



# Guidance

## Conditions of acceptance for apprenticeship training providers

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Education and Skills Funding Agency's (ESFA) Conditions of Acceptance on to RoATP ensure government funding and apprentice needs are protected.

Admission on to and removal from RoATP is at the discretion of ESFA.

The following conditions apply to (i) all organisations currently registered on the RoATP or accepted on to RoATP after 10th February (ii) applications or reapplications on to RoATP made on or after 10th May 2021.

ESFA may, at its discretion, revise any of these conditions or add new conditions at any time. If already registered, any such revisions will be applied in relation to your organisation's registration on RoATP from the effective date of such revisions, irrespective of the date you were admitted.

**Condition 1:** Your organisation must have complied with the RoATP application process.

**Condition 2:** If your organisation is invited to re-apply, you must have re-applied by the date specified.

**Condition 3:** Your organisation must not have provided inadequate, incomplete and/or misleading information in its application. We may require you to evidence examples provided in the application.

**Condition 4:** If there is a material change in the information in your organisation's application your organisation must:

- a) inform us of any such change within 1 calendar month; and
- b) at all times co-operate with any enquiry we may make Failure to do so determines the provider as high risk as set out in section 5.1.1. VIII of the [ESFA Funding Higher Risk Organisations and Subcontractors Policy](#) (or any superseding policy).

**Condition 5:** If your organisation's application was successful through the critical workers exceptions process, your organisation must not deliver any provision other than the type that specified in its application.

**Condition 6:** Your organisation:

- a) must directly deliver apprenticeship training within 6 months of being listed on the register, if you are a main or employer provider. If you are a supporting provider, you must have delivered apprenticeship training as a subcontractor within 6 months of being listed on the register; or
- b) must directly deliver apprenticeship training in the 6-month period subsequent to the effective date of these Conditions, if you are a main or employer provider. If you are a supporting provider, you must have delivered apprenticeship training as a subcontractor in the 6-month period subsequent to the effective date of these Conditions; and
- c) should not have a period of non-delivery longer than 6 months in duration.

**Condition 7:** Your organisation must not:

- a) be in breach of a funding agreement you hold with ESFA and/or
- b) have had an apprenticeship funding agreement terminated by ESFA and/or
- c) have requested to terminate your organisation's apprenticeship funding agreement held with ESFA.

**Condition 8:** Your organisation must not fall within the criteria set out in [ESFA Funding Higher Risk Organisations and Subcontractors policy](#) (or any superseding policy).

**Condition 9:** You must notify us 12 weeks prior to a change of ownership or control in your organisation.

- a) If no apprenticeship delivery has taken place prior to the change you may be removed from RoATP rather than being required to re-apply to the RoATP.
- b) If apprenticeship delivery has taken place prior to the change, the new organisation may be removed or be required to re-apply to the Register.

**Condition 10:** Your organisation must not be assessed by ESFA as having 'inadequate' financial health and be unable to provide the assurances requested by ESFA at that time.

**Condition 11:** Your organisation must not be graded:

- a) 'inadequate' for 'apprenticeships' by Ofsted, or
- b) 'inadequate' for 'overall effectiveness' under its FE and skills remit where there is no separate Ofsted grade for apprenticeships.

**Condition 12:** Your organisation must not have two consecutive Ofsted monitoring visits resulting in one or more 'insufficient' progress reports.

**Condition 13:** If you have subcontracted provision as a main provider or employer provider, you must ensure that you follow all apprenticeship subcontracting funding rules, including submitting subcontractor declarations. If your organisation is the supporting provider, we will determine non-delivery through seeing if your organisation appears as a subcontractor in the sub-contractor declarations.

If your organisation does not comply with any of the above Conditions, ESFA may, at its discretion, take one or more of the following actions:

- review all organisations within your group structure that are admitted on to RoATP

This review will consider whether organisations within the group structure are complying with the Conditions of Acceptance, the Funding Higher Risk Organisations and Subcontractors policy, apprenticeship funding rules, performance management rules, and any other ESFA rules or policy.

- require your organisation to re-apply for admission on to RoATP Any re-application will be considered in accordance with the rules and guidance applicable at that time of re-application and on the basis of the information contained in that re-application.
- remove your organisation from RoATP If ESFA takes the decision to remove a provider from RoATP as a consequence of meeting one or more of the criteria of the ESFA policy on Funding Higher Risk Organisations and Subcontractors, ESFA will not normally consider a further application for registration on to RoATP for a period of 3 years from the date of the letter confirming removal from the register.

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