post Office Ltd employees. We therefore judge it appropriate for them to be outside of scope.
28. As a result of their unique place within the public sector, those financial institutions which come within the definition of "public bodies" will be out of scope of the target.
29. Due to exclusive cognisance and right of the Houses of Parliament to regulate their own proceedings and internal affairs, they are not subject to control or direction of ministers and will therefore not be in scope of the duty.

Government response

30. Regarding schools, the Government has reflected carefully but believes it is appropriate for schools to be included, given that this simply requires them to actively consider apprentices as part of workforce planning and 'have regard' to the target.
31. The Government is working with the schools sector to address perceived barriers to taking on apprentices. There are now standards in development for Teachers, Teaching Assistants and School Business Directors, as well as a range of other broader standards that could be used by the wider schools workforce.
32. Schools which are maintained by an LA and where the LA is also the employer are expected to be included in the relevant local government target. Other schools will be treated separately and only those organisations with a workforce of 250 or more in England will be in scope.
33. In response to concerns where the Council/Local Authority is the employer, while we think it is necessary for schools and fire and rescue services to be contained within the LA target, we are content for LAs to show the result for these organisations separately in their annual report.
34. Regarding the bodies listed in paragraphs 25-29 above, the Government agrees that these bodies should be out of scope of the duty. These organisations have agreed to independently publish their number of apprentices.
35. A smaller number of other respondents gave information on why they were incorrectly included and the Government will follow up with them separately.

Question 3: Should any organisations that are not listed in the Annex be included and if so, which and why?

36. The majority of respondents (134) who answered the question said that they didn't think or weren't sure if any organisations not included should be included.
37. However, a number of respondents (34), mainly from LAs, education and health sectors, did think that some other bodies should be in scope, including further education colleges, universities and primary care providers (GPs and dental practices).

Government response

38. Respondents who said that further education colleges and universities should be in scope stated that as these organisations receive substantial amounts of public funding and are deliverers of apprenticeships, they should lead by example.

However, further education colleges and universities are a unique hybrid of public and private sector and we do not intend to include these bodies in scope.

39. It was stated by a respondent that much work has been undertaken to deliver increased numbers of apprenticeships in primary care settings. While we welcome this work, these organisations typically have far fewer than 250 staff and it would therefore be inappropriate to hold them to the same targets as larger organisations unless they have 250 or more employees in England, at which point they would become in scope of the target.
40. Ten respondents from LAs and NHS Trusts stated that they thought all public sector organisations, regardless of size, should be in scope, especially levy paying organisations. While we will continue to encourage smaller bodies to deliver apprenticeship growth, we do not propose bringing them in scope of the target.

Question 4: Should certain bodies be grouped together for the purposes of the target and if so, which are these and why?

41. There was a mixed response of those who answered this question as 55 said yes and 57 said no. In both circumstances, respondents were mainly from LAs, followed by health and education sectors. While some could see the advantage of being grouped, for example by region or sector, and the advantage in enabling smaller organisations to be brought on board, others listed the disadvantages. These included the logistics of collecting and reporting information and accountability for the overall numbers.

Government response

42. Grouping of targets would be done with agreement of the grouped organisations and would require a lead organisation to report on their behalf. Transport for London has requested that it and its subsidiaries are grouped. We agreed to this and will set this out in the regulations.
43. Bodies that are government departments, as well as crown non-departmental public bodies, will also be grouped and this will be reflected in the regulations. These bodies have previously been set an interim annual target, ahead of the legislation, of 2.3% of headcount from 1 January 2016.
44. There was no clear support for other groupings therefore targets will apply individually to bodies.

Question 5: Do you have any other comments on the list of organisations?

45. One organisation asked why the Construction Industry Training Board (CITB) was in scope but the Engineering Construction Industry Training Board (ECITB) was not. This is because ECITB has a workforce of fewer than 250 employees in England.

Summary Response – Questions 1-5

46. As a result of the responses to the questions on scope, Government will continue to use the ONS classification of a public body as the basis of those in scope and will not give LA maintained schools their own target. However, Government is content for LAs to show the result either for groups of schools or individual schools alongside from their own overall figures, if preferred.

Further education colleges, universities, primary care organisations with fewer than 250 employees in England, the Houses of Parliament and smaller public bodies will remain out of scope of the duty. The BBC, Channel 4 and Post Office Limited will not be in scope of the duty. A final determination for which bodies will be in scope will be set out in regulations and debated in both Houses of Parliament in due course.

The Target

47. In the consultation document, Government proposed using a public body's headcount in England for illustrative purposes but we asked if this was the correct basis for the target.

Question 6: Do you agree that headcount is the correct basis for the target and if not, why?

48. The majority of respondents to the question (128), including the Local Government Association, said that they thought that Full Time Equivalent (FTE) should be used as the target basis. This was mainly due to FTE being considered a more proportionate measure for organisations that have high levels of part time staff. The responses were from a range of organisations including LAs, NHS trusts, police, and fire and rescue services

Government response

49. The target has been calculated to ensure that the public sector delivers a fair share of the 3 million target. If the headcount target were to be replaced with an FTE basis, then the current 2.3% target would result in a lower number of starts, meaning that the public sector wouldn't be delivering their fair share. In addition, headcount data is more readily available across the whole of the public sector and therefore the Government has decided on balance to stay with headcount.

50. To achieve the same number of starts using FTE, Government anticipates that the target would need to be raised to approximately 2.8%. This would mean other organisations with a lower ratio of part time workers would have a higher target.
51. The Government appreciates that this is an ambitious target and acknowledges that those with a high proportion of part time workers could feel that the target is overly stretching. For example, in local government the percentage of FTE staff is around 70% of the headcount and approximately half of employees are part time. By contrast, in the NHS the percentage of FTE staff is around 90% of the headcount. However, the Government expects the public sector to lead the way, and organisations who believe their staffing structure has acted as a material barrier to achieving the target can say so in their reporting. In particular, in meeting these concerns we suggest that bodies with a high proportion of part time workers should use FTE in parallel with headcount to report and explain any under-achievement of the target as necessary.
52. The Government also received responses which stated that the target should not be based on annual starts, but rather should be 'in post' apprentices. There was concern, particularly from the health sector that the proposed annual starts target risks organisations simply churning low level apprentices.
53. The Government has concerns that by counting 'in post' information, apprenticeship duration could be artificially extended to cover multiple years. This would result in poor outcomes for apprentices, and fewer apprentices being delivered towards the 3 million target and embedded in workforce planning. Government therefore plans to maintain the target on an annual starts basis.
54. Government will, however, introduce greater flexibility by making the target an average across the years that it applies, so that in scope bodies can manage peaks and troughs in recruitment. Further details will be set out in guidance.

Question 7: Do you think there is any further information that should be provided by us?

55. 84 respondents, mainly from local government and then the health sector agreed that further information should be provided. They stated that they needed more information on implementation of the target, particularly the consequences of not meeting the target and support available if they do not. They also asked if reporting was purely about starts or if further information would be collected.
56. Information on how organisations should interpret the duty to have regard to the target, and the consequences of not meeting it, are covered below. All other issues are covered along with the responses to Question 9 and in Annex A.

'Have regard' to the Target

57. The Government considers the duty to 'have regard' to the target to mean that, in making workforce planning decisions, a body subject to the duty must actively consider apprenticeships, either for new recruits or as part of career development for existing staff.

58. The Government understands that 2.3% is a stretching target. The Government also recognises that other objectives, including quality and good outcomes for apprentices, are important. That is why we are making the target an average of 2.3% starts across the years that the target applies, from 2017/18 to 2020/21.

59. The annual information returns will provide an opportunity for organisations to explain any factors which they feel have hindered their efforts to meet the target. These could include:

- Where a relevant framework or standard is not currently available but the organisation is involved in developing new standards and has plans for individuals to start on these; or,
- Where an organisation has a large number of part time workers whose Full Time Equivalent makes it difficult to meet the numbers of apprentices needed and/or due to the number of hours they work are not eligible for apprenticeships; or,
- Where an organisation employs a higher proportion of apprentices on two or more year apprenticeship programmes; or,
- Where an organisation is planning a major recruitment the following year which would bring their average number of apprenticeship starts up to or beyond the target.

60. The Government expects that all organisations will strive to meet their target and will take steps to improve apprenticeship take-up year on year. The Government hopes that the transparency provided by the publication of information regarding which organisations have and have not met the target will provide an encouragement for organisations to engage fully in the apprenticeships programme.

61. Organisations will be expected to have regard to the target in each year of their workforce planning and as such Government would expect organisational planning to actively consider apprenticeships, either for new recruits or as part of career development for existing staff. Government would also encourage public bodies that are looking to establish further apprenticeship standards to engage with the Institute for Apprenticeships to establish these. Government is

considering how we might celebrate the success of those who have met the target.

Information on apprentices

62. The information Government expects organisations to report is listed in the 2009 Act² and is described at Annex A – Frequently Asked Questions. This includes apprenticeship starts and average percentages across the years that the target applies.
63. Information is already collected through completion of Individualised Learner Records (ILR) on the gender and ethnicity etc. of apprentices and reported through the Further Education and Skills Statistical First Release³. However, this information cannot currently be reported by a public/private sector split. With the introduction of the Digital Apprenticeship Service (DAS) Government is aiming to collect information for public sector levy paying organisations from April 2017 and for all public sector organisations using DAS by 2020, on a monthly basis.
64. The annual Apprenticeship Employer⁴ and Learner⁵ surveys already collect follow-up information on destination of apprentices. The surveys will continue to take place and will include a sample of public sector organisations.

Government response

65. Government appreciates the concerns raised by those organisations which would prefer full time equivalent as a basis for the target and/or that the target is based on apprentices 'in post'. However, on balance, Government has decided to stay with headcount by annual starts as the basis for the target. We will however introduce flexibility by making the target an average across the years that it applies.
66. Government has listened to the call for more information and this is contained within paragraphs 74 to 89 and Annex A – Frequently Asked Questions.

² <http://www.legislation.gov.uk/ukpga/2016/12/part/4/enacted>

³ <https://www.gov.uk/government/statistics/learner-participation-outcomes-and-level-of-highest-qualification-held>

⁴ <https://www.gov.uk/government/publications/apprenticeships-evaluation-employer-survey-2015>

⁵ <https://www.gov.uk/government/publications/apprenticeships-evaluation-learner-survey-2015>

Target Period

67. Government proposed that the target period is the same for all bodies in order for information to be collated and compared. We looked at two options for the target period; the financial year (1 April to 31 March) and the academic year (1 August to 31 July) and proposed the financial year but asked for feedback as part of the consultation.

Question 8: Do you agree that the target periods listed (financial year of 1 April to 31 March) are correct?

68. Just over half of respondents (93) said they thought that this was the correct target period. These respondents were mainly from local government with NHS, police, fire and rescue close behind.

69. Most who didn't agree with the proposed target periods preferred the academic year as an alternative, as this is when they tend to start their apprentices, often employing young people who go to college. They are also used to this reporting period for the Individualised Learner Record which currently records apprenticeship starts. However, this period would conflict with organisations who have co-ordinated their workforce planning with the financial year.

70. A number of respondents suggested that to allow bodies time to prepare for its introduction, the target should not start until April 2017 along with the introduction of the levy. Many of the respondents stated that they had already undertaken their workforce planning for the 2016-17 financial year and it would be challenging to try to implement monitoring systems and secure additional financial resource to employ more apprentices this year. Some respondents also stated that they recruit apprentices to the academic timetable so to start the target from September/October in the first year would mean that they wouldn't be able to count apprentices that they had only just taken on.

Government response

71. The Government appreciates the fact that a number of respondents are used to using the academic year to report apprenticeships. However, in order to link with organisations' usual reporting timetables for other issues, as well as the apprenticeships levy, we will use the financial year as the target period.

72. The Government has listened to feedback raised in response to the consultation and will therefore introduce the target from April 2017 to coincide with the introduction of the apprenticeships levy and the establishment of the Institute for Apprenticeships.

Other Supporting Information

Question 9: Do you have any other comments about the contents of this consultation?

73. A large number of respondents (112), largely made up from local government and then the health sector, asked for further information to support them to prepare for the introduction of the target. Where there have been questions specifically about the target, these are covered in the Frequently Asked Questions at Annex A. The following paragraphs cover other areas where information was requested.

Government response

Levy Information

74. On 25 October 2016 Government published:

- Our policy on [apprenticeship funding in England from May 2017](#). The SFA has also published the [detailed funding rules](#) that underpin the policy.
- [A revised apprenticeship funding calculator](#) to help employers understand what levy they will pay and the role of the new digital service.
- Updated guidance on the [apprenticeship levy: how it will work](#).
- Our final policy on [the approach to the Register of Apprenticeship Training Providers](#). The SFA have also launched applications for the register and the associated procurement exercise for apprenticeship training provision for employers who don't pay the levy.

75. In December 2016, Government published [further employer guidance](#) from HM Revenue and Customs (HMRC) on how to calculate and pay the apprenticeship levy.

Apprenticeship Standards

76. As part of the apprenticeship reforms, employers are designing apprenticeship standards that are more responsive to the needs of business. This process has been underway since October 2013 when the first eight "Trailblazers" were launched. Government envisages a migration from apprenticeship frameworks to standards over the course of the Parliament, with as much of this to take place by 2017/18 as possible.

77. A number of apprenticeship standards [have already been developed or are currently being developed by groups of employers \(trailblazers\)](#).

78. [Guidance is available](#) to help employers through the process of applying for and developing a new standard. It typically takes a Trailblazer around a year to get an apprenticeship standard approved for delivery, but some groups have achieved this in as little as six months.

Marketing Campaign

79. Government launched a new apprenticeships communications campaign in May 2016 promoting the benefits of apprenticeships and traineeships. More information can be found via the following link: <http://www.getingofar.gov.uk>.

Institute for Apprenticeships

80. The Institute for Apprenticeships is being established to ensure the quality of apprenticeships in England, as the regulator of apprenticeship standards and assessment plans. The Institute will become a key feature of the apprenticeships landscape, providing a business voice and a sustained focus on quality.
81. It will be responsible for overseeing the development of apprenticeship standards and assessment plans; reviewing, approving or rejecting them; advising on the maximum level of Government funding available for standards; and quality assuring some end point assessments.
82. Government expects the Institute for Apprenticeships to be fully operational by April 2017 to support the implementation of the new apprenticeships levy.

Provider Readiness

83. A small number of respondents were concerned about provider readiness to support the apprenticeship reforms and increased number of apprenticeships anticipated.
84. Government will continue to support training providers in the short term in their preparations for delivering new apprenticeships and preparing for the introduction of the levy. The Education and Training Foundation (ETF) has commissioned a series of programmes to support training providers in their preparations to deliver the new standards, improve teaching and learning within apprenticeships and engage with employers.

Equality Impact Assessments

85. Four respondents asked if an Equality Impact Assessment had been undertaken for the duty. We have given due regard to the public sector equality duty. As set out previously, we would not want the target to lead to perverse incentives which may have a negative impact on equality; if organisations are unable to meet the target for these reasons, they can set this out as part of their annual information returns. As such there should be no impact on protected groups.

86. Equality Impact Assessments have already been undertaken on the apprenticeship programme as a whole in November 2011⁶ and the apprenticeship reforms in September 2014.⁷

Support available to organisations

87. The Skills Funding Agency act as account managers and have links with identified leads in Whitehall Departments to help deliver departmental implementation plans, record activity, share best practice and support departmental reporting. They also support development of wide-ranging apprenticeship programmes to meet apprenticeship targets and support supply chain strategy.

88. There is a range of general support available to employ an apprentice or advertise a vacancy, including [An Employer Guide to Apprenticeships and Traineeships](#) and through the National Apprenticeship Service, either by calling 08000 150600 or [online](#).

89. More information [about apprenticeship training providers in your locality can be found online](#). From April 2017 the Digital Apprenticeship Service will be available to support employers whether or not you pay the apprenticeship levy.

⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/32301/12-577-equality-impact-assessment-changes-apprenticeship-programme.pdf

⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/357005/Bis-14-970-Reformed-apprenticeships-equality-impact-assessments1.pdf

Next steps

90. Government will draft regulations which will indicate those in scope and provide more information on the reporting arrangements. The regulations are subject to affirmative resolution and will be debated in both Houses of Parliament. This will take place in due course. We will issue further guidance for employers before the measure takes effect.

91. The regulations will come into force in March 2017 with first reports due in 2018. Government will set out exact timings in the guidance for employers.

Annex A: Frequently Asked Questions

As some details will need to be worked through as the regulations are drafted, we will publish a document setting out further information ahead of the target taking effect.

Who is in scope of the target?

Having used the Office for National Statistics classification for public sector organisations for National Accounts as a starting point, bodies with a headcount of 250 or more employees in England will be subject to the duty. The bodies in scope will be detailed in regulations which will be published in due course and debated in both Houses of Parliament.

What if my headcount falls below 250 employees in England?

A body will be in scope if it has 250 or more employees in England on 31st March in each of 2017, 2018, 2019 and 2020. If headcount reduces during the year the organisation would still be subject to the target, and will have to report on the extent to which the target has been met at the end of that reporting year.

What happens if an organisation is not listed in scope of the target but their headcount increases to 250 or more employees in England?

A body will be in scope of the target if it has 250 or more employees in England on 31st March in each of 2017, 2018, 2019 and 2020. A body which was not in scope by virtue of that criterion but whose headcount exceeds 250 during the year would not be subject to the duty and reporting arrangements for the remainder of that reporting year.

What is the target?

The average target across the years the target is in operation is 2.3% apprenticeship starts based on the headcount of an organisation in England. It is a percentage of the total workforce in England and not just new employees that year. See examples in the table below:

	Year 1	Year 2
Overall average % target	2.3	
Headcount	1000	1000
Cumulative headcount	1000	2000
Apps required to meet average target (2.3%)	23	21 (23 this year – 2 over delivered last year)
App delivered	25	

	Year 1	Year 2
Overall average % target	2.3	
Headcount	1000	1000
Cumulative headcount	1000	2000
Apps required to meet average target (2.3%)	20	26 (23 this year + 3 under delivered last year)
App delivered	20	

How is this worked out?

Employers will record their headcount number at 31st March each reporting year and will work out the apprenticeship figures required to meet 2.3% average annual starts.

Why is it an average target?

Enabling public sector bodies to achieve an average target across the years 2017/18 to 2020/21 will give flexibility to organisations to manage peaks and troughs in recruitment.

Does headcount include those on temporary contracts, casual workers, agency staff and apprentices?

Headcount includes anyone on an employer's payroll, including temporary staff.

We contract a lot of our support services out. Can apprentices as part of these contracts count towards the target?

No. Apprentices employed by sub-contractors who supply goods and services to a public body cannot be counted towards the target.

We employ some apprentices through an Apprenticeship Training Agency (ATA) but they actually work for us. Do these apprentices count towards the target?

Apprentices who are working for an organisation but employed by ATAs can count towards the organisation's target. However, the apprentices also need to be included in the organisation's headcount in the annual returns.

Is the target new starters only?

The target is new 'apprenticeship starts'; this can include both existing employees who start on an apprenticeship, as well as newly employed apprentices.

What is classed as an apprenticeship?

In order to count towards the target, the apprenticeship must be an approved English apprenticeship agreement, or an apprenticeship agreement within the meaning given in section 32 of the Apprenticeships, Skills, Children and Learning Act 2009 as it applies in relation to England by virtue of provision made under [section 115\(9\)](#) of the Deregulation Act 2015.

If someone undertakes a level 2 apprenticeship, completes this and starts a level 3 apprenticeship straight away or later but still before 2020, does this count as 1 or 2 starts?

As the apprenticeships are different and will be on different standards/frameworks, and assuming that the first apprenticeship was completed successfully, this would be 2 starts.

When will it come into force?

We intend for the duty to come into force from 1 April 2017 with first reporting in 2018.

What period does it cover?

It will cover the financial year 1 April to 31 March. So for the following periods:

1 April 2017 to 31 March 2018

1 April 2018 to 31 March 2019

1 April 2019 to 31 March 2020

1 April 2020 to 31 March 2021.

When will annual reports be due?

Reports will be due within six months of the end of each reporting period so by 30 September each year:

30 September 2018

30 September 2019

30 September 2020

30 September 2021.

What format does the report need to be in and what information does it need to contain?

We will set out in employer guidance exactly what information is needed and if this needs to be in a specific format. It will however include as a minimum the information set out in the Enterprise Act 2016:

- A The number of employees whose employment by the body began in the reporting period in question
- B The number of apprentices who began to work for the body in that period and whose apprenticeship agreements also began in that period

Figure B expressed as a percentage of figure A;

- C The number of employees that the body has at the end of that period
- D The number of apprentices who work for the body at the end of that period

Figure D expressed as percentage of figure C. (This will indicate whether the target is being met).

If that reporting period is the first reporting period in the target period, the number of apprentices who worked for the body immediately before that period.

We currently anticipate additional information will be:

- Action that the body has taken to meet the apprenticeship target (i.e. how it has 'had regard').
- If the target has not been met then an explanation of why.
- Information about action the body proposes to take to meet the apprenticeship target in future.
- From year 2 of the target onwards, cumulative headcount and starts information and the average percentage starts delivered.

Where will I have to publish the information?

Bodies in scope will be required to publish the numerical information above but do not have to publish the narrative information. We are not being prescriptive about how the information should be published but it should be accessible to the public.

How will I send it to the Secretary of State?

We will be setting up an electronic mailbox purely for the receipt of the annual reports and will give details of this later in the year.

What happens if I haven't met my target?

In their annual report, bodies should set out how they have considered their target, for example in workforce planning, recruitment, and the results of this. If this means that the target has not been met to date then the body should set out what their plans are to redress this. For example, if there were no relevant standards available but a body has become part of a Trailblazer group to develop new ones to enable them to meet the target in the future, then they would have met the duty to have regard to the target.

However, if a body cannot show that they have 'had regard' to the target we will work with them to see what support is needed to enable them to meet the target in future years.

Annex B: List of organisations that responded to the consultation

180 responses were received to the consultation. Please note that a number of respondents have asked for their response to be treated as confidential and these names have been omitted from the list. Names of individuals responding to the consultation have also been omitted from this list.

- Active Learning Trust
- Airedale Academies Trust
- Anglian Community Enterprise (ACE) Community Interest Company
- Apprenticeship Working Group - SCR Combined Authority LEP
- Arts Council England
- Association of Colleges
- Association of School and College Leaders (ASCL)
- Association of Teachers and Lecturers
- Barnsley MBC
- BBC
- BFI
- Bolsover District Council
- Brent Council
- Bury Council
- Cambridgeshire Fire and Rescue Service
- Central Manchester University NHS Foundation Trust
- CfBT Schools Trust
- Channel 4
- Cheshire West and Chester Council
- Cheshire West and Chester Schools Forum
- Chesterfield Borough Council
- City & Guilds
- Community Academies Trust
- Competition and Markets Authority

- Corby Borough Council
- Core Cities
- Cornwall Council
- County Durham and Darlington Fire and Rescue Authority
- Cumbria Partnership Foundation Trust
- Cumbria Partnership NHS Foundation Trust
- Derbyshire County Council
- Devon County Council
- District Council's Networks
- Doncaster Metropolitan Borough Council
- Dudley & Walsall Mental Health Partnership NHS Trust
- Durham County Council
- Ealing Council
- East Riding of Yorkshire Council
- East Sussex County Council
- EEF
- English Heritage
- Essex County Council
- Freedom and Autonomy for Schools National Association (FASNA)
- Gloucestershire County Council
- Gloucestershire County Council
- Greater Manchester Combined Authority
- Greater Manchester Police
- Guy's & St Thomas' NHS Foundation Trust
- Hampshire Constabulary
- Hampshire Fire and Rescue Service
- Health Education England
- Health Education England NCEL / GOSH
- Heart of England NHS Foundation Trust
- Hereford & Worcester Fire and Rescue Service

- Hertfordshire County Council
- Historic England
- Homerton University Hospital NHS Foundation Trust
- Homes and Communities Agency
- HTAE
- Hull Training Adult Education
- Isle of Wight Council
- Kent County Council
- Kirklees Council
- Lancashire Care Foundation NHS Trust
- Lancashire Teaching Hospitals NHS Foundation Trust
- Learning and Work Institute (formerly NIACE and Centre for Economic and Social Inclusion)
- Leeds City Council
- Leicester City Council
- Leicestershire County Council
- Lincolnshire County Council and Lincolnshire Fire and Rescue Authority
- Local Government Association
- London Borough of Bexley
- London Borough of Camden
- London Borough of Hackney
- London Borough of Lambeth
- London Borough of Lewisham
- London Councils
- London North West Healthcare NHS Trust
- LTE Group
- Magnox Limited
- Manchester City Council
- Mid Cheshire Hospitals NHS Foundation Trust
- Milton Keynes Council

- National Association of Schools Business Management (NASBM)
- National Association of Head Teachers
- National Schools Training
- National Skills Academy for Health
- NHS Employers
- NHS Providers
- Norfolk and Norwich University Hospitals NHS Foundation Trust
- Norfolk County Council
- North East Combined Authority
- North East Derbyshire District Council
- North Essex CCG
- North Somerset Council
- North Staffordshire Combined Healthcare NHS Trust
- North Warwickshire Borough Council
- North West Ambulance Service NHS Trust
- North Yorkshire County Council
- North Yorkshire Fire and Rescue Service
- Northampton General Hospital
- Northgate High School
- National Police Chiefs' Council (NPCC) Workforce Committee
- Nuclear Decommissioning Authority
- Osborne Primary School
- Oxford City Council
- Oxfordshire County Council
- Pennine Care NHS Foundation Trust
- Peterborough City Council
- Portsmouth City Council
- Public Sector People Managers' Association (PPMA)
- Rotherham NHSFT
- Royal Borough of Greenwich

- Royal College of Nursing
- Royal Liverpool and Broadgreen University Hospitals NHS Trust
- Salford CCG
- Salford City Council
- Salford Royal NHS Foundation Trust
- Sandwell Metropolitan Borough Council
- Science Council
- Senta
- Sevenoaks District Council
- Somerset County Council
- South Lakeland District Council
- Southend University Hospital NHS Foundation Trust
- Spiral Partnership Trust
- Staffordshire County Council
- Staffordshire Fire and Rescue
- Stockport NHS Foundation Trust
- Stockport NHS Foundation Trust on behalf of the Greater Manchester NHS HR Directors Forum
- Surrey and Sussex Healthcare NHS Trust
- Swindon Borough Council
- Tate
- Tees Valley Unlimited
- The Clatterbridge Cancer Centre NHS Foundation Trust
- The Education Village Academy Trust
- The Greater London Authority (GLA) Group of Functional Bodies (GLA group); Including GLA, Transport for London (TfL), London Fire Brigade (LFB), London Legacy Development Corporation (LLDC) and The Mayor's Office for Policing and Crime (MOPAC) including the views of the Metropolitan Police (MET).
- The Sheffield College
- Tonbridge & Malling Borough Council
- Trades Union Congress

- Transport for London
- UK Atomic Energy Authority
- Unison
- Unite the Union
- University Hospital Southampton NHS FT
- University Hospitals Coventry & Warwickshire NHS Trust
- University Hospitals Morecambe Bay NHS Trust
- University of Derby
- Walsall Healthcare NHS Trust
- Warwickshire County Council
- Waverley Borough Council
- Weightmans LLP
- West Midlands Ambulance Service NHS Foundation Trust
- West Midlands Police
- West Sussex County council
- West Yorkshire Combined Authority
- Westhoughton High School
- Westminster City Council
- Wirral University Teaching Hospital NHS Foundation Trust
- Woodfield Academy
- Wrightington, Wigan & Leigh NHS Foundation Trust
- Wyre Forest District Council
- Young Women's Trust



Department
for Education

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Skills Funding
Agency

Apprenticeship funding: rules and guidance for employers

May 2017 to March 2018

Version 1

This document sets out the guidance which will apply to all employers participating in the apprenticeship programme. It also includes the funding rules which will apply to all levy-paying employers participating in the apprenticeship programme through a digital account on the apprenticeship service.

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Introduction and purpose of the document

- E1. This document sets out the guidance for all employers participating in the new apprenticeship programme from 1 May 2017. It also sets out the funding rules for levy-paying employers who are participating in the apprenticeship programme through an account on the new apprenticeship service.
- E2. Employers who do not pay the apprenticeship levy may find the guidance within this document useful. If you are an employer who does not pay the levy but would like to know more about employing apprentices, please visit [GOV.UK](https://www.gov.uk).
- E3. If you would like more detailed information on the features of the new apprenticeship funding system, including how we will calculate funding for organisations receiving funding from us, please refer to the [Apprenticeship technical funding guide for starts from May 2017](#). This will be useful for you to understand how we will make payments for training providers from your digital account.
- E4. We will use the generic term 'apprenticeship' for both apprenticeship frameworks and standards, unless we state otherwise.
- E5. The rules contained in this document form part of standard terms and conditions for the use of funds in an employer's digital account or where a levy-paying employer is accessing government-employer co-investment. If you are a levy-paying employer participating in the new apprenticeship programme, you must operate within the terms and conditions of your apprenticeships employer agreement. The employer agreement is with the Secretary of State for Education acting through the Skills Funding Agency (the SFA), an executive agency of the Department for Education, and includes these rules.
- E6. If you breach your employer agreement, we reserve the right to take action.
- E7. If you would like any further support, you can contact us through our Apprenticeship Business Support team on 0800 015 0600.

Employers and apprenticeships: things to check

This document is made up of a combination of rules and guidance in order to help you manage your apprenticeship in partnership with your chosen training provider.

This checklist is a guide to the steps you must take to ensure you are meeting the apprenticeship funding rules.

1. Do I have a genuine job for this apprentice?

There must be a genuine job available during the apprenticeship. By genuine we mean that:

- 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 you as their employer
- 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

2. Have I chosen a training provider and negotiated a price?

The relationship between you and the training provider is important throughout the apprenticeship. You and your 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 you must agree with the apprentice assessment organisation.

3. Have I checked the eligibility of the apprentice?

Eligibility checks include, but are not limited to:

- 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

4. Has the provider accounted for any prior learning?

This can affect the price negotiated between you and the training provider. When agreeing a price with the provider you 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.

5. Have I got an [apprenticeship agreement](#) with the apprentice?

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.

6. Have I got a commitment statement?

You must have a commitment statement, signed by you, the apprentice and the main provider.

7. Have I recorded the apprenticeship?

You must record the apprenticeship in your digital account (you can ask the provider to do this for you).

8. Have I checked the duration of the apprenticeship?

You must make sure the apprenticeship will last for at least one year, or more if specified in the apprenticeship standard or framework.

9. Have I ensured my apprentice is on the correct wage?

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).

10. Have I checked on the progress of my apprentice?

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

11. Do I have evidence?

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

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

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

Understanding the terminology

- E8. We use the term 'apprenticeship' to mean the training and (where applicable) end-point assessment for an employee as part of a job with an accompanying skills development programme funded by us. The term apprenticeship is a legally protected term and can only be used to describe a statutory apprenticeship as set out in the Enterprise Act 2016. You can find a full definition of an approved English apprenticeship on the legislation page of [GOV.UK](https://www.gov.uk).
- E9. We use the term 'apprentice' to include those who receive apprenticeship training and (where applicable) end-point assessment through an apprenticeship framework or standard funded by us.
- E10. The terms 'we', 'our', 'us' and 'SFA' refer to the Skills Funding Agency.
- E11. We use the term 'you' or 'employer' to mean the organisation that has the contract of employment with the apprentice, including apprenticeship training agencies. This may also include a company or charity whose PAYE scheme you have connected to your digital account in accordance with HMRC's definition of connected companies and charities. This does not refer to individual sites or locations but the company or connected companies and connected charities as a whole.
- E12. We use the term 'employer-provider', to mean any organisation that delivers some, or all, of the 'off-the-job' training element of an apprenticeship to their own staff and holds a contract with us through which we directly route funds from their digital account or government-employer co-investment. Employer-providers must follow the rules set out in [Apprenticeship funding: rules for employer-providers, May 2017 to March 2018](#).
- E13. We use the term 'main provider', to refer to any organisation appointed by an employer holding a contract with us through which we directly route funds in your digital account or government-employer co-investment. The main provider will have the overall responsibility for the training and on-programme assessment conducted by themselves, their delivery subcontractors and have a contractual relationship on your behalf for the payment of end-point assessment conducted by the apprentice assessment organisation. This also includes any organisation contracted by them to deliver the apprenticeship on your behalf. The main provider must be on the register of apprenticeship training providers.
- E14. We use the term 'provider' to include any organisation on the register of apprenticeship training providers contracted through a main provider for the delivery of training and on-programme assessment as part of the employer's agreed apprenticeship programme. This includes companies, charities, colleges, universities, sole traders and other types of legal entity, including those who are in

the same group as, or are associated with, the main provider. This excludes individuals who are self-employed or supplied by an employment agency and who are working under the main provider's direction and control, in the same way as an employee.

- E15. We use the term 'delivery subcontractor' to include any organisation contracted through a main provider or employer-provider to deliver apprenticeship off-the-job-training, English or maths or planned on-programme assessment. This excludes apprentice assessment organisations and other subcontractors you use for different services, including help with marketing or data management. This also excludes subcontractors who deliver training to an apprentice that is in addition to the apprenticeship and not funded through this route.
- E16. We use the term 'apprenticeships employer agreement' to include:
- 16.1. the apprenticeships employer agreement
 - 16.2. apprenticeship funding: rules and guidance for employers, May 2017 to March 2018
- E17. We use the term 'this document' to refer to the Apprenticeship funding: rules and guidance for employers, May 2017 to March 2018.
- E18. We use the terms 'standard' and 'apprenticeship standard' to cover the apprenticeship standards which have been designed by employers and are available for delivery starting between May 2017 and March 2018. This is defined as those standards that have had their assessment plan approved and have been published alongside their allocated funding band.
- E19. We use the terms 'framework' and 'apprenticeship framework' to cover the apprenticeship frameworks which are available for delivery between May 2017 and March 2018.
- E20. We use the term 'apprentice assessment organisation' to include any organisation on the [Register of apprentice assessment organisations](#) (RoAAO) and selected by an employer and contracted by a main provider for the delivery of independent end-point assessment as part of the employer's agreed apprenticeship programme.
- E21. We use the term 'training' to mean the delivery of training and on-programme assessment by a main provider or any organisation contracted to a main provider for this purpose.
- E22. We use the term 'employer's digital account' or 'digital account' to mean the part of the apprenticeship service that will allow employers to view the funds that they have available to spend on apprenticeships in England and direct us to pay for their chosen apprenticeship training and end-point assessment.

E23. We use the term 'government-employer co-investment' to mean funding that is not paid for from an employer's digital account because the employer has insufficient levy funds in their digital account or does not have a digital account as they do not pay the levy. Employers will need to make a mandatory co-investment with the government as detailed in paragraphs 112 to 117.

What is an apprenticeship?

Genuine job

E24. An apprenticeship is a genuine job with an accompanying skills development programme. Through their apprenticeship, apprentices gain the technical knowledge, practical experience and wider skills they need for their immediate job and future career. The apprentice gains this through a wide mix of learning in the workplace, formal off-the-job training and the opportunity to practise new skills in a real work environment.

E25. By 'genuine' we mean that:

25.1. 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)

25.2. the cost of the apprentice's wages must be met by you as their employer

25.3. 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

25.4. the apprentice must have appropriate support from within the organisation to carry out their job role

E26. When the apprenticeship is achieved the apprentice should remain with you, where a job opportunity continues to exist and where the apprentice wishes to remain with you. Where this is not possible, you and the provider must support the apprentice to seek alternative opportunities.

E27. The SFA 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. We will take action if employer recruitment practice is detrimental either to the apprentice or to the apprenticeship brand.

Off-the-job training

- E28. Off-the-job training is defined as learning which is undertaken outside of the normal day-to-day working environment and leads towards the achievement of the apprenticeship. This can include training that is delivered at the apprentice's normal place of work but must not be delivered as part of their normal working duties.
- E29. The off-the-job training must be directly relevant to the apprenticeship framework or standard and could include the following.
- 29.1. The teaching of theory (for example: lectures, role playing, simulation exercises, online learning or manufacturer training).
 - 29.2. Practical training: shadowing; mentoring; industry visits and attendance at competitions.
 - 29.3. Learning support and time spent writing assessments/ assignments.
 - 29.4. It does not include:
 - 29.4.1. English and maths (up to level 2) which is funded separately (please see paragraphs 85 to 92)
 - 29.4.2. progress reviews or on-programme assessment needed for an apprenticeship framework or standard
 - 29.4.3. training which takes place outside the apprentice's normal working hours (this cannot count towards the 20% off-the-job training)

Apprentices' wages

- E30. Apprentices must be an employee on the first day of their apprenticeship and be paid at least a wage consistent with the law for the time they are in work and in off-the-job training. You can find information on the definition of an employee and information on the national minimum wage on [GOV.UK](https://www.gov.uk).

Using funds

- E31. To use funds in your digital account or from government-employer co-investment for an apprenticeship you must:
- 31.1. give evidence of the apprentice's employment to the provider for them to keep
 - 31.2. be satisfied that this is the most appropriate learning programme and that it is:

31.2.1. a new job role, or

31.2.2. an existing job role, where the individual needs significant new knowledge and skills and

31.3. make sure the apprentice spends at least 20% of their time on off-the-job training (please see paragraphs 28 to 29) (we recognise that apprentices may need more than 20% off-the-job training for example, if they need English and maths)

31.3.1. It is up to you and the provider to decide how the off-the-job training is delivered (this may include regular day release, block release and special training days/workshops)

31.4. make sure the job role allows the apprentice to gain wider employment experience as part of the apprenticeship

E32. You must not use funds from your digital account or government-employer co-investment for any part of any apprentice's programme that either you or another party claim funding from another government department or agency for the same purpose. This includes any funding from the European Social Fund, the Education Funding Agency or Jobcentre Plus for that apprentice.

E33. You must not claim funding for any part of any apprentice's programme that duplicates training or assessment they have received from any other source.

Apprenticeship agreement and commitment statement

E34. An apprenticeship agreement is the document where the arrangements between the apprentice and the employer are confirmed. You can find more information about the apprenticeship agreement on [GOV.UK](https://www.gov.uk).

E35. You must have [an apprenticeship agreement](#) with the apprentice at the start of, and throughout, their apprenticeship, as defined in the [Apprenticeships, Skills, Children and Learning Act 2009](#). You must give evidence of this to the provider to keep in the evidence pack.

35.1. This can be a written statement of particulars under the [Employment Rights Act 1996](#), a contract of employment or a letter of engagement, where the employer's duty under the 1996 Act is treated as met.

E36. The commitment statement sets out how the employer, provider and apprentice will support the successful achievement of the apprenticeship. It must set out the following.

36.1. The planned content and schedule for eligible training.

36.2. What is expected and offered by you, the main provider and the apprentice to achieve their apprenticeship.

36.3. The process for resolving any queries or complaints regarding the apprenticeship, including its quality.

- E37. You must set out in the commitment statement how you will support the successful achievement of the apprenticeship. The commitment statement must be signed by you, the apprentice, and the main provider, and all three parties must keep a current signed and dated version.
- E38. The commitment statement must be retained with, or in, the written agreement between you and the main provider. Where the apprenticeship is being funded from your digital account, this must be within the contract for services between you and the provider.

Apprenticeship duration and employment hours

- E39. The minimum duration of an apprenticeship is one year unless the framework or standard specification or assessment plan requires it to be longer. In apprenticeship standards, the end-point assessment can only be taken after the minimum duration has been met. You must ensure the apprentice meets the minimum apprenticeship duration rules.
- E40. The apprentice must be involved in active learning or monitored workplace practice throughout an apprenticeship. The apprentice can, after achieving all mandatory requirements of an apprenticeship, stay in learning until they meet the minimum duration and embed the skills they have gained. You must give the provider evidence that the apprentice continues in learning.
- E41. 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.
- E42. The apprentice must work enough hours each week so that they can undertake sufficient, regular training and on-the-job activity. This is to ensure that successful completion of the apprenticeship is likely. You must give the provider evidence of the agreed average weekly hours, including time spent on off-the-job training, in the evidence pack.
- E43. You must make it clear in any advert for a vacancy how many hours will be expected.
- E44. You must allow the apprentice to complete the apprenticeship within their working hours. This includes English and maths. You must give the provider evidence of this for them to keep in the evidence pack.
- E45. 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. This will also apply to any temporary period of part-time working.

- E46. Where a part-time working pattern is needed, the extended duration of the apprenticeship must be agreed by the apprentice, you and the provider. You must also meet the conditions set out in paragraph 50.
- E47. Where part-time working is agreed, the provider must:
- 47.1. record the agreed average number of hours each week
 - 47.2. evidence why this working pattern is needed
 - 47.3. extend the minimum duration using the following formula:
 - 47.3.1. $12 \times 30 / \text{average weekly hours} = \text{new minimum duration in months}$
- E48. Zero-hour contracts are acceptable only where they meet all of the other rules in this document. For an apprentice with a zero-hours contract you must extend the duration of the apprenticeship in proportion to the hours they work.
- E49. An apprentice with a zero-hours contract must be allowed to complete their apprenticeship in their working hours, including the off-the-job training. Where this is not possible, a break in the apprenticeship must be recorded.
- E50. Working fewer than 30 hours a week or being on a zero-hours contract must not be a barrier to successfully completing an apprenticeship. We will monitor working hours data and patterns of behaviour to ensure that sufficient regular training and on-the-job activity is done to ensure successful completion of the apprenticeship, regardless of the number of hours worked. We reserve the right to take action where alternative working patterns are not managed appropriately, leading to a reduction in the quality of the apprenticeship.

Who can be funded?

- E51. We will only use funds in your digital account or government-employer co-investment for eligible apprentices. You must give the training provider evidence of the apprentice's eligibility at the start of their apprenticeship.
- E52. To use funds in your digital account or government-employer co-investment, the individual must:
- 52.1. start their apprenticeship after the last Friday in June of the academic year in which they have their 16th birthday
 - 52.2. be able to complete the apprenticeship within the time they have available; if you know an individual is unable to complete the apprenticeship in the time they have available, they must not be

funded

- 52.3. not be enrolled on another apprenticeship at the same time as any new apprenticeship they start
- 52.4. not be asked to contribute financially to the direct cost of learning or assessment (this includes where an apprentice leaves their programme early - you must not claim training or assessment costs back from ex-apprentices)
- 52.5. not use a student loan to pay for their apprenticeship (where an individual transfers to an apprenticeship from a full-time further education or higher education course, and this course has been funded through a student loan, this loan must be terminated)
- 52.6. spend at least 50% of their working hours in England over the duration of the apprenticeship
- 52.7. have the right to work in England
- 52.8. be either:
 - 52.8.1. a citizen of a country within the European Economic Area (EEA) (including other countries determined within the EEA or those with bilateral agreements), or have the right of abode in the UK, **and** have been ordinarily resident in the EEA (including other countries determined within the EEA or those with bilateral agreements), for at least the previous three years on the first day of learning
 - 52.8.2. or a non-EEA citizen with permission from the UK government to live in the UK, (not for educational purposes) **and** have been ordinarily resident in the UK for at least the previous three years before the start of learning

E53. Annex A of [Apprenticeship funding and performance management: rules for training providers, May 2017 to March 2018](#) includes further rules covering individuals with unusual eligibility status as well as the list of all the countries and territories in the European Economic Area (EEA).

E54. As an exception, we will also allow the following individuals to be funded from your digital account or using government-employer co-investment.

- 54.1. Apprentices whose occupation involves significant travel outside of the UK as part of their job (such as in travel or tourism) or work offshore (such as on an oil platform) and they have an identified registered work location in England. You must not claim for the

additional expense of delivering learning outside of England.

54.2. Armed forces' apprentices as detailed in the [Apprenticeship funding and performance management: rules for training providers](#).

E55. You must not use funds in your digital account for individuals who do not meet the eligibility criteria set out in this document unless they are eligible under the Fees and Awards Regulations 2007 (as amended). Individuals who do not meet the eligibility criteria include those who:

55.1. are here illegally

55.2. are resident in the United Kingdom on a Tier 4 (general) student visa unless they are eligible through meeting any of the other categories described above

55.3. are non-EEA citizens in the United Kingdom on holiday, with or without a visa

55.4. have overstayed their immigration or visitor visa

55.5. are non-EEA citizens and are a family member of a person granted a Tier 4 visa, have been given immigration permission to stay in the UK and have not been ordinarily resident in the UK for the previous three years on the first day of learning

55.6. are ordinarily resident in the Channel Islands or Isle of Man, unless they are also ordinarily resident within England

55.7. have a biometric residence permit or residence permit imposing a study prohibition or restriction on the individual

E56. You can only use funds in your digital account or employer-government co-investment for apprentices employed by you or a [connected company or charity](#) as defined by HMRC. You must provide evidence of employment to the provider.

E57. We will fund an apprentice to undertake an apprenticeship at the same level as, or at a lower level than, a qualification they already hold, if the apprenticeship will allow the individual to acquire substantive new skills and you can evidence that the content of the training is materially different from any prior qualification or a previous apprenticeship. You can find more information in the evidence pack section of [Apprenticeship funding and performance-management rules for training providers, May 2017 to March 2018](#).

Apprenticeship training agency (ATA)

E58. An ATA is an organisation whose main business is employing apprentices who are made available to employers for a fee. They must:

58.1. be set up as a distinct legal entity so that apprentices can have employment contracts with the ATA

58.2. report that the apprentice is employed by an ATA in the individualised learner record (ILR)

E59. An ATA must follow our ATA framework. You can find information on ATAs on [GOV.UK](https://www.gov.uk).

E60. Apprentices employed through an ATA should comply with the requirements set out in paragraphs 24 to 27 of this document regarding the requirement for a genuine job role. If the job is with a third party, the cost of wages may be met from that employer, however the wages must be paid by the ATA.

E61. Where the apprentice is employed by a levy-paying ATA the ATA must follow the rules set out in this document.

E62. Group training associations that offer an ATA service to employers must follow ATA-specific rules.

What can be funded?

E63. The apprenticeship must be eligible for funding before the individual starts. The [Hub](https://www.gov.uk) contains details of eligible apprenticeships. Apprentices can only be enrolled against an apprenticeship standard once we have approved and published the assessment plan on [GOV.UK](https://www.gov.uk) and assigned the apprenticeship to a funding band.

E64. Funds from your digital account or government-employer co-investment must only be used for activity directly related to the apprenticeship. These funds must only be used to pay for training and assessment, including end-point assessment to attain an apprenticeship that is eligible for funding up to the limit of the funding band. This includes the following.

64.1. Off-the-job training, including the costs associated with mandatory qualifications, through an externally-contracted provider.

64.2. Planned on-programme assessment (progress reviews) and the formal end-point assessment, including any costs associated with the completion certification for the apprenticeship.

64.3. Distance, online or blended learning relating to the off-the-job training element of an apprenticeship.

64.4. Materials (non-capital items) used in the delivery of the apprenticeship framework or standard. By materials (non-capital items) we mean the equipment or supplies necessary to enable a particular learning activity to happen. These items would not normally

have a lifespan beyond the individual apprenticeship being funded.

- 64.5. Any administration directly linked to the training and assessment, including end-point assessment. This includes costs relating to the development of teaching materials, lesson planning, the processing of the ILR and quality assurance.
- 64.6. Funding to re-take mandatory qualifications or the end-point assessment providing additional learning takes place.
- 64.7. Accommodation costs for learning delivered through residential modules where the residential learning is a requirement for all apprentices. Any costs for residential modules must represent value for money.
- 64.8. Costs of an apprentice taking part in a skills competition if you and the provider have agreed that participation in the competition directly contributes to helping that individual achieve the apprenticeship standard.

E65. The costs of taking part in any of the above activities must be included in the negotiated price for training agreed between you and the provider and the end-point assessment, agreed between you and the apprentice assessment organisation. If this means the total price exceeds the maximum of the funding band, then you (as the employer) must pay in full the difference between the band maximum and the agreed price.

E66. Any of the eligible costs outlined in paragraph 64 can be bought in from a third party and we will fund them. Funds from your digital account or government co-investment must not be used to fund other services from a third party.

What cannot be funded?

E67. Funds in your digital account or government-employer co-investment must not be used for any of the following.

- 67.1. Enrolment, induction, prior assessment, initial diagnostic testing or similar activity
- 67.2. Travel costs for apprentices, under any circumstances
- 67.3. Apprentices' wages
- 67.4. Personal protective clothing and safety equipment required by the apprentice to carry out their day-to-day work
- 67.5. Off-the-job training delivered only by distance learning, although you can include online and other blended learning activity as part of the delivery of an apprenticeship

- 67.6. Any training, optional modules, educational trips or trips to professional events in excess of those needed to achieve the apprenticeship framework or meet the knowledge, skills and behaviours of the apprenticeship standard
- 67.7. Training, assessment, exams or tests in any skills and knowledge solely and specifically required to acquire licences to practise, or the certification of any licence to practise, where it is a legal (or statutory) requirement for all practitioners to obtain a licence which confirms the licence holder meets prescribed standards of competence, including situations in which it is unlawful to carry out a specified range of activities for pay without first having obtained a licence. This applies even where such a licence is required in the apprenticeship standard and the assessment plan
- 67.8. End point assessment costs incurred by the training provider but not included in the price agreed between the employer and the apprentice assessment organisation
- 67.9. English and maths up to level 2; this is funded separately.
- 67.10. Repeating the same regulated qualification where the apprentice has previously achieved it, unless it is a requirement of the apprenticeship or for any GCSE where the apprentice has not achieved grade C, or 4, or higher.
- 67.11. Re-sits for mandatory qualifications or the end-point assessment needed for the apprenticeship where no additional learning is needed.
- 67.12. Registration and examination, including certification costs, for non-mandatory qualifications (qualifications that are not specifically listed in the standard).
- 67.13. Accommodation costs where the apprentice is resident away from their home base, because of the requirements of their day-to-day work or because this is convenient for the employer or provider. Residential costs associated with non-mandatory qualifications are also excluded.
- 67.14. Capital purchases including lease agreements. Capital purchases are long-term assets which would have a lifespan beyond the individual apprenticeship being funded for example: land, buildings, machinery and ICT.
- 67.15. Maintenance of capital purchases. This includes vehicle parts and labour, insurance and MOT.
- 67.16. Time spent by employees or managers supporting or mentoring apprentices, or the time of other employed staff arranging training support, except where this is directly linked to the training and

assessment, including end-point assessment. For example, we would not expect to pay for any time spent by the apprentice's line manager for any of these activities.

67.17. Specific services not related to the delivery and administration of the apprenticeship. This includes the recruitment and continuing professional development of staff involved in apprenticeships, company inductions, managing agents and those providing a brokerage service to an employer.

E68. Where you host apprentices that are employed by an ATA, you must not use the funds in your digital account to pay the training and assessment costs.

E69. Where they are a levy-paying ATA, these costs must be met from the ATA's own digital account. Where an apprentice is employed by a non-levy paying ATA, the ATA will be able to access support for training and assessment through government and employer co-investment.

Additional payments

E70. You and the provider will receive a payment towards the additional cost associated with training if, at the start of the apprenticeship, the apprentice is:

70.1. aged between 16 and 18 years old (or 15 years of age if the apprentice's 16th birthday is between the last Friday of June and 31 August)

70.2. aged between 19 and 24 years old and has either an education, health and care plan provided by the local authority, or has been in the care of the local authority as defined in paragraph 71

E71. A child in care is defined as:

71.1. an eligible child - a young person who is 16 or 17 and who has been looked after by the local authority/Health and Social Care Trust for at least a period of 13 weeks since the age of 14, and who is still looked after

71.2. a relevant child - a young person who is 16 or 17 who has left care after their 16th birthday and before leaving care was an eligible child

71.3. a former relevant child - a young person who is aged between 18 and 21 (up to their 25th birthday if they are in education or training) who, before turning 18, was either an eligible or a relevant child, or both

E72. To be eligible for these payments you must have evidence in respect of each apprentice before the apprenticeship starts. You must check this and either you, or the apprentice,

must give the provider evidence to keep in the evidence pack.

E73. Where these payments are for apprentices aged between 19 and 24 years old (please see paragraph 70.2), the provider must include approval from the apprentice to inform you that they have an education, health and care plan or that they have been in the care of the local authority and either:

73.1. a signed, original declaration(s) from the apprentice to confirm they are a care leaver, or

73.2. evidence of an education, health and care plan

E74. Your payments will be paid to the training provider as follows:

74.1. 90 days after the apprentice starts, 50% will be paid

74.2. 365 days after the apprentice starts, the remaining 50% will be paid

E75. The provider must pass these on in full to you within 30 working days of receiving this funding from us.

Extra support for small employers

E76. The government will fund all of the apprenticeship training costs, up to the maximum value of the funding band for the apprenticeship, for employers employing fewer than 50 people (49 or fewer), if on the first day of the apprenticeship, the apprentice is:

76.1. aged between 16 and 18 years old (or 15 years old if the apprentice's 16th birthday is between the last Friday of June and 31 August)

76.2. aged between 19 and 24 years old and either has:

76.2.1. an education, health and care plan provided by the local authority, or

76.2.2. has been in the care of the local authority as defined in paragraph 71

E77. If the price agreed between you and the provider is above the maximum value of the funding band for the apprenticeship, you must pay in full the difference between the band maximum and the agreed price. This cannot be funded from your digital account.

E78. Before any apprenticeship starts, you must have evidence that you and the apprentice are eligible for the waiving of the employer contribution. You must provide evidence that you employed an average of 49 or fewer employees in the 365 days before the

apprentice was recruited using the calculation set out in paragraph 79, and you must give this to the provider to keep in the evidence pack.

E79. We define the number of employees as the number of people with a contract of employment. This must be calculated using the average number of employees with a contract of employment in the 365 days before the apprentice is recruited. If the average number of employees is 49 and the recruitment of apprentices takes this number to 50, you will still be eligible to receive this extra support. However, if the average number of employees is 50 and the recruitment of apprentices takes this number to 51, you will not be eligible to receive this extra support.

Apprenticeship Grant for Employers (AGE) for 16- to 24-year-olds

E80. AGE will only apply to apprentices starting before 1 August 2017.

E81. The Apprenticeship Grant for Employers of 16- to 24-year-olds (AGE 16 to 24) supports businesses that would not otherwise be in a position to recruit individuals aged 16 to 24 into employment through the apprenticeship programme.

E82. If you are an eligible employer you can receive £1,500 for each eligible apprentice (up to five in total), where you have not employed an apprentice in the previous 12 months.

E83. AGE can only be claimed for a non-levy-paying employer with fewer than 50 (49 or fewer) employees who would not otherwise be in a position to recruit an apprentice aged 16 to 24 at the start of their apprenticeship, into employment through an approved apprenticeship framework.

E84. You can find more information on [GOV.UK](https://www.gov.uk) or from your local provider.

Support for English and maths training

E85. We will fund apprentices to achieve qualifications in English or maths (or both) if they do not already meet the required standard (please see below). This will not be deducted from your digital account or require employer co-investment.

E86. Providers can claim funding for apprentices who have not previously attained a GCSE grade A* to C (or 4 to 9) in English or maths on the day they start the following qualifications.

86.1. GCSE English language or maths.

86.2. Functional skills English or maths at level 2.

E87. We will fund functional skills English or maths at level 1 or below if the provider has

conducted a thorough initial assessment using current assessment tools based on the national literacy and numeracy standards and core curriculum that shows the apprentice needs to study a lower level before being able to achieve their level 2.

E88. In exceptional circumstances, we will fund:

88.1. re-takes of English and maths qualifications to achieve the required standard and where apprentices receive further teaching.

88.2. [approved 'stepping-stone' qualifications](#) (including components, where applicable) where an apprentice will need significant, additional numeracy and literacy skills to reach the level reasonably expected to begin a level 1 in English or maths

88.3. Ofqual-regulated and SFA-approved level 1 and level 2 awards and certificates in British Sign Language (BSL) as an alternative to functional skills English for apprentices whose first language is BSL

E89. Apprentices studying an Advanced Early Years Education apprenticeship, must achieve the English and maths requirements through GCSE or international GCSE. We will not fund functional skills or other alternative qualifications for these apprentices.

E90. Where the apprenticeship framework or standard requires higher levels of English and maths in addition to the above, the cost must be met from within the funding band assigned to the apprenticeship and will be funded from your digital account or through government-employer co-investment. Alternatively, they can be funded above the funding band and paid for in full by you; they cannot be funded from your digital account.

E91. For level 2 apprenticeships where level 2 English or maths are not required for the apprenticeship and the apprentice does not already hold acceptable qualifications (please see [published list](#)) apprentices must:

91.1. achieve a functional skills qualification of at least level 1 English and maths before taking the end-point assessment or achieving an apprenticeship framework

91.2. start, continue to study and take the test for level 2 English and maths before they complete their apprenticeship but they do not have to achieve English and maths to complete their apprenticeship

E92. For apprenticeships at level 3 and above, or where level 2 English and maths are a mandatory part of the framework and the apprentice does not already hold acceptable qualifications (please see published list):

92.1. apprentices must achieve level 2 functional skills or GCSE qualifications grade A* to C (or 4 to 9) in English and maths before taking the end-point assessment or achieving an apprenticeship framework

End-point assessments

- E93. End-point assessment is a holistic and independent assessment of the knowledge, skills and behaviours which have been learnt throughout an apprenticeship standard. The requirements for end-point assessment are set out in the assessment plan for the specific standard. Frameworks have different assessment arrangements and do not require end-point assessment.
- E94. Apprentices will not be able to achieve an apprenticeship standard without satisfying all the requirements of the assessment plan, including the end-point assessment.
- E95. You must select an organisation to deliver the end-point assessment from the [register of apprentice assessment organisations](#) (RoAAO) and agree a price with this organisation for the end-point assessment. Only those organisations listed on the RoAAO will be eligible to be funded.
- E96. Although the provider will be involved in arrangements for end-point assessment, the assessment itself must be independent of both the provider and employer. The end-point assessment requirements are set out in the assessment plan for the standard. Some assessment plans give the employer and provider specific roles but providers who have delivered the training cannot make the end-point assessment judgement for that same group of apprentices.
- E97. The only exception to this rule is any standard identified as an 'integrated standard'. The apprentice assessment organisation in these cases may also be the provider.
- E98. The provider must contract with the apprentice assessment organisation on your behalf and have a written agreement in place with the assessment organisation to make payment to them for conducting the end-point assessment. The written agreement must set out the arrangements for end-point assessment, including arrangements for any retakes and payments.
- E99. You must ensure the price you agree with the training provider for the apprenticeship (please see paragraph 110) includes the amount you have negotiated with the apprentice assessment organisation needed to pay for the end-point assessment. This includes the cost of external quality assurance, which involves an external body. You must ensure that you engage actively with any request for information from the external body, where applicable.
- E100. Costs of end-point assessment will vary but we expect that it should not usually be more than 20% of the total agreed price for the delivery of the apprenticeship training and assessment.
- E101. The assessment costs include any costs related to external quality assurance of the end-point assessment.

Contracting and subcontracting

Main providers directly delivering training or on-programme assessment

E102. Funding for all elements of each apprenticeship will be routed through a single provider. This includes for English and maths.

E103. You must ensure the provider that you contract with directly delivers some of the apprenticeship training and/or on-programme assessment associated with your apprenticeship programme. By apprenticeship programme we mean the apprentices that are being trained by your chosen provider. The volume of training and/or on-programme assessment that the provider directly delivers for you must have some substance and must not be a token amount to satisfy this rule. It must not be limited to a brief input at the start of your apprenticeship programme or involve delivery to just a few of a large number of apprentices. Where you ask them to use delivery subcontractors they must satisfy one of the following three criteria.

- 103.1. They are on the published register of apprenticeship training providers and are listed as a main or supporting provider.
- 103.2. They are you, or one of your connected companies, or charities as defined by HMRC and are on the published register of apprenticeship training providers, having applied through the employer-provider application route.
- 103.3. They are not on the published register of apprenticeship training providers but will deliver less than £100,000 of apprenticeship training and on-programme assessment under contract across all main providers and employer-providers between 1 May 2017 and 31 March 2018.

E104. We will notify you if the provider is removed from the register of apprenticeship training providers. We will stop payments to the provider three months from the date of this notification unless the provider has successfully re-entered the register. You must give the provider three months' notice to terminate the contract with them.

Your written agreement with the provider

E105. You must agree with a provider where delivery subcontractors are used and you must have a written agreement in place with the provider setting out the following for the delivery of your apprenticeship programme.

- 105.1. The apprenticeship training and/or on-programme assessment that they will directly deliver.
- 105.2. The amount of funding they will retain for their direct delivery.

- 105.3. The apprenticeship training and/or on-programme assessment that each delivery subcontractor will contribute to the employer's apprenticeship programme.
- 105.4. The amount of funding they will pay each delivery subcontractor for their contribution.
- 105.5. The amount of funding they will retain to manage and monitor each delivery subcontractor.
- 105.6. The support they will provide each delivery subcontractor in exchange for the amount of funding they will retain.
- 105.7. The monitoring they will undertake to ensure the quality of the apprentice training and/or on-programme assessment they have contracted their delivery subcontractors to carry out.
- 105.8. Any actual or perceived conflict of interest between them and any delivery subcontractors.

Disputes and issue resolution between the employer and main provider

- E106. The main provider is responsible for resolving issues and disputes between you and their delivery subcontractors. Training providers and assessment organisations must provide you and your apprentices with their written complaints and dispute resolution procedure, policy and process. The first contact point for this must be included in the written agreement and in the commitment statement.
- E107. Agreements entered into by you and the main provider are legal agreements and dispute resolution should be in accordance with the terms of the written agreement and ultimately would be enforceable through the courts.
- E108. You and your apprentices must be made aware by the main provider that you can contact the apprenticeship helpline regarding apprenticeship concerns, complaints and enquiries. The contact number and website must also be included in the written agreement and in the apprentice's commitment statement.
- E109. If you are unable to resolve your complaint with the provider you may make a complaint in accordance with the SFA's procedure for dealing with complaints about providers.

Paying for an apprenticeship

The price of an apprenticeship

- E110. You and your 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 you must agree with the apprentice assessment organisation. The negotiated price of apprenticeship frameworks will include on-programme assessment.

110.1. When agreeing a price with the provider you must ensure that the provider has reduced the content and price of the apprenticeship to account for prior learning. Funds must not be used to pay for skills already attained by the apprentice.

110.2. If you negotiate a price that is more than the maximum allowed by the funding band for the chosen apprenticeship, then you must pay, in full, the difference between the band maximum and the agreed price. This must not be funded from the digital account or co-investment. Providers may charge VAT on the difference.

E111. Once the price has been negotiated, we do not expect the total price of the apprenticeship to change. The only exceptions to this are when there is a change of circumstances or when the end-point assessment cost is not known at the start of the apprenticeship. We will monitor changes of price and patterns of behaviour to identify fraudulent activity. The 'Changes to the apprenticeship, main provider or employer' section (please see paragraphs 139 to 149) has further details on changes of circumstances.

Employer co-investment

E112. Where the monthly cost of apprenticeship training cannot be fully met by funds from your digital account (because there are insufficient funds), you must co-invest 10% of the outstanding balance for that month.

E113. If you are an employer who does not pay the apprenticeship levy you must also co-invest 10% of the cost of apprenticeship training. The government will pay the remaining 90% up to the funding band maximum. Where the funding band maximum is exceeded you must pay all the additional costs.

E114. Providers will need to invoice you separately for any employer co-investment, including any VAT.

E115. You may agree a schedule of co-investment payments with the provider which does not match payments made by us each month but this should ensure that your contributions are at least equal to the required 10% every three months when providers report your contributions.

E116. Providers will need to show to us that they have received your co-investment payments to justify the government's contribution. If they cannot do that then we may withhold payments. Where you are required to pay co-investment, this must be a transfer of funding visible in the provider's financial systems. This will typically be in the form of a provider invoice and corresponding employer payment.

E117. The only exceptions to employer co-investment are for:

- 117.1. English and maths to achieve the required government standard (please see paragraphs 85 to 92)
- 117.2. where you employ fewer than 50 people and meet the requirements set out in the [Apprenticeship funding and performance-management rules for training providers](#)
- 117.3. any learning support for the apprentice (please see [Apprenticeship funding and performance-management rules for training providers](#))

When payments are made

E118. We 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 your digital account will mirror these payments where funds are available.

E119. We will pay the remaining balance of the agreed price, 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, including:

- 119.1. all mandatory elements of the framework, or
- 119.2. taking the end-point assessment for standards

E120. The deductions from your digital account will mirror these payments where funds are available.

Funds in your digital account

E121. You must only add PAYE schemes for you or your connected companies or charities (according to HMRC's definition) to your digital account.

E122. Public bodies cannot usually be connected for apprenticeship levy purposes. If you are setting up a digital account for a public body, you should only add the PAYE scheme or schemes for one employer, that is, a government department, local authority or non-ministerial department.

E123. There are some exceptions where public bodies are considered to be corporate bodies, companies or charities. If your organisation is connected as defined by [HMRC employment allowance connection rules](#) and shares one apprenticeship levy allowance, then you could set up an account with another connected employer.

E124. We will monitor accounts to check that PAYE schemes are properly used. If we have any questions, we may ask you to provide evidence that the employers sharing a digital account are connected.

E125. You must:

125.1. remove PAYE schemes from your digital account that are no longer operated by the employer associated with the account (or leave the group of connected companies)

125.2. ensure the PAYE scheme for the apprentice's employer is associated with the same digital account which records the apprenticeship for them

125.3. manage users associated with your account including:

125.3.1. removing users who are not authorised to act on your behalf

125.3.2. controlling who can add users

E126. Where your digital account is used to fund training and assessment, you are responsible for recording the required details of the apprenticeship in your account. You can give the provider permission to enter this information on your behalf but you will need to authorise the apprentice details so we can use your digital funds to pay for that apprentice's apprenticeship.

E127. Only you can confirm the spending of funds from your digital account. You must not delegate this function to the provider and they must not take on this responsibility.

E128. You must not allow any third party to authorise payments through your digital account.

E129. To be funded from your digital account, the data entered into the digital account must correspond with the information submitted by the provider to us each month through the ILR. Payments to your chosen training provider will only be made if these details match.

E130. If we withhold payments to the provider because there is not a match, we will reconcile the payments due to the provider when the data matches and make the corresponding changes to your digital account.

E131. You must not ask for, or demand, a fee from a provider or an intermediary for access to funds in your digital account.

E132. As a result of retrospective changes to the amount of apprenticeship levy declared to HMRC, the balance in your digital account could go up or down. If an adjustment reduces your balance to a negative value which persists, the SFA may ask you to pay the SFA this value, discounted by the co-investment rate in place when the

apprenticeship started. We will provide you with details of this payment including the value due and when to make a payment.

E133. If your organisation is subject to structural changes, including mergers and acquisitions, you must follow specific rules relating to the management of the digital account. These will be published separately.

Qualifying days for funding

E134. The apprentice must be in learning for a minimum of 42 days between the learning start date and learning planned end date before they qualify for funds from an employer's digital account or government-employer co-investment, including learning support.

E135. Where funding is paid for an apprentice who does not subsequently meet the qualifying period, we will recover the funding from the provider. These funds will be returned to your digital account.

State aid

E136. Funds that providers receive from, and in, your digital account and government top-ups to funds in your digital account, government-employer co-investment and additional payments, do not fall within the scope of state aid control from 1 May 2017 to 31 March 2018.

E137. Receipt of the AGE grant by employers and the waiving of the employer contribution for small employers, are subject to state aid regulations.

Recovery of funds

E138. We may take action to recover all or part of government funding from you where we are satisfied that there has been a breach of the funding rules. This includes where claims are made for funding through your digital account, government co-investment or additional payments to which you are not entitled.

Changes to the apprenticeship, main provider or employer

E139. If any circumstances change that affect any agreement made between you and the provider, you must revise existing agreements or create new agreements. This includes changes to price and apprenticeship eligibility and any updates required to your digital account.

- E140. The apprentice may take a break in learning where they plan to return and it is agreed with you. This could include medical treatment, parental or personal reasons. A short-term absence, such as annual leave, must not be recorded as a break.
- E141. We will stop making payments from funds in your digital account or government-employer co-investment if an apprentice has a break in learning. You (through your digital account) or your provider must inform us if an apprentice takes a break in learning.
- E142. If an apprentice is on a break in learning when an additional payment is due, the payment will be delayed until the apprentice resumes their apprenticeship and has reached an overall total of 90 or 365 days in learning.
- E143. We will monitor take-up of additional payments and unusual patterns of activity to identify any potential fraud or gaming.

Where training or assessment stops

- E144. Where a change of circumstance means that training and/or assessment is no longer being delivered, no further funds from your digital account, government-employer co-investment or additional payments will be made.
- E145. In these circumstances you must agree with the provider the cost of the training and, where applicable, the end-point assessment delivered to date. The provider must ensure that you have paid any mandatory co-investment due for any training or end-point assessment already delivered.
- E146. You may alert us through your digital account at any time, if training and/or assessment is no longer being delivered.
- E147. When a change of circumstance results in over-payment of funds from your digital account or government-employer co-investment, any over-payment must be repaid by the provider to us. We will then credit the appropriate funds to your digital account. The main provider must follow the arrangements set out in their agreement with you for any over-payment by you.
- E148. You must agree with the provider any reimbursement of your co-investment made for learning paid for, but not undertaken, or learning delivered, but not yet paid up to the employee's leave date, or the date of their break in learning, as needed.
- E149. If any change of circumstances is not included in this section, you should seek advice from us about what action you should take. Please email servicedesk@sfa.bis.gov.uk.

Summary of action following a change in employer, apprentice or provider circumstances

	Scenario	Action to take	What happens to training costs, apprenticeship duration and the funding cap?	What happens to additional payments?
1	Change in price where the employer negotiates a revised training or assessment cost, or assessment cost is added after start of programme.	The new price is agreed by both parties and entered on the digital account.	After applying the funding band limit, we will hold 20% of the new total price back as the completion payment and deduct any funding already received. The remainder will be spread equally over the remaining planned duration.	No changes to additional payments
2	Break in Learning where the apprentice requires a break in their apprenticeship (for example: illness, maternity or other personal reasons).	<p>The employer must notify the provider that the apprentice will be absent for a period of time.</p> <p>The employer can also stop payments through their digital account.</p> <p>If the employer has stopped funding through their digital account, then they will need to re-activate the apprenticeship in their digital account when the apprentice returns to learning.</p> <p>The provider records the break and restart date in the ILR.</p>	<p>Funding from an employer's digital account or government co-investment stops until apprentice resumes their apprenticeship.</p> <p>Funding is capped across both periods of learning so that the overall earnings do not exceed the funding band maximum.</p> <p>Funding will recommence based on the new start date in the ILR.</p>	All additional payments stop until apprentice resumes their apprenticeship. Any additional payments already made are retained.

	Scenario	Action to take	What happens to training costs, apprenticeship duration and the funding cap?	What happens to additional payments?
		When the apprentice resumes learning, the employer and provider should agree a revised price which must be entered on the new programme aim in the ILR. If a different price had earlier been entered on the employer's digital account, the revised price must also be entered here, on or before the new start date.		
3	Apprentice withdraws from the apprenticeship where the apprentice is no longer employed by the employer and has withdrawn from their programme (not redundancy) or the apprentice chooses to withdraw prior to completion but remains with the same employer.	The employer must notify the provider that the apprentice has left. The employer can stop payments through their digital account. The provider records the end date on the ILR.	Funding from an employer's digital account or government co-investment stops. The employer co-investment should be reconciled to the date of withdrawal and a balancing payment will be made.	We will stop making further incentive payments but those already made are retained.
4	Change in course where the apprentice starts a new role with the same employer and requires a different apprenticeship	The employer and provider agree a new price for training and assessment for the new apprenticeship,	Funding from an employer's digital account or government co-investment for the first programme stops.	Additional payments are received once for each apprenticeship.

	Scenario	Action to take	What happens to training costs, apprenticeship duration and the funding cap?	What happens to additional payments?
	programme and the provider remains the same.	<p>taking into account relevant learning from the first apprenticeship.</p> <p>The details of the new programme, price and effective date is entered on the digital account.</p>	<p>Any employer co-investment for the first programme should be reconciled to the date of transfer and a balancing payment will be made.</p> <p>Funding from an employer's digital account or government co-investment for the second programme is made for the new programme.</p> <p>Each programme price is capped separately.</p>	
5	The employer selects a different main provider where the course remains the same.	<p>The end date for the first provider is recorded in the digital account.</p> <p>The employer agrees a new price with the new main provider. The funding rules on agreeing a price will apply.</p> <p>The new provider, price and effective date is recorded and agreed by both parties in the digital account.</p>	<p>Funding from an employer's digital account or government co-investment to the first provider stops.</p> <p>Payments due to the first provider are reconciled. Funding from an employer's digital account or government co-investment for the second programme is made to the new provider.</p> <p>The funding band cap and minimum duration will apply to the total cost across both providers.</p>	<p>Employer continues to receive additional payments.</p> <p>Provider retains any additional payments already made.</p> <p>Any remaining provider additional payments not paid to the original provider can be paid to the new provider.</p> <p>The number of days in learning with the first provider are added to the days in learning with the new provider to calculate when payments are due.</p>

Glossary

Apprenticeship	An apprenticeship is a job with an accompanying skills development programme. This includes the training and (where required) end-point assessment for an employee as part of a job with an accompanying skills development programme.
Apprenticeship agreement	An agreement between an employer and an apprentice in accordance with the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009 sections 32 to 36.
Apprenticeship training agency (ATA)	An organisation whose main business is employing apprentices who are made available to employers for a fee.
Apprenticeship levy	The apprenticeship levy will be a levy on UK employers to fund new apprenticeships. In England, control of apprenticeship funding will be put in the hands of employers through the apprenticeship service. The levy will be charged at a rate of 0.5% of an employer's pay bill. Each employer will receive an allowance of £15,000 to offset against their levy payment.
Break in learning	When an individual is not continuing with their learning but has told the employer beforehand that they intend to resume their learning in the future.
Commitment statement	A statement held by the main provider, the apprentice and their employer. The commitment statement sets out how the apprentice will be supported to successful achievement of the apprenticeship. It must be signed by the apprentice, their employer and the main provider, and all three parties must retain a current signed and dated version.
Digital account	The area on the apprenticeship service where employers can manage their funding and apprentices, view their account balance and plan their spending.
The apprenticeship service	The digital interface to services designed to support the uptake of apprenticeships. The service is aimed primarily at employers who engage with learning providers and apprenticeship assessment organisations to deliver and facilitate the apprenticeship programme.
Distance learning	Learning delivered remotely (not face-to-face). This could include, but is not limited to, e-learning and webinars.

Earnings adjustment statement (EAS)	The form providers need to fill in to claim funding that cannot be claimed through the individualised learner record.
Employed	An individual who has a contract of employment. This does not include individuals who are self-employed.
Evidence pack	A collection of documents and information brought together to form a single point of reference relating to the learning that is taking place. This provides the evidence to prove that the apprentice exists and is eligible for funding, and for the learning to be provided.
Exceptional learning support (ELS)	Learning support when the needs of the apprentice are over £19,000 in a single year.
Functional skills	Applied practical skills in English, maths and ICT that provide the individual with the essential knowledge, skills and understanding to enable them to operate effectively and independently in life and work.
Gateway requirements	These are requirements set out in the assessment plan that must be met by the apprentice prior to undertaking end-point assessment of the apprenticeship standard. They will include the completion of English and maths qualifications (where applicable) and completion of any on-programme mandatory qualifications (where applicable) along with satisfactory evidence (as determined by the employer, in consultation with the training provider) that the apprentice has achieved the necessary knowledge, skills and behaviours set out in the standard.
Higher and degree apprenticeships	An apprenticeship where the main learning is at level 4 or above (including higher education qualifications).
The Hub	The Hub provides online services including the return of your ILR and completed EAS. You can also search all learning aims, components of qualifications, apprenticeship frameworks and standards along with their validity and funding details.
Immigration permission	The permissions, or otherwise, granted by the government of the United Kingdom for an individual to reside here.

Individualised learner record (ILR)	The primary data collection requested from learning providers for further education and work-based learning in England. The data is used widely, most notably by the government, to monitor policy implementation and the performance of the sector. It is also used by organisations that allocate funding for further education.
Integrated standard	An integrated standard is where the end-point assessment is incorporated into the main learning aim (usually a degree or other full higher education qualification). In these cases, there is no need for an additional independent assessment.
Levy-paying employer	An employer with an annual pay bill of over £3 million.
Licence to practise	Where it is a legal (or statutory) requirement for all practitioners to obtain a licence which confirms the licence holder meets prescribed standards of competence, including situations in which it is unlawful to carry out a specified range of activities for pay without first having obtained a licence.
Ordinarily resident	For funding purposes, a person who normally lives in the country, is allowed to live there by law, and return there after temporary trips outside the country. Temporary absences from a country due to the learner or a relevant family member working or travelling abroad would be discounted when considering ordinary residency.
Personal learning record (PLR)	The personal learning record (PLR) allows individual apprentices access to their past and current achievement records. These can be shared with schools, colleges, further education training providers, universities or employers when making an application to further their education, training and employment.
Learning planned end date	The date entered onto the ILR when the learner is expected to complete their learning.

Register of apprenticeship training providers	From May 2017, levied employers will be able to choose a provider from a new register, the register of apprenticeship training providers (RoATP). The register will encourage diversity and competition in the provider market, supporting quality and employer choice. To be added to the register, organisations must pass tests on due diligence, financial health, and tests on quality, capacity and capability.
Register of apprentice assessment organisations	A register of assessment organisations from which an employer can select an organisation (to be contracted by a main provider) to deliver the end-point assessment as part of the employer's agreed apprenticeship programme.
Start of learning	The date on which learning begins. We do not consider enrolment, induction, diagnostic assessment or prior assessment to be part of learning.
Subcontractor	A legal entity that has a contractual relationship with a provider to deliver apprenticeship training funded by us.
Unique learner number	A 10-digit number used to match a learner's achievement to their personal learning record (PLR).
Written agreement	The main provider must have a written agreement in place with the assessment organisation and make payment to them for conducting the end-point assessment. The written agreement must set out the arrangements for end-point assessment including arrangements for any re-takes and the transaction of payments.
Zero-hour contracts	Contracts which do not specify a set number of hours for the employee.



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Apprenticeship Standards



Groups of employers (trailblazers) are working together to design new world-class apprenticeship standards that respond to the needs of their industries. More than 1200 large and small employers are already involved in a wide variety of industry sectors.

✓ = standard in development
 ✓✓ = standard published
 ✓✓✓ = approved for delivery (standard and assessment plan approved)

Agriculture, Environmental and Animal Care	Level	Status
Advanced golf greenkeeper	3	✓✓✓
Animal care and welfare officer		✓
Animal trainer		✓
Arborist	2	✓✓✓
Conservator		✓
Countryside worker		✓
Crop technician		✓
Equine groom	2	✓✓✓
Farrier	3	✓✓✓
Forest operative	2	✓✓✓
Golf course manager	5	✓✓✓
Golf greenkeeper	2	✓✓✓✓
Historic environment practitioner		✓
Horticulture and landscape operative	2	✓✓✓
Horticulture and landscape supervisor	3	✓✓✓
Packhouse team leader		✓
Pest control technician		✓
Poultry technician		✓
Poultry worker		✓
Senior equine groom	3	✓✓✓
Sports turf operative	2	✓✓✓✓
Stock person		✓
Underkeeper		✓
Veterinary nurse		✓

Business and Administration	Status
Associate project manager	4 ✓✓✓✓
Business administrator	3 ✓✓✓
Chartered manager (degree)	6 ✓✓✓✓
Entrepreneur	4 ✓✓✓
HR advisor	✓
HR consultant / partner	5 ✓✓✓
HR support	3 ✓✓✓
Innovation and growth associate	✓
Junior management consultant	4 ✓✓✓✓
Operational delivery officer	3 ✓✓✓✓
Operations / departmental manager	✓✓✓✓

Project / programme / portfolio manager (degree)		✓		
Recruitment consultant	3	✓	✓	
Recruitment resourcer	2	✓	✓	
Senior leader		✓		
Team leader / supervisor	3	✓	✓	✓
Voluntary and community sector worker		✓		

Catering and Hospitality		Status		
Advanced baker	3	✓	✓	
Advanced butcher	3	✓	✓	✓
Advanced dairy technician (technologist)	5	✓	✓	✓
Bakery	2	✓	✓	
Butcher	2	✓	✓	✓
Chef de partie	3	✓	✓	
Cleaning and support services operative		✓		
Commis chef	2	✓	✓	✓
Fishmonger	2	✓	✓	
Hospitality manager	4	✓	✓	
Hospitality supervisor	3	✓	✓	✓
Hospitality team member	2	✓	✓	✓
Maritime caterer		✓		
Senior chef culinary arts	4	✓	✓	
Senior chef production cooking	3	✓	✓	✓

Childcare and Education		Status		
Academic professional		✓		
Assistant equalities named coordinator		✓		
Children, young people and families manager	5	✓	✓	
Children, young people and families practitioner	4	✓	✓	
Early years centre leader		✓		
Early years educator	3	✓	✓	
Assistant early years practitioner		✓		
Education learning mentor	3	✓	✓	
Further education assessor-coach	4	✓	✓	
Further education lead teacher		✓		
Further education learning and skills teacher	5	✓	✓	
Health and wellbeing leader		✓		
Lead equalities named coordinator		✓		
Quality improvement leader		✓		
School business director		✓		
Senior early years practitioner		✓		
Services leader		✓		
Teacher		✓		
Teaching assistant		✓		

Construction		Status		
Advanced carpentry and joinery	3	✓	✓	
Asbestos analyst / surveyor		✓		
Asbestos removal operative		✓		
Bricklaying		✓		
Building services design engineer		✓		

Building services engineering craftsperson	3	✓	✓	
Building services engineering design technician	4	✓	✓	
Building services engineering ductwork craftsperson	3	✓	✓	
Building services engineering ductwork installer	2	✓	✓	
Building services engineering installer	2	✓	✓	
Building services engineering service and maintenance engineer	3	✓	✓	
Building services engineering site management (degree)	6	✓	✓	
Building services engineering technician	4	✓	✓	
Building services engineering ventilation hygiene technician	3	✓	✓	
Carpentry and joinery	2	✓	✓	
Chartered surveyor (degree)	6	✓	✓	✓
Civil engineer		✓		
Civil engineering site management (degree)	6	✓	✓	
Civil engineering technician	3	✓	✓	
Construction assembly technician	2	✓	✓	
Construction design and build technician	4	✓	✓	
Construction design management (degree)	6	✓	✓	
Construction quantity surveyor (degree)	6	✓	✓	
Construction site engineering technician	4	✓	✓	
Construction site management (degree)	6	✓	✓	
Construction site supervisor	4	✓	✓	
Construction surveying technician	4	✓	✓	
Construction technician	4	✓	✓	
Digital engineering technician	3	✓	✓	
Dual fuel smart meter installer	2	✓	✓	✓
Electrical, electronic product service and installation engineer	3	✓	✓	
Engineering construction pipefitter	3	✓	✓	
Facilities management supervisor	3	✓	✓	
Facilities manager		✓		
Fire emergency and security systems technician	3	✓	✓	✓
Floorcoverings		✓		
Form worker		✓		
Gas engineering	3	✓	✓	✓
Geospatial survey technician		✓		
Geospatial mapping and science		✓		
Highway electrical maintenance and installation operative	2	✓	✓	✓
Highway electrician / service operative	3	✓	✓	✓
Highways maintenance skilled operative	2	✓	✓	
Highways maintenance supervisor	3	✓	✓	
Housing / property management	3	✓	✓	✓
Housing / property management assistant	2	✓	✓	✓
Industrial coatings applicator		✓		
Installation electrician / maintenance electrician	3	✓	✓	✓
Interiors systems		✓		
Joiner		✓		
Junior energy manager		✓	✓	✓
Lifting technician	2	✓	✓	

Metal decking installer		✓		
Moving and erecting capital structures and plant		✓		
Painter and decorator	2	✓	✓	
Piling attendant	2	✓	✓	
Plant hire desk controller		✓		
Plasterer	3	✓	✓	
Plumbing and domestic heating technician	3	✓	✓	
Powered pedestrian door installer and service engineer	2	✓	✓	
Property maintenance operative	2	✓	✓	✓
Railway engineering design technician	3	✓	✓	✓
Roofer		✓		
Sawmilling		✓		
Scaffolder		✓		
Senior / head of facilities management		✓		
Senior housing / property management	4	✓	✓	✓
Shop fitting (level 2)		✓		
Shop fitting (level 3)		✓		
Skilled fencer		✓		
Smart home technician		✓		
Smart systems information and security		✓		
Steel fixer	2	✓	✓	
Stone mason		✓		
Structural steelwork erector	2	✓	✓	
Structural steelwork fabricator	2	✓	✓	
Surveying technician	3	✓	✓	✓
Thermal insulation operative	2	✓	✓	
Trade supplier		✓		
Tunneling operative	2	✓	✓	
Wall and floor tiler		✓		

Creative and Design		Status
Animator		✓
Assistant technical director - visual effects	4	✓ ✓ ✓
Bespoke saddler	3	✓ ✓
Bespoke tailor and cutter	5	✓ ✓ ✓
Blacksmith		✓
Bookbinder		✓
Broadcast and communications engineer		✓
Broadcast and communications technical operator		✓
Broadcast and communications technician		✓
Broadcast production assistant	3	✓ ✓ ✓
Calligrapher		✓
Ceramicist		✓
Clockmaker		✓
Community arts co-ordinator		✓
Community coordinator / associate community manager		✓
Cordwainer		✓
Creative venue technician		✓ ✓
Development researcher		✓

Fashion studio assistant	3	✓	✓	
Glass maker		✓		
Hand engraver		✓		
Jewellery maker		✓		
Journalist		✓		
Journeyman bookbinder		✓		
Junior 2D artist - visual effects	4	✓	✓	✓
Junior content producer	3	✓	✓	
Junior journalist	3	✓	✓	✓
Leather craftsperson		✓		
Live event rigger	3	✓	✓	✓
Live event technician	3	✓	✓	
Milliner		✓		
Organ builder	3	✓	✓	
Outside broadcasting engineer	7	✓	✓	✓
Photographer		✓		
Props practitioner		✓		
Puppet maker		✓		
Shoemaker		✓		
Spectacle maker	3	✓	✓	
Storyboard artist		✓		
Thatcher		✓		
Watch maker	3	✓	✓	
Weaver		✓		
Wheelwright		✓		
Wood-turner		✓		

Digital		Status		
Aerospace software development engineer (degree)	6	✓	✓	✓
Business analyst		✓		
Cyber intrusion analyst	4	✓	✓	✓
Cyber security technical professional (degree)		✓		
Cyber security technologist	4	✓	✓	✓
Data analyst	4	✓	✓	✓
Digital and technology solutions professional (degree)	6	✓	✓	✓
Digital and technology solution specialist		✓		
Digital business administrator		✓		
Digital business specialist		✓		
Digital marketer (level 3)	3	✓	✓	✓
Digital marketer (level 6)		✓		
Digital user experience (UX) professional (degree)		✓		
Infrastructure technician	3	✓	✓	✓
Internet of things and cyber systems engineer (level 7)	7	✓		
Internet of things and cyber systems engineer (level 6)	6	✓		
Internet of things and cyber systems engineer (level 5)	5	✓		
Internet of things and cyber systems technician (level 3)	3	✓		
IT solution technician		✓		
IT support		✓		

IT technical salesperson	3	✓	✓	✓
Network cable installer		✓		
Network engineer	4	✓	✓	✓
Software developer	4	✓	✓	✓
Software development technician	3	✓	✓	✓
Software tester	4	✓	✓	✓
Unified communications technician	3	✓	✓	✓
Unified communications trouble shooter	4	✓	✓	✓
Video games quality assurance technician	4	✓	✓	

Engineering and Manufacturing		Status		
Abattoir workers - red meat		✓		
Accident repair technician	3	✓	✓	
Advanced manufacturing fitter		✓		
Aerospace engineer (degree)	6	✓	✓	✓
Aerospace manufacturing electrical, mechanical, and systems fitter	3	✓	✓	✓
Aerospace manufacturing fitter	3	✓	✓	✓
Aircraft maintenance certifying engineer	4	✓	✓	✓
Aircraft maintenance fitter / technician (fixed and rotary wing)	3	✓	✓	✓
Airworthiness planning, quality and safety technician	3	✓	✓	✓
Automotive engine test engineer		✓		
Automotive engine test technician		✓		
Automotive glazing technician		✓		
Aviation maintenance mechanic (military)	2	✓	✓	✓
Biomass installations engineer		✓		
Boatbuilder	3	✓	✓	✓
Bus and coach engineering manager	4	✓	✓	✓
Bus and coach engineering technician	3	✓	✓	✓
Business improvement technician		✓		
Caster [ceramics]		✓		
Community energy specialist		✓		
Composites technician	3	✓	✓	
Continuous improvement manager		✓		
Continuous improvement technician		✓		
Control / technical support engineer (degree)	6	✓	✓	✓
Decorator [ceramics]		✓		
Electrical / electronic technical support engineer (degree)	6	✓	✓	✓
Electrical power protection and plant commissioning engineer	4	✓	✓	✓
Electronic systems technician		✓		
Embedded electronic systems design and development engineer (degree)	6	✓	✓	✓
Engine room ratings		✓		
Engineering design and draughtsperson	3	✓	✓	✓
Engineering technician		✓		
European refrigeration, air conditioning and heat pump design and applications engineer		✓		
Firing operative [ceramics]		✓		
Food and drink advanced process operator	3	✓	✓	✓

Food and drink process operator	2	✓	✓	✓
Food technologist	3	✓	✓	✓
Food industry technical professional (degree)	6	✓	✓	
Food and drink maintenance engineer	3	✓	✓	✓
Fork lift truck technician		✓		
Furniture manufacturer	2	✓	✓	✓
Gas network craftsperson	3	✓	✓	✓
Gas network team leader	2	✓	✓	✓
Glass manufacturing operator		✓		
Glazing operative [ceramics]		✓		
Heavy vehicle service and maintenance technician	3	✓	✓	✓
Land-based service engineer	2	✓	✓	✓
Land-based service engineering technician	3	✓	✓	✓
Lift / escalator electromechanic		✓		
Locksmith		✓		
Machinist - advanced manufacturing engineering	3	✓	✓	✓
Maintenance and operations engineering technician	3	✓	✓	✓
Manufacturing engineer (degree)	6	✓	✓	✓
Manufacturing operative		✓		
Manufacturing technology engineer		✓		
Marine engineer	3	✓	✓	
Maritime electrical fitter	3	✓	✓	
Maritime fabricator	3	✓	✓	
Maritime mechanical fitter	3	✓	✓	
Maritime pipeworker	3	✓	✓	
Metal recycling general operative		✓		
Mechatronics maintenance technician	3	✓	✓	✓
Military engineer		✓		
Military (Royal Navy) electrical mechanical mechanic	2	✓	✓	
Mineral extraction drilling and blasting operator		✓		
Mineral processing and static plant engineer		✓		
Mineral processing mobile and static plant operator	2	✓	✓	
Mineral products weighbridge operator		✓		
Modeller [ceramics]		✓		
Motor vehicle service and maintenance technician (light vehicle)	3	✓	✓	✓
Motorcycle manufacturer and designer		✓		
Motorcycle technician (repair and maintainance)		✓		
Mould maker [ceramics]		✓		
Non-destructive testing operator	2	✓	✓	✓
Non-destructive testing engineer (degree)	6	✓	✓	
Non-destructive testing engineering technician	3	✓	✓	✓
Nuclear health physics monitor	2	✓	✓	✓
Nuclear operative	2	✓	✓	
Nuclear scientist and nuclear engineer (degree)	6	✓	✓	✓
Nuclear technician		✓		
Nuclear welding inspection technician	4	✓	✓	✓
Papermaker	2	✓	✓	✓
Post graduate engineer		✓		
Power engineer (degree)	7	✓	✓	
Power network craftsperson	5	✓	✓	✓

Power networks engineer		✓		
Print finisher, prepress operative and printer		✓		
Process automation engineer		✓		
Product design and development engineer (degree)	6	✓	✓	✓
Product design and development technician	3	✓	✓	✓
Project controls technician	3	✓	✓	
Rail and rail systems engineer		✓		
Rail and rail systems principal engineer		✓		
Rail and rail systems senior engineer		✓		
Rail engineering advanced technician	4	✓	✓	✓
Rail engineering operative	2	✓	✓	✓
Rail engineering technician	3	✓	✓	✓
Rail infrastructure operator		✓		
Refrigeration air conditioning and heat pump engineering technician	3	✓	✓	✓
Risk and safety management practitioner		✓		
Science industry maintenance technician	3	✓	✓	✓
Science industry process / plant engineer		✓		
Science manufacturing process operative		✓		
Science manufacturing technician	3	✓	✓	✓
Selector [ceramics]		✓		
Slip preparation operative [ceramics]		✓		
Specialist tyre technician		✓		
Stairlift, platform lift, service lift electromechanic		✓		
Survival equipment fitter	3	✓	✓	✓
Systems engineering (master level)	7	✓	✓	✓
Technical support technician	3	✓	✓	
Textile manufacturing operative		✓		
Toolmaker & tool and die maintenance technician	3	✓	✓	
Tyre and autocare technician		✓		
Utilities engineering technician	3	✓	✓	✓
Vehicle damage assessor		✓		
Vehicle damage mechanical technician		✓		
Vehicle damage paint technician		✓		
Vehicle damage panel technician		✓		
Water process technician	3	✓	✓	✓
Water treatment operative		✓		
Water treatment technician		✓		
Welder (level 2)	2	✓	✓	✓
Welder (level 3)	3	✓	✓	✓

Hair and Beauty		Status
Advanced beauty professional		✓
Beauty professional	2	✓ ✓
Hair professional	2	✓ ✓ ✓
Senior hair professional		✓

Health and Science		Status
Animal technologist	3	✓ ✓
Associate ambulance practitioner	4	✓ ✓ ✓
Community activator coach		✓

Community sport and health officer	3	✓	✓	
Dental hygiene therapist		✓		
Dental laboratory assistant	3	✓	✓	✓
Dental nurse	3	✓	✓	✓
Dental practice manager	4	✓	✓	✓
Dental technician	5	✓	✓	✓
Health and wellbeing leader		✓		
Healthcare assistant practitioner	5	✓	✓	✓
Healthcare science assistant	2	✓	✓	✓
Healthcare science associate	4	✓	✓	✓
Healthcare science practitioner	6	✓	✓	
Healthcare support worker	2	✓	✓	✓
Laboratory scientist	5	✓	✓	✓
Laboratory technician	3	✓	✓	✓
Leisure recreation assistant		✓		
Metrology technician	3	✓	✓	
Nurse (registered nurse degree)	6	✓	✓	
Nursing associate		✓		
Ophthalmic technician		✓		
Outdoor sports		✓		
Personal trainer	3	✓	✓	
Pharmacy services assistant		✓		
Podiatrist		✓		
Rehabilitation worker (visual impairment)		✓		
Senior healthcare support worker	3	✓	✓	✓
Senior metrology technician		✓		
Senior pharmacy services assistant		✓		

Legal, Finance and Accounting		Status		
Actuarial technician	4	✓	✓	✓
Actuary		✓		
Advanced credit controller and debt collection specialist	3	✓	✓	✓
Assistant accountant	3	✓	✓	✓
Bookkeeper		✓		
Chartered legal executive (degree)	6	✓	✓	✓
Compliance / risk officer	3	✓	✓	✓
Conveyancing technician	4	✓	✓	✓
Credit controller / collector	2	✓	✓	✓
Financial adviser	4	✓	✓	✓
Financial services administrator	3	✓	✓	✓
Financial services customer adviser	2	✓	✓	✓
Financial services professional		✓		
Insurance practitioner	3	✓	✓	✓
Insurance professional	4	✓	✓	✓
Investment operations administrator	2	✓	✓	✓
Investment operations specialist	4	✓	✓	✓
Investment operations technician	3	✓	✓	✓
Licensed conveyancer	6	✓	✓	✓
Mortgage adviser		✓	✓	✓
Motor finance specialist		✓		

Paralegal	3	✓	✓	✓
Paraplanner	4	✓	✓	✓
Payroll administrator	3	✓	✓	
Probate technician	4	✓	✓	
Professional accountant		✓	✓	
Professional accounting taxation technician	4	✓	✓	✓
Regulatory compliance officer	4	✓	✓	
Relationship manager - banking	6	✓	✓	✓
Senior compliance / risk officer specialist	6	✓	✓	✓
Senior financial services customer adviser	3	✓	✓	✓
Small business financial administrator		✓		
Solicitor	7	✓	✓	✓
Workplace pensions consultant or administrator	3	✓	✓	✓

Protective Services		Status		
Business fire safety advisor	3	✓	✓	
Emergency service contact handling		✓		
HM Forces serviceperson (public services)	2	✓	✓	✓
Operational firefighter		✓		
Police community support officer		✓		
Police officer		✓		
Prison officer		✓		
Security first line manager	3	✓	✓	
Serious and complex crime investigator		✓		
Specialist rescue operative		✓		

Sales, Marketing and Procurement		Status		
Automotive industry customer service advisor		✓		
Bid and proposal co-ordinator	3	✓	✓	
Business to business sales manager (degree)		✓		
Customer service specialist	3	✓	✓	
Customer service practitioner	2	✓	✓	✓
Estate agent / auctioneer		✓		
Event assistant	3	✓	✓	✓
Junior estate agent	2	✓	✓	
Leisure duty manager	3	✓	✓	
Public relations assistant		✓		
Public relations consultant		✓		
Public sector commercial professional	4	✓	✓	✓
Retail manager	4	✓	✓	✓
Retail team leader	3	✓	✓	✓
Retailer	2	✓	✓	✓
Travel consultant	3	✓	✓	✓
Vehicle parts operator		✓		
Vehicle sales advisor		✓		

Social Care		Status		
Adult care worker	2	✓	✓	✓
Lead adult care worker	3	✓	✓	✓
Lead practitioner in adult care	4	✓	✓	
Leader in adult care	5	✓	✓	

Social worker	✓
Rehabilitation practitioner	✓

Transport and Logistics	Status
Able seafarer - deck	2 ✓ ✓ ✓
Airside operator	2 ✓ ✓ ✓
Aviation ground operative	2 ✓ ✓ ✓
Aviation ground specialist	3 ✓ ✓ ✓
Aviation operations manager	4 ✓ ✓ ✓
Deckhand	✓
Express delivery operative	2 ✓ ✓
Express delivery manager (level 6) (degree)	✓
International supply chain manager	✓
Large goods vehicle (LGV) driver	2 ✓ ✓ ✓
Marine pilot	✓
Maritime operations officer	3 ✓ ✓
Network operations	✓
Passenger transport driver - bus, coach and rail	2 ✓ ✓
Passenger transport onboard and station team member	2 ✓ ✓
Passenger transport operations manager	4 ✓ ✓
Port marine operations officer	✓
Port operative	✓
Supply chain operator	2 ✓ ✓ ✓
Supply chain professional	✓
Supply chain warehouse operator	2 ✓ ✓ ✓
Transport planning technician	3 ✓ ✓ ✓
Workboat crewmember	✓

NAS-P-100137 - updated 20 January 2017

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Equality Impact Assessment

Preliminary assessment form v5 / 2013

www.portsmouth.gov.uk

The preliminary impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies which require a full EIA by looking at:
 - negative, positive or no impact on any of the equality groups
 - opportunity to promote equality for the equality groups
 - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

Directorate:

Director of HR, legal and performance

**Function e.g. HR,
IS, carers:**

HR

Title of policy, service, function, project or strategy (new or old) :

Apprenticeship Levy Project Plan

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

Q1 - What is the aim of your policy, service, function, project or strategy?

The apprenticeship levy is being introduced in April 2017 and will require all employers with a pay bill of more than £3 million to pay into the levy at a rate of 0.5%. PCC's Apprenticeship Levy Project Plan sets out our response for using our apprenticeship levy allocation. Essentially the project aims to:

Consider apprenticeships for all vacant posts at pay band 5

Convert existing employees to an apprenticeship where a clear opportunity to develop skills has been identified

Q2 - Who is this policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?

Apprenticeships are at the centre of the Government's drive to give people of all ages the skills that employers need to grow and compete. It aims to make apprenticeships as accessible as possible to all people from all backgrounds. Apprenticeships are real jobs with training (Equality Analysis: Apprenticeship funding policy from May 2017 - Department for Education publication)

The Department for Education has undertaken an Equality Analysis on the Apprenticeship Levy policy and it has not identified any negative impacts on the groups with protected characteristics.

The reforms aim to support social justice and opportunities for people to undertake quality apprenticeships by providing extra funding support for younger learners, those with learning difficulties and disabilities, care leavers, apprentices from the most disadvantaged areas and those undertaking frameworks in science and engineering subjects.

Q3 - Thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on members of the equality groups below?

Group	Negative	Positive / no impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "negative" or "unclear" consider doing a full EIA

Q4 - Does, or could the policy, service, function, project or strategy help to promote equality for members of the equality groups?

Group	Yes	No	Unclear
Age	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disability	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Race	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gender	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transgender	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Sexual orientation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Religion or belief	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Pregnancy or maternity	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other excluded groups	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

If the answer is "no" or "unclear" consider doing a full EIA

Q5 - Do you have any feedback data from the equality groups that influences, affects or shapes this policy, service, function, project or strategy?

Group	Yes	No	Unclear
Age	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disability	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Race	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gender	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transgender	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Sexual orientation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If the answer is "no" or "unclear" consider doing a full EIA

Q6 - Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, service, function or strategy?

yes No

Q7 - How have you come to this decision?

The Department of Education have undertaken an Equality Analysis on the funding policy and PCC is subject to the policy. No adverse impacts have been identified on groups with protected characteristics. The aim of the policy is to encourage employers to offer real jobs and qualifications particularly to groups that have been disadvantaged.

If you have to complete a full EIA please contact the Equalities and diversity team if you require help
Tel: 023 9283 4789 or email:equalities@portsmouthcc.gov.uk

Q8 - Who was involved in the EIA?

Jon Bell
Roland Bryant
Liz Aplin

This EIA has been approved by:

Contact number:

Date:

Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789

Email: equalities@portsmouthcc.gov.uk

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