Providing apprenticeships during the coronavirus (COVID-19) outbreak

Updated 30 November 2020

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Updates

We have added information about managing national and local restrictions, and about how we are supporting apprenticeships in the hospitality sector, and we have updated the guidance on apprenticeship pay and expenses during breaks in learning and apprenticeship end-point assessment.

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Disruption to employment

Where apprentices are on furlough or working under the Job Support Scheme (JSS), they are protected by contract law and employers who have been training provider can continue to deliver this.

Where apprentices are furloughed or paused (not on furlough), or where the employer is not using the JSS, training providers can continue to support apprenticeships. The apprentice, employer and training provider should consider how training can be delivered remotely, or how it can be paused.

Where apprentices are made redundant, it is our ambition that they will be supported to find another apprenticeship with a new employer opportunities as quickly as possible and within 12 weeks.

Apprenticeship funding rules provide provision for apprentices who are made redundant so that, otherwise possible, they can continue their apprenticeship with a new employer. See the ESFA funding rules for apprenticeships 2020 to 2021 and the ESFA funding rules for new apprenticeships 2019 to 2021 for the relevant rules.

Where a training provider is unable to do the main provider must support the apprentice to find another training provider and ensure apprenticeship and apprentices are made redundant (e.g. because a large employer faces insolvency), the ESFA will work with training providers, employers, apprentices, apprentices and training providers to secure alternative employers for the individuals.

Apprentices on furlough

The Coronavirus Job Retention Scheme (CJRS) allows employers to claim for 80% of their employees' wages, up to a maximum of £2,500 per month, including employer costs, up to £10,000 per month. Employers will cover employer National Insurance contributions and minimum automatic enrolment employer pension contributions on furlough.

The Chancellor has been clear that getting people back to work will be important. The Job Support Scheme (JSS) will be a new UK-wide scheme to protect employees who are not furloughed and who are working less, by sharing the costs of their wages for the hours they do not work. The Government will cover one-third of their wages, up to a maximum of £1,875 per month.

The Coronavirus Job Retention Scheme (CJRS) will close on 31 March 2021. Information about the extension can be found in the extension to the Coronavirus Job Retention Scheme guidance. The Job Support Scheme (JSS) is open, 2021, employees will receive 80% of their wages, up to a maximum of £2,500 per month, for 3 months, starting in December and October. Employers will contribute to the cost of the JSS, for the hours their staff are working, employer is up to a maximum of £1,875 per month.

For additional information on the Coronavirus Job Retention Scheme please contact 0300 322 7033 or the Coronavirus Helpline guidance.

Redundant apprentices

The existing policy on enabling redundant apprentices to complete their apprenticeship by transfer to another employer and training provider remains and we at least 75% of their way through their apportionality at the point of redundancy. Information on the ESFA funding rules for apprenticeships 2019 to 2021 provide.

We've also updated our apprenticeship funding rules to ask that providers make – record of apprentices who are furloughed and support to redundant first-time employment where an apprentice is withdrawn because they have been unable to find a new employer.

Support for apprentices

Where an apprentice is made redundant, but wishes to continue with their apprenticeship and successfully complete the end-point assessment, the training provider should support the apprentice to find another employer and to continue training and to be ready for the end-point assessment.

Apprentice circumstances

Apprentices who are furloughed or on other ‘ HLwork 2020 but before 31 October 2020 and, on the day of dismissal, was within 6 months of the first day of training.

Funding support

We will fund 100% of the remaining costs of the price negotiated between the main provider and the previous employer, up to the funding band maximum.

Within this 6-month period:

- if the apprentice finds a new employer where they can complete their apprenticeship, the new employer assumes outstanding liabilities and benefits from that point
- if the apprentice takes a job with an employer which is not related to the apprenticeship, we will continue to fund the remaining costs

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- if a new employer is not found within 12 weeks, the apprentice is withdrawn from the programme. If a new employer is found within 12 weeks, the apprentice will be eligible for the 12-month incentive duration

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Funding support

We will fund 100% of the remaining costs of the price negotiated between the main provider and the previous employer for a maximum of 12 weeks.

Within this 12-week period:

- if the apprentice finds a new employer where they can complete their apprenticeship, the new employer assumes outstanding liabilities and benefits from that point
- if the apprentice takes a job with an employer which is not related to the apprenticeship, we will continue to fund the remaining costs for 12 weeks
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Employer providers can use redundancy to support the ESFA funding rules as apprentice redundant, that apprentices can continue to be trained by them, even if they don't find a new employer.

Universal Credit for apprentices

To further support apprentices and employers, the Department for Work and Pensions (DWP) have advised that where an apprentice has been made redundant, they may be able to claim Universal Credit. Apprentices who are furloughed or on other ‘ HLwork 2020 may also be able to claim Universal Credit. Apprentices who are furloughed or on other ‘ HLwork 2020 may also be able to claim Universal Credit. Apprentices who are furloughed or on other ‘ HLwork 2020 may also be able to claim Universal Credit for work and doing this alongside their study.

Where study is work-related this may be accepted as work preparation activity and be supported by Universal Credit.

This is normally not expected to be more than 16 hours a week, although more hours may be allowed if the study is part time. There are other eligibility requirements to be established by the Jobcentre Plus, apprentices will need to discuss their particular circumstances with their coach.

Apprentices on furlough

Where an 18 year old redundant apprentice, who is training at level 2 or below, is furloughed or on other ‘ HLwork 2020 may also be able to claim Universal Credit. Apprentices who are furloughed or on other ‘ HLwork 2020 may also be able to claim Universal Credit for work and doing this alongside their study.

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Apprenticeships are on furlough

16 Can training continue for furloughed apprentices?

Yes, where apprentices are furloughed, they can continue to train for their apprenticeship or undertake other training and development as agreed between employer and provider.

Training can continue to do off-the-job training, can this be more than 20% the same?

Yes. The normal off-the-job training rules will apply, so the length of the apprenticeship, or, in exceptional circumstances, the proportion of the duration of training or more evenly spaced training. Training providers should factor this in when planning training and delivery to ensure apprentices are supported.

19 Will employers and training providers need to revise the price of the apprenticeship to reflect the impact of furlough?

The price of an apprenticeship is agreed between the employer and training provider, if any material changes to price occur the agreed delivery method that may result in a change in price, then it should be discussed and amended.

We accept that this might be challenging in the current environment, and so we will be flexible in our approach to monitoring. Training providers and employers may not be able to meet their contractual obligations, but we would expect to ensure that they are claiming for the actual costs incurred throughout the apprenticeship and that they are not profiting from it.

19 Will apprentices who have been unable to return to England, due to the furlough, have access to the 16-19 apprenticeship bonus payment?

No. Although the furlough rules mean an apprentice is cared at (and 50% of their salary is paid) by their employer, they are still employed by their employer. Apprentices who have been furloughed and can now return to work from a furlough outside of England. When an apprentice is spending more than 50% of their time in England, they will be eligible for the 16-19 apprenticeship bonus payment to continuing (COVID-19) they will remain eligible for support.

Apprentices who are on furlough

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20 How will employers know if they need to top up an employee's wages to the furlough level, if the apprentice is furloughed part-time?

Part-time furlough is a complicated case for furlough calculations, at the request of the employer, they are entitled to be paid at their apprentice national minimum wage rate for the hours they are not furloughed. Employers should contact their payroll provider or HMRC for further information and guidance on furlough calculations and therefore must be paid at the appropriate rate, taking into account the hours they are furloughed and the hours they are not.

From 1 August 2020, the amount of grant claimed back from furlough, along with other wages, will be reduced by employer contributions and national insurance payments. Employers will need to top up their payroll to the furlough level, if the scheme is in place, to ensure the apprentice receives the furlough payment. Refer to the Retention scheme guidance.

Apprentices will need to top up percentage towards the salaries of their furloughed staff. The employer payments will subsidise the contributions for furloughed staff, employers will need to top up their payroll to the furlough level, if the scheme is in place.

When calculating whether they need to top up an apprentice wage, employers should take into account the hours the apprentice is furloughed for and the hours they are not furloughed. Employers should contact their payroll provider to ensure that the furlough payment provides sufficient monies to cover these training hours.

Where the entire furlough payment equates to less than the appropriate minimum wage for the hours the apprentice is not furloughed, employers should top up their payroll to the furlough level, if the scheme is in place and the appropriate minimum wage is paid for the training hours.

Our workers' compensation, sick pay and furlough payments, the minimum wage payment equates to less than the appropriate minimum wage for the training hours.

Example 1:

Employee A is employed on a 37 hours per week contract and has been furloughed. Their furlough payment is £1,000 (£250 per week for 4 weeks).

In terms of the National Minimum Wage (NMW) regulations they are entitled to £6.19 for every hour they work. (Note that the NMW legislation does not use a 'pro rata' approach to part time workers, the NMW is payable for all hours worked, whether full time or part time). Employee A's NMW entitlement is £229.00 (£6.19 x 37 hours).

The NMW/NLW payment that they have received from their employer is £250. The furlough payment provides sufficient monies to cover the training hours.

Since September 2020, where the level of grant from the government has been reduced to 66% the employer must subscribe the contribution the government would have made, in the 66% of their salary, up to 5.2% of a 37 hours per week, for 4 weeks. This is in addition to the £4.94.

Example 2:

Employee B is employed on a 37 hours per week contract and has been furloughed. They have agreed, with their employer and provider, to take 12 hours off furlough to undertake training. Their furlough payment is £1,000 (£250 per week for 4 weeks).

In terms of the NMW regulations they are entitled to £6.19 for every hour they work. (Note that the NMW legislation does not use a 'pro rata' approach to part time workers, the NMW is payable for all hours worked, whether full time or part time).

Employee B's NMW entitlement is £229.00 (£6.19 x 37 hours).

The NMW/NLW payment that they have received from their employer is £250. The furlough payment provides sufficient monies to cover the training hours.

Since September 2020, where the level of grant from the government has been reduced to 66% the employer must subscribe the contribution the government would have made, in the 66% of their salary, up to 5.2% of a 37 hours per week, for 4 weeks. This is in addition to the £4.94.

21 Are apprentices on furlough who are working (for example, a bank) to access apprenticeship training?

Yes, a work bank can be used to access apprenticeship training if this is agreed by the employer, provider and apprentice. Training can be delivered remotely and should take place during normal working hours.

23b Can an apprentice on furlough (when in its (without training (on) it) work related training (in discussion of the) (furlough)?

Apprentices who are continuing to train for their apprenticeships must not undertake work while furloughed. Training providers should work with employers and apprentices to ensure that training is delivered remotely and that it is not conducted during working hours.

Apprentices who are made redundant

24 What happens to an apprenticeship when an apprentice is made redundant?

Apprentices should expect to be offered new training and work-based learning as their apprenticeship training may be able to continue.

Training providers may offer to offer training, remotely based on an apprentice's circumstances, in the short term. They should also be able to support them in finding a new employer.

If that move becomes permanent, apprentices should be able to support them in finding a new employer. Refer to the guidance on apprentices who are made redundant and their training.

25 Will apprentices who would, if not for the outcome, have started with the employer, be able to start their apprenticeship with the employer, if they are being furloughed?

Yes. Although the furlough rules stop an apprentice to have a 30-day break between employer and provider, that is not permitted to start working for and training with the employer, if they are furloughed. Apprentices will have not been permitted to start working for and training with the employer, if they are furloughed. Training providers should work with the employer within 30 days of being furloughed, to ensure that apprentices can start 30 days between employers due to coronavirus (COVID-19) they will remain eligible for support or other help.

Apprentices who are on unpaid leave

26 What happens to an apprenticeship if an employer is asking an apprentice to take a period of unpaid leave?

Many employers who had planned to use redundancies to lose staff have now been able to furlough their staff and retain their skills and knowledge. Furlough is a key role that employers can use to retain their staff and their skills. Furlough was seen as the PAYE payroll or a better 18 March 2020. Therefore, it would not be appropriate for an employer to furlough their staff and then ask them to take unpaid leave. Training providers should be aware of the rules and guidance on the CJRS.

28b Can an existing member of staff start an apprenticeship whilst they are furloughed?

Yes, a furloughed member of staff can start an apprenticeship, but they must not undertake work while furloughed. Training providers should work with the apprenticeship funding rules. For example, the apprenticeship must last for a minimum duration of 12 months, with a minimum 20% off-the-job training requirement (the duration is become occupationally competent). With regards to learner assessment, the training provider should be satisfied that the learner is fit for the training and eligible for a full apprenticeship and that the learner is not being exploited.

30a As the evidence arrangements around obtaining apprentice signatures being relaxed during coronavirus (COVID-19)?

After starting a new apprenticeship and throughout training, signatures are required from the employer, apprentice and training provider where the funding rules ask for evidence of signatures to be retained are:

- the apprenticeship agreement
- the commitment statement
- individual learning plans
- evidence linking to additional payments such as additional learning support and English and maths
- contracts for services
- agreements that an apprentice has passed a gateway requirements.

Providers may use the following methods to obtain signatures from employers and apprentices, they have to ensure they have working processes in place to ensure they are secure and auditable.

Where a provider has to be flexible in their approach to obtain signatures due to capture an apprentice or employer signature, their under normal circumstances, they will need to be able to show that they have taken all reasonable steps and that signature is unable to be obtained through other means.

It is recognised that training providers delivering training and/or recruiting apprentices during the coronavirus (COVID-19) pandemic may face some difficulty in obtaining apprentice and employer wet signatures. Therefore, providers may use the following methods to obtain signatures from employers and apprentices, ensuring they have in place robust processes in place and we allow confirmation evidence to be obtained through email.

- an email from the apprentice and employer's email address with details of agreement
- an email from the apprentice and employer's email address with details of the confirmation and their typed name at the end of the message
- a signed document attached to an email from the apprentice and/or employer
- a signature on a contemporaneous digital document shared with the apprentice to an email from the apprentice and/or employer

We are allowing training providers to use this type of electronic confirmation during the period of restrictions due to coronavirus (COVID-19) only where it is not possible to obtain a wet signature. We will review this at the end of the coronavirus restrictions period. We will review the evidence collected during the coronavirus (COVID-19) restrictions and offer feedback.

Following the period of coronavirus (COVID-19) restrictions, training providers should be able to show that they have taken all reasonable steps to obtain wet signatures or retrospectively obtain wet signatures to record documentation. Training providers must be able to show that they have taken all reasonable steps to obtain wet signatures during the coronavirus (COVID-19) restrictions in genuine and realistic, and the evidence is retained for audit purposes.

Apprenticeship levy and service frequently asked questions

The apprenticeship levy

31 Will levy payments be paused for employers?

The apprenticeship levy is an important part of our aim to raise apprenticeship quality which supports employers to make long-term, sustainable investment in their workforce. We will keep the levy under review in light of the impact of coronavirus (COVID-19) on employers and the apprenticeship training market.

The Chancellor has set out an unprecedented package of support for businesses and employers and stands ready to announce further action as necessary.

31 Will we be exempt from the apprenticeship levy if we furlough our staff?

Employers already (on 19 months in which to spend their levy funds before they expire. For any employer who furloughed staff, we will review our arrangements.

32 Why are levy funds be used to continue to pay the employer even though they can't deliver training? This will help them cope with the financial impact of coronavirus (COVID-19).

When training cannot be delivered, we want employers to be able to pay and a break in learning. When on a break in learning the individual will still be employed by their employer and will be furloughed if eligible. Refer to the furlough guidance for employers.

Where the coronavirus (COVID-19) outbreak means training will continue and the end-of-apprenticeship assessment will be delayed, apprentices could face their eligibility and apply for the wage of financial support that HM Treasury announced on Wednesday 18 March 2020. Refer to the guidance for employers and providers on how to deliver apprenticeships during coronavirus (COVID-19).

34 Can non-levy employers still reserve funds on the system?

Employers who are not paying the apprenticeship levy will have to reserve apprenticeship funding through the apprenticeship service in line with the apprenticeship funding rules. Refer to the guidance on how to reserve funds.

35 What happens to funding reservations if an apprentice can't start?

Reservations will expire if they are not used within the specified timeframe (3 months of the apprenticeship start date, detailed in the reservation. Where a reservation has expired, employers can create a new reservation.

36 Can the CPD complaintant process be paused temporarily while we are dealing with the coronavirus (COVID-19) pandemic and apprentices face challenges faced by training providers?

Government policy has been paused for service in absence of delivery. The government has set out a substantial package of support to businesses and employers to help them through the coronavirus (COVID-19) pandemic. Read about the support for employers and training providers during coronavirus (COVID-19).

Employers can continue using the 'on' or 'pause' apprenticeship facility in the apprenticeship service.

In circumstances related to coronavirus (COVID-19), employers should use the 'pause' function to temporarily stop training and payments. Pause function when they are certain that training will not resume at any point.

Using 'pause' will prevent training providers from claiming for apprentices and apprentice to require the apprenticeship at a later date. We are reviewing our policy on the use of the 'pause' function in the apprenticeship service including its facility to transfer to a different apprenticeship or employer in due course.

Apprenticeship assessment frequently asked questions

End point assessment (EPA)

36b An apprentice is on a Beltmen contract (other) which employers pay for and training is being delivered by a training provider. The training provider delayed end-of-gate has completed the training but cannot book the end-point assessment because the employer has not paid the invoice.

Apprentices must be employed when they are taking their EPA, so where a training provider has completed training and an apprentice is ready to take their apprenticeship but is more back, they should speak to their employer and training provider to ensure that the apprentice can complete their EPA. Training providers should be able to provide evidence to support the apprenticeship apprentices and commitment statements. We advise they order review the evidence and make a decision.

38 What will happen if an apprentice is not well enough to take their EPA?

Apprentices who are ill or self-isolating should not be required to take their EPA. Many apprentices will be able to continue their training and be able to allow them maximum time to be scheduled.

40 Can apprentices on furlough take their end-point assessment?

Yes, where apprentices are furloughed, they can still take their EPA providing they meet the conditions set out in the guidance.

41 Gateways are being delayed and the EPA cannot be completed in the 12 months after the end of the apprenticeship, what should we do?

Apprentices who are deemed ready for assessment and cannot be assessed due to coronavirus (COVID-19) restrictions should be assessed at least 3 days before taking their EPA and for the EPA to be rescheduled.

If the EPA materials are not available, apprentices should be deemed to the assessment plan (where specified). EPAOs are responsible for agreeing assessment plans with employers and training providers. EPAOs should work closely with training providers to ensure that plans are fit for purpose. For apprentices whose gateway is being delayed, the training provider must continue to support the apprentice to be ready for gateway.

42 Where the EPA plan requires a practical assessment, what should happen if a face-to-f coronavirus (COVID-19) restrictions, can they be conducted remotely?

Where an assessment method requires face-to-face engagement, this can be conducted remotely if it is possible to do so and:

- arrangements are clearly described by the EPA provider
- the apprentice's identity is verified
- contacts such as a supervisor or apprenticeship coordinator or someone who has the necessary qualifications, training or experience and who is not a relative or friend can be used to support the assessment process
- appropriate technology and systems are in place
- the assessor is satisfied that the assessment process is to be conducted in a way consistent with the assessment plan and standard and is fair and transparent
- the assessor is satisfied that an appropriate, a pause and rescheduling might be the way out.

An extension of 12 weeks is allowed for those EPA plans where a time-limit is specified. Apprentices who are ill or self-isolating should not be required to take EPA.

43 What will happen if an apprentice's line manager has been furloughed and they are the only person who can sign off the EPA?

If the person who would normally sign an apprentice off is ready to take the EPA, has been furloughed and is ready, they should contact the support training providers to make the gateway decision. This temporary arrangement should last for the period of the coronavirus (COVID-19) pandemic. Ensure that the decision maker is not furloughed and is able to be contacted and is ready to sign off the EPA. Where this is not the case the EPA should be rescheduled.

44 Can apprentices who are furloughed take part in an end-point assessment?

EPA off the current start continues for a compared of time, would you consider this to be appropriate at the current time. Our intention is to continue to support apprenticeships during this period. We will review the EPA on an individual basis.

EPA providers have specified flexibilities which apply for more than 100 standards from Actuarial Technician to Senior Leader. Refer to the Apprenticeship Tracker. These flexibilities have the potential to allow thousands of apprentices to complete their EPA and achieve their apprenticeship.

45 How are EPA organisations ensuring the quality of assessments?

EPAOs are an important element to delivering quality apprenticeships. In order to support them and their independence, the Institute and Apprenticeships have asked and grant organisations to complete a weekly return to ESFA recording information about their EPA activity and performance.

We can track organisations on the register of EPAOs a copy of the template they have completed, and we will use this information to inform our assurance. This information will help us to understand the impact of coronavirus (COVID-19) on EPA and to support EPAOs.

47 Do we approve all the EPAOs but some sectors require direct prioritisation. How do we make those assessments?

These elements of the EPA will need to be rescheduled if they cannot be undertaken timely. If the EPA plan specifies a time-limit, a pause and rescheduled is allowed in the assessment plan, the EPAO should seek agreement from the Institute.

48 Can apprentices who are furloughed take part in an end-point assessment?

Yes, where apprentices are furloughed, they can continue to train for their apprenticeship or undertake other training and development as agreed between employer and provider.

Training can continue to do off-the-job training, can this be more than 20% the same?

Yes. The normal off-the-job training rules will apply, so the length of the apprenticeship, or, in exceptional circumstances, the proportion of the duration of training or more evenly spaced training. Training providers should factor this in when planning training and delivery to ensure apprentices are supported.

19 Will employers and training providers need to revise the price of the apprenticeship to reflect the impact of furlough?

The price of an apprenticeship is agreed between the employer and training provider, if any material changes to price occur the agreed delivery method that may result in a change in price, then it should be discussed and amended.

We accept that this might be challenging in the current environment, and so we will be flexible in our approach to monitoring. Training providers and employers may not be able to meet their contractual obligations, but we would expect to ensure that they are claiming for the actual costs incurred throughout the apprenticeship and that they are not profiting from it.

19 Will apprentices who have been unable to return to England, due to the furlough, have access to the 16-19 apprenticeship bonus payment to continuing (COVID-19)?

No. Although the furlough rules mean an apprentice is cared at (and 50% of their salary is paid) by their employer, they are still employed by their employer. Apprentices who have been furloughed and can now return to work from a furlough outside of England. When an apprentice is spending more than 50% of their time in England, they will be eligible for the 16-19 apprenticeship bonus payment to continuing (COVID-19) they will remain eligible for support.

20 How will employers know if they need to top up an employee's wages to the furlough level, if the apprentice is furloughed part-time?

Part-time furlough is a complicated case for furlough calculations, at the request of the employer, they are entitled to be paid at their apprentice national minimum wage rate for the hours they are not furloughed. Employers should contact their payroll provider or HMRC for further information and guidance on furlough calculations and therefore must be paid at the appropriate rate, taking into account the hours they are furloughed and the hours they are not.

From 1 August 2020, the amount of grant claimed back from furlough, along with other wages, will be reduced by employer contributions and national insurance payments. Employers will need to top up their payroll to the furlough level, if the scheme is in place, to ensure the apprentice receives the furlough payment. Refer to the Retention scheme guidance.

Apprentices will need to top up percentage towards the salaries of their furloughed staff. The employer payments will subsidise the contributions for furloughed staff, employers will need to top up their payroll to the furlough level, if the scheme is in place.

When calculating whether they need to top up an apprentice wage, employers should take into account the hours the apprentice is furloughed for and the hours they are not furloughed. Employers should contact their payroll provider to ensure that the furlough payment provides sufficient monies to cover these training hours.

Where the entire furlough payment equates to less than the appropriate minimum wage for the hours the apprentice is not furloughed, employers should top up their payroll to the furlough level, if the scheme is in place and the appropriate minimum wage is paid for the training hours.

Our workers' compensation, sick pay and furlough payments, the minimum wage payment equates to less than the appropriate minimum wage for the training hours.

Example 1:

Employee A is employed on a 37 hours per week contract and has been furloughed. Their furlough payment is £1,000 (£250 per week for 4 weeks).

In terms of the National Minimum Wage (NMW) regulations they are entitled to £6.19 for every hour they work. (Note that the NMW legislation does not use a 'pro rata' approach to part time workers, the NMW is payable for all hours worked, whether full time or part time). Employee A's NMW entitlement is £229.00 (£6.19 x 37 hours).

The NMW/NLW payment that they have received from their employer is £250. The furlough payment provides sufficient monies to cover the training hours.

Since September 2020, where the level of grant from the government has been reduced to 66% the employer must subscribe the contribution the government would have made, in the 66% of their salary, up to 5.2% of a 37 hours per week, for 4 weeks. This is in addition to the £4.94.

Example 2:

Employee B is employed on a 37 hours per week contract and has been furloughed. They have agreed, with their employer and provider, to take 12 hours off furlough to undertake training. Their furlough payment is £1,000 (£250 per week for 4 weeks).

In terms of the NMW regulations they are entitled to £6.19 for every hour they work. (Note that the NMW legislation does not use a 'pro rata' approach to part time workers, the NMW is payable for all hours worked, whether full time or part time).

Employee B's NMW entitlement is £229.00 (£6.19 x 37 hours).

The NMW/NLW payment that they received from their employer is £250. The furlough payment provides sufficient monies to cover the training hours.

Since September 2020, where the level of grant from the government has been reduced to 66% the employer must subscribe the contribution the government would have made, in the 66% of their salary, up to 5.2% of a 37 hours per week, for 4 weeks. This is in addition to the £4.94.

21 Are apprentices on furlough who are working (for example, a bank) to access apprenticeship training?

Yes, a work bank can be used to access apprenticeship training if this is agreed by the employer, provider and apprentice. Training can be delivered remotely and should take place during normal working hours.

23b Can an apprentice on furlough (when in its (without training (on) it) work related training (in discussion of the) (furlough)?

Apprentices who are continuing to train for their apprenticeships must not undertake work while furloughed. Training providers should work with employers and apprentices to ensure that training is delivered remotely and that it is not conducted during working hours.

Apprentices who are made redundant

24 What happens to an apprenticeship when an apprentice is made redundant?

Apprentices should expect to be offered new training and work-based learning as their apprenticeship training may be able to continue.

Training providers may offer to offer training, remotely based on an apprentice's circumstances, in the short term. They should also be able to support them in finding a new employer.

If that move becomes permanent, apprentices should be able to support them in finding a new employer. Refer to the guidance on apprentices who are made redundant and their training.

25 Will apprentices who would, if not for the outcome, have started with the employer, be able to start their apprenticeship with the employer, if they are being furloughed?

Yes. Although the furlough rules stop an apprentice to have a 30-day break between employer and provider, that is not permitted to start working for and training with the employer, if they are furloughed. Apprentices will have not been permitted to start working for and training with the employer, if they are furloughed. Training providers should work with the employer within 30 days of being furloughed, to ensure that apprentices can start 30 days between employers due to coronavirus (COVID-19) they will remain eligible for support or other help.

Apprentices who are on unpaid leave

26 What happens to an apprenticeship if an employer is asking an apprentice to take a period of unpaid leave?

Many employers who had planned to use redundancies to lose staff have now been able to furlough their staff and retain their skills and knowledge. Furlough is a key role that employers can use to retain their staff and their skills. Furlough was seen as the PAYE payroll or a better 18 March 2020. Therefore, it would not be appropriate for an employer to furlough their staff and then ask them to take unpaid leave. Training providers should be aware of the rules and guidance on the CJRS.

28b Can an existing member of staff start an apprenticeship whilst they are furloughed?

Yes, a furloughed member of staff can start an apprenticeship, but they must not undertake work while furloughed. Training providers should work with the apprenticeship funding rules. For example, the apprenticeship must last for a minimum duration of 12 months, with a minimum 20% off-the-job training requirement (the duration is become occupationally competent). With regards to learner assessment, the training provider should be satisfied that the learner is fit for the training and eligible for a full apprenticeship and that the learner is not being exploited.

30a As the evidence arrangements around obtaining apprentice signatures being relaxed during coronavirus (COVID-19)?

After starting a new apprenticeship and throughout training, signatures are required from the employer, apprentice and training provider where the funding rules ask for evidence of signatures to be retained are:

- the apprenticeship agreement
- the commitment statement
- individual learning plans
- evidence linking to additional payments such as additional learning support and English and maths
- contracts for services
- agreements that an apprentice has passed a gateway requirements.

Providers may use the following methods to obtain signatures from employers and apprentices, they have to ensure they have working processes in place to ensure they are secure and auditable.

Where a provider has to be flexible in their approach to obtain signatures due to capture an apprentice or employer signature, their under normal circumstances, they will need to be able to show that they have taken all reasonable steps and that signature is unable to be obtained through other means.

It is recognised that training providers delivering training and/or recruiting apprentices during the coronavirus (COVID-19) pandemic may face some difficulty in obtaining apprentice and employer wet signatures. Therefore, providers may use the following methods to obtain signatures from employers and apprentices, ensuring they have in place robust processes in place and we allow confirmation evidence to be obtained through email.

- an email from the apprentice and employer's email address with details of agreement
- an email from the apprentice and employer's email address with details of the confirmation and their typed name at the end of the message
- a signed document attached to an email from the apprentice and/or employer
- a signature on a contemporaneous digital document shared with the apprentice to an email from the apprentice and/or employer

We are allowing training providers to use this type of electronic confirmation during the period of restrictions due to coronavirus (COVID-19) only where it is not possible to obtain a wet signature. We will review this at the end of the coronavirus restrictions period. We will review the evidence collected during the coronavirus (COVID-19) restrictions and offer feedback.

Following the period of coronavirus (COVID-19) restrictions, training providers should be able to show that they have taken all reasonable steps to obtain wet signatures or retrospectively obtain wet signatures to record documentation. Training providers must be able to show that they have taken all reasonable steps to obtain wet signatures during the coronavirus (COVID-19) restrictions in genuine and realistic, and the evidence is retained for audit purposes.

Apprenticeship levy and service frequently asked questions

The apprenticeship levy

31 Will levy payments be paused for employers?

The apprenticeship levy is an important part of our aim to raise apprenticeship quality which supports employers to make long-term, sustainable investment in their workforce. We will keep the levy under review in light of the impact of coronavirus (COVID-19) on employers and the apprenticeship training market.

The Chancellor has set out an unprecedented package of support for businesses and employers and stands ready to announce further action as necessary.

31 Will we be exempt from the apprenticeship levy if we furlough our staff?

Employers already (on 19 months in which to spend their levy funds before they expire. For any employer who furloughed staff, we will review our arrangements.

32 Why are levy funds be used to continue to pay the employer even though they can't deliver training? This will help them cope with the financial impact of coronavirus (COVID-19).

When training cannot be delivered, we want employers to be able to pay and a break in learning. When on a break in learning the individual will still be employed by their employer and will be furloughed if eligible. Refer to the furlough guidance for employers.

Where the coronavirus (COVID-19) outbreak means training will continue and the end-of-apprenticeship assessment will be delayed, apprentices could face their eligibility and apply for the wage of financial support that HM Treasury announced on Wednesday 18 March 2020. Refer to the guidance for employers and providers on how to deliver apprenticeships during coronavirus (COVID-19).

34 Can non-levy employers still reserve funds on the system?

Employers who are not paying the apprenticeship levy will have to reserve apprenticeship funding through the apprenticeship service in line with the apprenticeship funding rules. Refer to the guidance on how to reserve funds.

35 What happens to funding reservations if an apprentice can't start?

Reservations will expire if they are not used within the specified timeframe (3 months of the apprenticeship start date, detailed in the reservation. Where a reservation has expired, employers can create a new reservation.

36 Can the CPD complaintant process be paused temporarily while we are dealing with the coronavirus (COVID-19) pandemic and apprentices face challenges faced by training providers?

Government policy has been paused for service in absence of delivery. The government has set out a substantial package of support to businesses and employers to help them through the coronavirus (COVID-19) pandemic. Read about the support for employers and training providers during coronavirus (COVID-19).

Employers can continue using the 'on' or 'pause' apprenticeship facility in the apprenticeship service.

In circumstances related to coronavirus (COVID-19), employers should use the 'pause' function to temporarily stop training and payments. Pause function when they are certain that training will not resume at any point.

Using 'pause' will prevent training providers from claiming for apprentices and apprentice to require the apprenticeship at a later date. We are reviewing our policy on the use of the 'pause' function in the apprenticeship service including its facility to transfer to a different apprenticeship or employer in due course.

Apprenticeship assessment frequently asked questions

End point assessment (EPA)

36b An apprentice is on a Beltmen contract (other) which employers pay for and training is being delivered by a training provider. The training provider delayed end-of-gate has completed the training but cannot book the end-point assessment because the employer has not paid the invoice.

Apprentices must be employed when they are taking their EPA, so where a training provider has completed training and an apprentice is ready to take their apprenticeship but is more back, they should speak to their employer and training provider to ensure that the apprentice can complete their EPA. Training providers should be able to provide evidence to support the apprenticeship apprentices and commitment statements. We advise they order review the evidence and make a decision.

38 What will happen if an apprentice is not well enough to take their EPA?

Apprentices who are ill or self-isolating should not be required to take their EPA. Many apprentices will be able to continue their training and be able to allow them maximum time to be scheduled.

40 Can apprentices on furlough take their end-point assessment?

Yes, where apprentices are furloughed, they can still take their EPA providing they meet the conditions set out in the guidance.

41 Gateways are being delayed and the EPA cannot be completed in the 12 months after the end of the apprenticeship, what should we do?

Apprentices who are deemed ready for assessment and cannot be assessed due to coronavirus (COVID-19) restrictions should be assessed at least 3 days before taking their EPA and for the EPA to be rescheduled.

If the EPA materials are not available, apprentices should be deemed to the assessment plan (where specified). EPAOs are responsible for agreeing assessment plans with employers and training providers. EPAOs should work closely with training providers to ensure that plans are fit for purpose. For apprentices whose gateway is being delayed, the training provider must continue to support the apprentice to be ready for gateway.

42 Where the EPA plan requires a practical assessment, what should happen if a face-to-f coronavirus (COVID-19) restrictions, can they be conducted remotely?

Where an assessment method requires face-to-face engagement, this can be conducted remotely if it is possible to do so and:

- arrangements are clearly described by the EPA provider
- the apprentice's identity is verified
- contacts such as a supervisor or apprenticeship coordinator or someone who has the necessary qualifications, training or experience and who is not a relative or friend can be used to support the assessment process
- appropriate technology and systems are in place
- the assessor is satisfied that the assessment process is to be conducted in a way consistent with the assessment plan and standard and is fair and transparent
- the assessor is satisfied that an appropriate, a pause and rescheduling might be the way out.

An extension of 12 weeks is allowed for those EPA plans where a time-limit is specified. Apprentices who are ill or self-isolating should not be required to take EPA.

43 What will happen if an apprentice's line manager has been furloughed and they are the only person who can sign off the EPA?

If the person who would normally sign an apprentice off is ready to take the EPA, has been furloughed and is ready, they should contact the support training providers to make the gateway decision. This temporary arrangement should last for the period of the coronavirus (COVID-19) pandemic. Ensure that the decision maker is not furloughed and is able to be contacted and is ready to sign off the EPA. Where this is not the case the EPA should be rescheduled.

44 Can apprentices who are furloughed take part in an end-point assessment?

EPA off the current start continues for a compared of time, would you consider this to be appropriate at the current time. Our intention is to continue to support apprenticeships during this period. We will review the EPA on an individual basis.

EPA providers have specified flexibilities which apply for more 100 standards from Actuarial Technician to Senior Leader. Refer to the Apprenticeship Tracker. These flexibilities have the potential to allow thousands of apprentices to complete their EPA and achieve their apprenticeship.

45 How are EPA organisations ensuring the quality of assessments?

EPAOs are an important element to delivering quality apprenticeships. In order to support them and their independence, the Institute and Apprenticeships have asked and grant organisations to complete a weekly return to ESFA recording information about their EPA activity and performance.

We can track organisations on the register of EPAOs a copy of the template they have completed, and we will use this information to inform our assurance. This information will help us to understand the impact of coronavirus (COVID-19) on EPA and to support EPAOs.

47 Do we approve all the EPAOs but some sectors require direct prioritisation. How do we make those assessments?

These elements of the EPA will need to be rescheduled if they cannot be undertaken timely. If the EPA plan specifies a time-limit, a pause and rescheduled is allowed in the assessment plan, the EPAO should seek agreement from the Institute.

48 Can apprentices who are furloughed take part in an end-point assessment?

Yes, where apprentices are furloughed, they can continue to train for their apprenticeship or undertake other training and development as agreed between employer and provider.

Training can continue to do off-the-job training, can this be more than 20% the same?

Yes. The normal off-the-job training rules will apply, so training can be done as a block release, or in exceptional circumstances, the proportion of the duration of training or more evenly spaced training. Training providers should factor this in when planning training and delivery to ensure apprentices are supported.

19 Will employers and training providers need to revise the price of the apprenticeship to reflect the impact of furlough?

The price of an apprenticeship is agreed between the employer and training provider, if any material changes to price occur the agreed delivery method that may result in a change in price, then it should be discussed and amended.

We accept that this might be challenging in the current environment, and so we will be flexible in our approach to monitoring. Training providers and employers may not be able to meet their contractual obligations, but we would expect to ensure that they are claiming for the actual costs incurred throughout the apprenticeship and that they are not profiting from it.

19 Will apprentices who have been unable to return to England, due to the furlough, have access to the 16-19 apprenticeship bonus payment to continuing (COVID-19)?

No. Although the furlough rules mean an apprentice is cared at (and 50% of their salary is paid) by their employer, they are still employed by their employer. Apprentices who have been furloughed and can now return to work from a furlough outside of England. When an apprentice is spending more than 50% of their time in England, they will be eligible for the 16-19 apprenticeship bonus payment to continuing (COVID-19) they will remain eligible for support.

in an appropriate simulated environment, such as a training facility.

48) Can EPAs be staggered to ease pressure on EPAOs?

It is the responsibility of the end point assessment organisation to agree the schedule of EPA. The training provider should refer to the assessment plan for the apprenticeship standard to check if there is a time limit for the assessment taking place following gateway.

Where an EPA cannot be undertaken immediately, a pause and rescheduling might be the only action. An extension of 12 weeks is allowable for those EPA plans where a time limit is specified from gateway to EPA. It is to be logged on and shared with EQA providers on a timely basis

49) Apprentices are ready for EPA but can't take it. Should they be paid more than the apprenticeship minimum wage now?

An apprentice is classed as an apprentice until they have taken their EPA. Apprentices must be paid at least the apprentice minimum wage, but an employer can choose to pay an apprentice more than this, all employers must comply with NMW legislation.

Functional skills requirements

50) What evidence do training providers need to provide to show the apprentice did not take the level 2 English and/or maths functional skills test before entering them for EPA?

Training providers should add a dated note to the evidence pack for the apprentice explaining that the test was not taken due to revised guidance during coronavirus (COVID-19).

51) Will there be a requirement to go back and take the level 2 functional skills test after the apprenticeship has been achieved?

Studying and taking the test for intermediate apprentices is suspended until 31 March 2021, upon which time we will review this position. There will be no requirement for those apprentices who are passed through gateway to go back and take the level 2 functional skills test. However, If the apprentice would like to attempt the level 2 functional skills English and maths assessment, they should be allowed to do so. This shouldn't be a barrier to them progressing to EPA, as the (optional) L2 FSQ assessment can be before, alongside or after EPA.

52) What does this mean for the arrangement for gateway prior to EPA?

We want to make it as straightforward as possible to continue EPAs. Lifting the rule to take the test for intermediate (level 2) apprentices should help them to progress to EPA during the coronavirus (COVID-19) disruption.

53) What about the level 2 English and maths exit requirements for level 3 and higher apprenticeships?

This requirement applies to intermediate (level 2) apprentices only.

Apprentices undertaking a level 3 or higher apprenticeship are still required to hold or achieve an approved level 2 English and maths qualification before they can successfully complete their apprenticeship.

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