



Apprenticeship Training Agency Recognition Process Guidance

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Before completing the ATA Recognition Application Form please ensure you have read the following information and guidance, and that you are satisfied that your ATA operates in compliance with the features and behaviours detailed in the ATA Framework.

Section 1. Introduction

The Skills Funding Agency (The Agency) is keen to ensure that all Apprenticeship Training Agencies (ATAs) deliver high quality apprenticeship programmes and operate in accordance with the ATA Framework. Apprentices and stakeholders need to feel both confident and assured that the service they receive from ATAs is first class. Since 31 August 2012, all ATAs operating in England have been required to submit an application to become a Recognised ATA.

Section 2. Apprenticeship Training Agencies in Brief



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The Apprenticeship Training Agency (ATA) model is intended to support the delivery of a high quality apprenticeship programme with employers who wish to use the services of an ATA to source, arrange and host their apprenticeships. This could be for a number of reasons including them not being able to commit to the full framework, short term restrictions on employee numbers, or uncertainty about the value of an apprenticeship.

The distinctive feature of the ATA model is that it is the ATA that acts as the apprentice's employer and places them with a host employer. The host employer pays the ATA a fee for the apprentice's services; this fee being based on the wage agreed with the host (at least the national minimum wage for apprentices) and the ATA management fee.

If circumstances change and the host employer is unable to retain the apprentice, the ATA will find alternative and appropriate employment for the apprentice giving them the reassurance that they can continue their apprenticeship.

Organisations should carefully consider the reasons why an ATA is required before establishing one:

- Is there a sufficient sustainable demand from businesses in your sector(s)/geographical area?
- Can demand be met via the traditional route of direct employment of apprentices?
- As with all apprenticeships, host employers should offer apprenticeships which lead to real jobs? Not just filling short-term labour gaps?
- The Agency encourages ATAs to provide apprenticeship opportunities for SMEs

The ATA is not a 'temporary work' business but rather a means to manage and give real flexibility to the delivery of a high quality apprenticeship. This flexibility



also applies where employers may not be able to offer all aspects of a framework but linking them with other host employers allows the full range to be covered.

For the apprentice the ATA gives another route into an apprenticeship which can offer them the opportunity to experience a range of employers and increased security around the continuation of their apprenticeship.

It is the Agency's aspiration that 85% of apprentices who complete their full apprenticeship framework go on to gain permanent employment. However, it is always the Agency's ambition to support long-term employment security for apprentices.

The ATA should provide the apprentice with an opportunity to progress where appropriate to Advanced and Higher apprenticeships.

Section 3. Apprenticeship Training Agency Framework

The Apprenticeship Training Agency (ATA) model is intended to promote and support the delivery of a high quality apprenticeship programme involving employers who wish to use the services of an ATA to source, arrange and host their apprenticeships. This could be for a number of reasons including them not being able to commit to employment for the period of the full framework, short term restrictions on employee numbers, or the uncertainty about the value of an apprenticeship.

The Skills Funding Agency (the Agency) encourages all ATAs to work with and support smaller employers to help them hire and employ apprentices in their businesses.

The ATA will not replace the traditional model of apprenticeship delivery based on direct employment of the apprentice, into a permanent job role, by an employer and linked to high quality training delivered by an accredited training provider.



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The ATA is designed to create new apprenticeship opportunities not to displace existing programmes.

As with traditional apprenticeships, a focus of the ATA will be progression into permanent employment, whilst there is not necessarily a guarantee of a permanent job at the end of the apprenticeship, the offer to support progression opportunities as the apprenticeship nears the end should make this the most likely outcome.

Purpose of the Framework

The framework is intended to help all those involved in an apprenticeship delivered through the ATA model make a judgement as to the extent to which their experience is reflecting the best practice available. For ATAs to be listed on the National Approved Register of ATAs they will need to demonstrate to The Agency that they are able to operate in accordance with the framework.

It sets out the core features which underpin the ATA model and gives examples of the behaviour apprentices, employers, training providers and others should expect to see.

Aspects of the ATA delivery model will be regulated through the normal work of bodies such as the Employment Agency Standards Inspectorate, Ofsted and Awarding Bodies. The framework will set out standards against which other interested parties can make judgements. The Agency will review the model as part of its wider responsibility for apprenticeship development and quality.

Key Features

1. An ATA is a business whose core functions are the sourcing of employers and candidates interested in engaging with apprenticeships, leading to the employment, training and development of apprentices. Under the model the apprentice will be hired out to host employers who provide the productive employment, key to the apprenticeship. Training will be delivered by an Agency registered training provider. ATAs may also



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impact on growth in traditional 'directly' employed apprenticeships and/or offer 'recruitment only' or access to apprenticeship programmes that are designed to ease both candidates and employers into apprenticeship take-up.

2. An ATA will always aim to contribute to a high quality apprenticeship experience. To ensure this they will make the quality of the apprentices' working and learning experience central to all they do, working closely with training providers and host employers.
3. An ATA will focus on the creation of new apprenticeship opportunities with employers who wish to benefit from using the ATA model to engage an apprentice(s). They should complement, not displace apprenticeships directly employed by an individual employer.
4. An ATA will agree clear terms and standards with all the employers, providers and apprentices with which they work. These terms and standards should underpin the delivery of a high quality apprenticeship.
5. ATAs must be aware of and comply with all relevant employment law and regulation including those appropriate to Employment Agencies and Employment Businesses where these apply.

Key behaviours associated with an ATA

1. **An ATA is a business whose core function is the employment and development of apprentices. Under the model the apprentice will be hired out to host employers who provide employment key to the apprenticeship. Training will be delivered by an Agency contracted training provider.**

This can be recognised by the ATA:

- Being a separate legal entity established to recruit and employ apprentices with the intention of hiring them out to host employers to



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support the apprenticeship. The ATA will have ultimate responsibility for the welfare, health and safety, learning and employment of the apprentice.

- Operating a business model that offers sustainability over the longer term and is based on a commercial charge on the host employer and in some instances on the training provider. Income should not be dependent on Agency participation funding which must be used in adherence with the Agency's [Funding Rules](#), terms and conditions and solely support the delivery of training.
- Having clear and robust systems to support their role as an employer. The workforce will include 16 to 18 year old apprentices, an age group that requires greater support and structure. The systems should reflect this as well as the nature of the operating model.
- Offering full time employment of the apprentice as the norm. Part time employment is only available in limited circumstances based on the individual apprentice's personal circumstances. There will be a contract of employment giving clarity around all aspects of their employment. The contract length should ensure the individual has sufficient time to complete the apprenticeship with scope for an extension to allow for any delay. An apprentice must not be employed under any form of self employment.
- Agreeing a wage in conjunction with the host employer which must be at least the legal minimum apprenticeship wage currently set at £2.73 per hour (as of 1st Oct 2014). In line with the ATA delivering a high quality apprenticeship they should not be promoted as a minimum pay model.
- Ensuring clarity on responsibilities as an employee set out for the apprentice in some form of handbook or guidance document.



2. An ATA will always aim to contribute to a high quality apprenticeship experience. To ensure this they will make the quality of apprentices' working and learning experience central to all they do. This can be recognised by the ATA ensuring;

- Where appropriate there should be independent advice and guidance (IAG) for the apprentice before embarking on a framework.
- The host employer(s) will offer the apprentice productive employment which supports the apprenticeship framework. The majority of the apprentice's time should be spent in productive employment with a host employer not through simulated work place activity.
- That the host employer's vacancy should be clear from the outset and where possible offer productive employment for the length of the apprenticeship. Given that a feature of the ATA is that it allows employers who cannot commit for the full period to engage with apprenticeships there will be examples where the offer of productive employment is for part of the length of the apprenticeship.
- Where it is clear from the outset that the vacancy cannot offer the range of productive tasks or the full period of the apprenticeship then the ATA (working with the training provider) should agree a combination of host employers to offer a structured apprenticeship programme.
- Where there is an interruption in employment with a host employer, there is an agreed period of continued employment with the ATA whilst suitable alternative arrangements are made with an appropriate host employer.
- An apprenticeship agreement is in place covering all aspects of the training and including all parties (apprentice, host employer, provider and ATA).



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- Training provision supports the employment opportunity offered by the host employer (the apprenticeship should be based on the job role not on the training available).
- The length of the programme should support the beneficial outcomes associated with apprenticeships, including those gained from working in productive employment. ATAs will encourage the development of apprenticeships driven by good apprentice training practice.

3. An ATA will focus on the creation of the new apprenticeship opportunities with employers who wish to benefit from using the ATA model to engage an apprentice(s). They should complement not displace directly employed apprenticeships. This can be recognised by the ATA having;

- A clear rationale for the services offered that they are able to share with employers.
- A clear engagement strategy and engagement criteria to secure host employers. There will be a focus on ensuring employers both understand, and are committed to apprenticeships and to supporting the apprentice for the period of the apprenticeship.
- Clear systems to ensure that host employers can give necessary and appropriate support to the apprentice during their apprenticeship.
- A focus on engagement with employers looking to recruit into future jobs rather than on employers who use the ATA as a source of temporary agency staffing or offering temporary work experience.
- Systems in place that allow the host employer to recruit the apprentice directly during the period of the apprenticeship should the opportunity



arise and subject to payment of a fee at least equal to the income expected from the hosting placement should it run to completion.

- A focus on securing employment for the apprentice at the end of the apprenticeship. This could be with the host employer, other employers linked with the ATA or through support on job search by the ATA.
 - Systems in place to ensure that those applying for an ATA apprenticeship are encouraged to maintain their search for an apprenticeship if not successfully placed with a host employer within a reasonable period (including registrations with apprenticeship vacancies and other sources).
- 4. An ATA will agree clear terms with all the employers, providers and apprentices that they work with. These terms should reflect best practice in the delivery of an apprenticeship. This will be recognised by the ATA having:**

Apprentice

- An engagement strategy and criteria to attract suitable apprentices.
- A clear process to recruit suitable apprentices based on a link with real vacancies and training opportunities. The apprenticeship vacancies system should be a key feature of the recruitment process.
- A clear process to match suitable apprentices with vacancies and training opportunities. The apprenticeship vacancy system can support this process.
- Ensured that the apprentice fully understands the position of the ATA and is clearly aware of the nature of the employment.
- Ensure that the apprentice is clear on the role and responsibilities of the ATA, training provider and host employer and who they should contact for support.



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- Ensured that the apprentice is clear about their responsibilities in relation to the apprenticeship delivery.
- Systems in place so that should a hosting arrangement break down, the ATA should aim to find the apprentice a new host whose business activity compliments the training programme. During any such break the ATA is expected to maintain the employment and training programme for an agreed period. ATAs should have plans and provision to facilitate this.

Host Employer

- A formal agreement in place between the ATA and the host setting out the roles and responsibilities of both parties (there may be some variation depending on the sector and/or employer characteristics). The ATA should have systems in place to withdraw the apprentice where the host does not discharge their roles and responsibilities appropriately.
- Made clear the key role the employer plays in the delivery of the apprenticeship. The host should understand their role in supporting the apprentice and where necessary be supported by the ATA and training provider to ensure work place activity is appropriately linked with training.
- Clear agreements in place with host employers to ensure that moves between host employers can be managed. This to include an agreed notice to be given by the host employer.

Training Provider

- A strategy and systems in place for selecting high quality training providers (providers must be an Agency Registered Training Organisation).
- Providers with formal associations, through ownership or common Directorship, should be named.



- Agreements in place with all associated providers to ensure roles and responsibilities.

General

- Systems in place to monitor the quality of the apprenticeship experience from the perspective of the apprentice, host and training provider. The ATA should be able to evidence the success of the apprenticeship programme measured in terms of successful completion and progression into a job.

5. ATAs must make themselves aware of and comply with all relevant employment law and regulation including those included in the Employment Agency regulations. ATAs will show they have;

- Clarity on their status in relation to Employment Agency Standards Regulations and the Employment Agency Standards inspectorate.
- Governance structures that will include access to appropriate expert advice.
- Risk strategies that include the position of their apprentices and how they can be best protected.

Section 4. ATA Questions & Answers

Q1. Why Introduce the ATA Recognition Process?

A. The process was introduced to safeguard the quality of apprenticeships delivered under the ATA model. ATAs not operating within the parameters of the ATA Framework have the potential to tarnish the reputation of the ATA model and apprenticeships more widely.

Q2. Who is the Process for?

A. The ATA Recognition Process is for all ATAs operating in England, employing apprentices that live in England.



Colleagues will need to assure themselves that whatever the stage of development the ATA is able to demonstrate that it has the necessary policies, procedures and working practices in place to comply with the ATA Framework.

Q3. Can Skills Funding Agency funded Training Providers/Colleges establish ATAs?

A. Yes, they can but conditions apply:

The training provider/college must establish a separate legal ATA business entity to recruit and employ apprentices with the intention of hiring them out to host employers to support the apprenticeship. The ATA will have the ultimate responsibility for the welfare, health and safety, learning and employment of the apprentice.

Apprentices' wages must not be derived from Skills Funding Agency participation funding. Funding must be used in adherence with the Agency terms and conditions and solely support the delivery of training. ATAs will need to demonstrate where their income is derived from.

Training Providers must comply with the [Skills Funding Agency Funding Rules](#).

Q3.1 What is a Separate Legal Business Entity?

Page 35 of the Funding Rules 2014 to 2015 provides that providers must establish the ATA as a separate business so that apprentices are contracted employees of the ATA. This means that the ATA will have to be a separate legal business entity in order to enter into contracts of employment with apprentices.

In practice this would be:

Separate registration at Companies House or a separate partnership set-up.

The ATA can be a separate subsidiary set up by the parent Provider. They must ensure:



- i. Clear and separate financial management between the Provider and the ATA
- ii. SFA apprenticeship allocations intended for training do not go to pay the wages of apprentices (ATA can clearly demonstrate this)
- iii. HR and other business services can be shared with the parent Provider as they would be in other subsidiaries
- iv. Apprentices are employed by the ATA, not by the Provider
- v. A Provider-led ATA which just has a separate cost code does not constitute a separate legal business entity.

Formal associations with a provider (including ownerships or common Directorship) must be declared at the ATA application stage.

Q5. What percentage of apprentices should be gaining employment?

A. The aspiration is that at least 85% of those apprentices whom complete their full framework go on to secure permanent employment.

Employer hosting arrangements should be viewed as the 'stepping stone' into direct employment for the apprentice. The ATA should ensure host employers are fully aware of this before contracting with them. It is also important that ATAs have procedures in place with the host employers which support and encourage the direct employment of apprentices.

Q5. What are the benefits of becoming a Recognised ATA?

- Recognition that an ATA is providing a quality service.
- Colleges, training providers, can only contract with those ATAs which are Recognised ATAs.
- To use and refer to 'Recognised ATA' in marketing and promotional materials
- ATA organisations will be published on a National Register of Approved ATAs housed on the GOV.UK website and visited by thousands of employers, providers and candidates
- Participate and contribute to research and development on ATAs.



- Receive latest updates regarding ATAs related activities.
- To be part of a wider network of approved ATAs.
- Application/registration is free.

Q6. What if ATAs are not Recognised?

A. Training providers/colleges can only contract with Recognised ATAs to safeguard apprenticeship quality, and the strength and value of the ATA model.

Q7. Can ATAs work with large employers as hosts?

A. Yes, ATAs can operate with all sizes of employer from the public, private and third sectors. However, we encourage all ATAs to work with and support smaller employers to help them hire and employ apprentices in their businesses.

Q8. Who is responsible for up-loading vacancies on Apprenticeship vacancies (Av)?

A. Vacancies must be advertised on Av. The ATA must have systems in place to ensure that vacancies are up-loaded onto the Av system. This usually done by an ATA's chosen provider(s). All advertised vacancies must indicate that the vacancy is provided by an ATA.

Q9. How often will the Register for Approved ATAs be updated on the website?

A. On a monthly basis.

Q10. Are apprenticeship starts recorded differently on the ILR?

If your organisation operates an ATA it is important that your provider(s) complete the ILR correctly;

- by recording the 'host employer' in the location
- the name of the ATA (as the actual employer of the apprentice)
- by entering 130 in the Learning Delivery FAM code to signify that the apprentice is employed by an ATA.

This information will enable the Agency to maintain and report accurate data regarding ATA activity.



Q11. Does an ATA which operates in more than one geographical location need to make additional applications?

A. No, ATAs only need to make one application. However, if an Approved ATA enters into new sectors/frameworks or expands operations into new geographical locations they should inform The Agency. ataapplications@sfa.bis.gov.uk

Q12. What happens once an ATA has Approval?

A. The ATA will have their business name published on the GOV.UK website. The Agency will monitor and review Approved ATAs.

Section 5. Application Process and Guidance

1. The Application

Applicants are asked to complete the full ATA application form, answering all questions in each section. Please note your application will not be assessed if you have not attached the requested agreements and supporting evidence.

Please send the signed application form and supporting evidence, to the following address. Receipt of your applications will be confirmed.

ataapplications@sfa.bis.gov.uk.

2. Panel Meeting

Your application will be reviewed and appraised by a panel of Agency Employer and Delivery Services Managers/staff. You may be asked to provide additional information and evidence prior to the panel meeting if there are specific areas in your application which requires explanation to support the process. You may be asked to attend the panel meeting, if it is necessary to progress your application.

3. The Decision

Following the panel meeting a final decision will be made by a Deputy Director Area and you will receive confirmation as to the outcome of your application. If successful, and your ATA is approved, your organisation will be added to the published Recognised ATA Register.



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If your application is not approved, you will be contacted by the Agency to provide feedback and agree a re-application date (no sooner than 3 months) if appropriate.

4. Registration

Registration lasts for 2 years and is of no cost to your organisation. Your ATA will be listed on the [Recognised ATA Register](#) housed on GOV.UK.

The Agency may ask your ATA to participate in research during your period of registration to further develop the ATA business model. You will also be required to complete and submit a self assessment report, at the request of the Agency.