

# Guidance

## Removal from register of apprenticeship training providers and eligibility to receive public funding to deliver apprenticeship training

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### Introduction

For apprenticeships starting from 1st May 2017, all organisations that want to receive public funding to deliver apprenticeship training, including employers, must meet the requirements of the [register of apprenticeship training providers \(the register\)](#).

Organisations on the register went through an application process with the ESFA that involved due diligence on capability, quality and financial health to assess their capability to deliver high quality apprenticeships training and fitness to receive public funding.

To enter the register, organisations must accept certain conditions when applying. These conditions ensure that public funding and apprentice needs are protected. The conditions set out the circumstances that may lead to removal of an organisation from the register, and an organisation's ability to receive public funding to deliver apprenticeship training.

The approach outlined for providers delivering apprenticeship training, and rated as 'inadequate' by Ofsted, supersedes the [intervention](#) and accountability approach for all apprenticeship funding. Any non-apprenticeship funding for education and skills is subject to the current [intervention and accountability approach](#).

The approach outlined here focuses on the condition relating to Ofsted inspections and the action we will take from 14 April 2020 if an organisation on the register no longer meets this condition.

### Inadequate Ofsted grade

Organisations graded as inadequate by Ofsted for "apprenticeships" (or inadequate for "overall effectiveness" under its FE and skills remit where there is no separate apprenticeship grade) are ineligible to apply to the register. In line with the conditions of acceptance that an organisation signed on joining the register, when Ofsted inspects an organisation on the register, and the grades are as described above, the Education and Skills Funding Agency (ESFA) will remove that organisation from the register.

We will write to the affected organisation following publication of the relevant Ofsted report advising that:

- they are being given 5 working days' notice of their removal from the register of apprenticeship training providers
- they must not start any new apprentices
- they can continue to deliver training to existing apprentices if employers want to continue working with them

If an organisation is not listed on the register, but is completing the delivery of apprenticeships that started before May 2017, we will write to them to advise that they can continue to deliver training to existing apprentices if employers want to continue working with them.

After we have contacted the provider, providers will contact each existing apprentice's employer. Each employer can choose to allow their apprentices to remain with the organisation until their apprenticeship is complete, or they can select a different provider. Where the organisation is also the employer of the apprentices, they can choose to continue to deliver training to these apprentices, or can transfer them to another provider. We will help employers to transfer their apprentices where they want this to happen.

We will look at the planned end date of training for each apprentice that remains with the organisation to determine the final date that the organisation's apprenticeship funding will end.

If Ofsted has raised concerns about safeguarding in an inspection report, and identified a significant risk to apprentices, we reserve the right to remove an organisation from the register and stop all current and future apprenticeship delivery, requiring employers to move all apprentices to other providers.

All organisations delivering apprenticeship training who are in scope for inspection by Ofsted will be subject to this policy, irrespective of the type of organisation they are. These actions apply irrespective of whether an organisation is delivering apprenticeship training for levy paying employers or for those who do not pay the levy.

### Re-inspection by Ofsted

Before being able to re-apply to the register, organisations must normally wait until at least 3 years from:

- the date of the original full inspection where they were graded inadequate
- the date of the second consecutive monitoring visit at which they were judged to have made 'insufficient' progress (as described below) or
- from the monitoring visit at which a significant risk to apprentices has been found to exist

This reflects the register's [published eligibility criteria](#).

Organisations removed from the register will not normally have their apprenticeship provision re-inspected by Ofsted. In the event an organisation's other FE and Skills provision is re-inspected, they can re-apply to the register if their grades mean that they become eligible to do so. If this applies to your organisation, email [RoATP.MAILBOX@education.gov.uk](mailto:RoATP.MAILBOX@education.gov.uk). If the application is successful, ESFA will add the organisation to the register.

### Ofsted new provider monitoring visits

Ofsted is carrying out a programme of monitoring visits to new apprenticeship training providers. When Ofsted has published a monitoring visit report that finds that 'insufficient progress' has been made under one or more of the themes assessed, then unless the ESFA identifies an exceptional extenuating circumstance, it will write advising that, with immediate effect, the organisation:

- must not start any new apprentices
- can continue to deliver training to existing apprentices but must inform all of the existing employers they are working with, and providers they operate as a sub-contractor to, about the Ofsted monitoring visit report
- is prevented from working with new apprentices via an existing subcontracting arrangement or entering into a new subcontracting arrangement with another main provider or employer-provider on the register

ESFA will not remove the affected organisation from the register.

If Ofsted has raised concerns about safeguarding in a monitoring visit report to a new provider, and identified a significant risk to apprentices, the ESFA reserves the right to remove an organisation from the register and stop all current and future apprenticeship delivery. This would require employers to move all apprentices to other providers.

Where the training provider has been informed they must not start any new apprentices, they will be unable to recruit any new apprentices until either:

- Ofsted has undertaken a full inspection and the assessment grade for that inspection, is at least 'requires improvement' for "apprenticeships" [or for "overall effectiveness" under its FE and skills remit where there is no separate apprenticeships grade]
- Ofsted has undertaken a subsequent monitoring visit and the training provider is making reasonable or significant progress in all 3 themes

Ofsted usually do a full inspection within 2 years following a new provider monitoring visit. This will normally be sooner if any of the 3 themes were judged to be making 'insufficient progress'.

Monitoring visits may replace full inspections if:

- the number of apprentices is too low for Ofsted to sufficiently undertake a full inspection
- Ofsted consider it appropriate during the interim return to inspection period from September 2020

Ofsted intend to resume full inspections, which were paused due to Coronavirus (COVID-19), in January 2021, but are keeping the exact timing under review.

Further details on Ofsted's phased return to inspection for further education and skills providers can be found in [Education plans from September 2020](#).

Ofsted will judge the same 3 themes that they looked at during the first monitoring visit. Find out more in [Ofsted's further education and skills inspection handbook](#).

Where Ofsted have undertaken a monitoring visit instead of a full inspection, ESFA will normally remove from the register any organisation with two consecutive 'insufficient' progress judgements. This applies regardless of the theme(s) deemed to be making 'insufficient' progress, and whether it is the same theme(s) at both monitoring visits.

We will write to the affected organisation following publication of the relevant Ofsted report advising that they:

- are being given 5 working days' notice of their removal from the register of apprenticeship training providers
- must not start any new apprentices
- can continue to deliver training to existing apprentices if employers want to continue working with them

After we have contacted the provider, providers will contact each existing apprentice's employer. Each employer can choose to allow their apprentices to remain with the organisation until their apprenticeship is complete, or they can select a different provider.

Where the organisation is also the employer of the apprentices, they can choose to continue to deliver training to these apprentices, or can transfer them to another provider. We will help employers to transfer their apprentices where they want this to happen.

We will look at the planned end date of training for each apprentice that remains with the organisation to determine the final date that the organisation's apprenticeship funding will end.

In some circumstances, due to the training provider having very low or no apprentices on programme, Ofsted will be unable to undertake either a full inspection or monitoring visit because it will not be possible for the inspector to gather sufficient evidence for either a full inspection or a monitoring visit to be completed.

Where, for example, the training provider has no apprentices on programme, the training provider will, through existing processes, be removed from the register if they do not directly deliver apprenticeship training within a 12 month period. Organisations will need to wait at least 18 months from the date of the monitoring visit report at which they were judged to have made 'insufficient' progress before re-applying to the register.

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