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Guidance

APAR conditions of acceptance

Published 1 August 2023

Applies to England

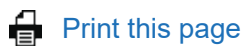
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Summary



These conditions of acceptance on to the apprenticeship provider and assessment register (APAR) are to protect government funding and apprentice needs.

Admission to and [removal from the APAR](#) is at the discretion of the Department for Education (DfE).

Conditions 1 to 13 apply to all apprenticeship training providers:

- currently on the APAR
- accepted on to the APAR after 1 August 2023
- that make applications or reapplications to the APAR from 1 August 2023

Conditions 14 to 21 apply to all apprenticeship end point assessment organisations (EPAOs):

- currently registered on the APAR
- accepted on to the APAR after 1 August 2023

DfE may, at its discretion and at any time:

- revise any of these conditions
- add new conditions

If you are already on the register, any revisions to the conditions will be applied in relation to your organisation from the date they become effective. This does not depend on the date you were admitted to the register.

Conditions of acceptance for apprenticeship training providers

Condition 1: application process

We expect your organisation to have complied with the APAR application processes.

Condition 2: re-applying

If your organisation is invited to re-apply, we expect you to have re-applied by the date specified.

Condition 3: providing information

We do not expect your organisation to have provided inadequate, incomplete or misleading information in its application. We may require you to evidence examples provided in the application.

Condition 4: informing us of changes

If there is a material change in the information in your organisation's application, we expect your organisation to:

- inform us of any change within 1 calendar month
- co-operate with any enquiry we may make at all times

Failure to do so determines the provider as high risk as set out in section 5.1.1. VIII of the [DfE policy on funding higher risk organisations and subcontractors](#) (or any superseding policy).

Condition 5: gap in provision exceptions

If your organisation's application was successful through the 'gap in provision' exceptions process (which began in September 2021), your organisation:

- must deliver the apprenticeship standard in which you were nominated to deliver within 3 months of entry on to the APAR, through or with the employer that supported your application
- can only deliver the apprenticeship standards listed on your APAR application, unless you have had agreement from DfE to expand to other apprenticeship standards

Condition 6: delivery timelines

We expect your organisation to:

- directly deliver apprenticeship training within 6 months of being listed on the APAR, if you are a main or employer provider
- deliver apprenticeship training as a subcontractor within 6 months of being listed on the APAR, if you are a supporting provider

- not have a period of non-delivery longer than 6 months in duration

Accredited initial teacher training providers will be permitted to have a period of 18 months inactivity before being in scope for market exit. This is due to the way these providers recruit for the level 6 teacher apprenticeship standard.

Condition 7: funding agreements

We do not expect your organisation to:

- be in breach of a funding agreement you hold with DfE
- have had an apprenticeship funding agreement terminated by DfE
- have requested to terminate your organisation's apprenticeship funding agreement held with DfE

Condition 8: higher risk organisations

We do not expect your organisation to fall within the criteria set out in [DfE policy on funding higher risk organisations and subcontractors](#) (or any superseding policy).

Condition 9: changes of leadership or ownership

We expect you to notify us 12 weeks prior to a change of ownership or control in your organisation.

If no apprenticeship delivery has taken place prior to the change, you may be removed from the APAR rather than being required to re-apply to the APAR.

If apprenticeship delivery has taken place prior to the change, the new organisation may be removed or be required to re-apply to the APAR.

Condition 10: financial health

We do not expect your organisation to be assessed by DfE as having 'inadequate' financial health and be unable to provide the assurances requested by DfE at that time.

Condition 11: inadequate Ofsted inspection grade

We do not expect your organisation to be graded 'inadequate' for apprenticeships by Ofsted or 'inadequate' for overall effectiveness under its further education and skills remit, where there is no separate Ofsted grade for apprenticeships.

Condition 12: Ofsted monitoring visits

We do not expect your organisation to have 2 consecutive Ofsted monitoring visits resulting in one or more 'insufficient' progress reports.

Condition 13: subcontractors

If you have subcontracted provision as a main provider or employer provider, we expect you to 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.

Conditions of acceptance for end-point assessment organisations

Condition 14: regulatory approval

To be eligible to register on the APAR, we expect you to hold regulatory approval for each standard that you are listed on the APAR for.

For Ofqual standards this includes ensuring you have added standards to the Ofqual register with an operational date. Further details can be found in Ofqual's [guidance on applying to have your qualifications regulated](#).

Condition 15: complying with EQA requirements

We expect you to ensure your organisation is compliant with the external quality assurance (EQA) body requirements and promptly inform them, on the relevant standard, if you become aware of any:

- instance of assessment malpractice
- incident which could compromise your ability to deliver end-point assessment (EPA) reliably and independently
- instance that could cause you to fail to comply with the requirements of the published standard and its assessment plan
- significant changes to your organisation's information

It is your responsibility to ensure you have adequate insurance in place for the delivery of EPA and that you are registered with the Information Commissioners Office (ICO).

Condition 16: promoting your service

While we encourage you to directly promote your EPA service to employers, we expect you only to do this once you appear on the APAR for the standard you wish to promote.

We do not expect you to promote or offer any additional financial reward, service or membership to improve your likelihood of being chosen by a provider.

If you are unable to deliver EPA to apprentices in every area of England you will need to inform the Department for Education (DfE) so that the APAR can be amended.

Condition 17: conflict of interest

We expect you to make every effort to manage and mitigate any potential or real conflict of interest in the delivery of your EPA service.

We expect you to inform your regulator of any conflict of interest.

Condition 18: Certification

Issuing certificates

Under Section A3 of the [Apprenticeships, Skills, Children and Learning Act 2009](#) the Secretary of State for Education may issue an apprenticeship certificate in respect of a person who applies for it if it appears to them that the person has completed and achieved an approved English apprenticeship.

DfE operates the process for issuing certificates on behalf of the Secretary of State for Education.

Claiming certificates

The apprenticeship certificate is the formal recognition that an individual has achieved their apprenticeship.

We expect you to request the apprenticeship certificate from us once an apprentice has achieved all components of their EPA. As part of this, we expect you to ensure that the apprentice has given their written permission for you to apply for certification on their behalf.

When we receive your request for the apprenticeship certificate we will cross-check the apprentice's details, including the apprenticeship standard being certified, with the information we receive from providers in the individualised learner record.

We understand that it may be helpful for the individual apprentice to have a record or summary of their performance through the components of EPA, and you may wish to issue such a record to an apprentice. If you want to issue such a record, we expect you to make it clear that such a record is not instead of the actual apprenticeship certificate. We do not expect you to charge either the apprentice or the employer for it, or make any charge to the provider.

We do not expect you to issue your own apprenticeship certificate. Any record of results you do issue to the apprentice on completion of their EPA must include a statement that makes clear such a record is not a formal apprenticeship certificate.

We expect you to ensure that any details of results you include in this record are for EPA and not for the overall apprenticeship. Where we find this happening, we will treat this as a significant breach of these conditions.

Condition 19: delivering a quality service

DfE reserves the right to remove, or limit access to, EPAOs who have been deemed not to be delivering a quality service. This includes, but is not limited to, pausing new arrangements to provide end-point assessment.

Condition 20: withdrawals and removals

Where an EPAO intends to withdraw from assessing a particular standard, we expect them to do so in an orderly manner. This means ensuring you notify the regulator, liaise with learners, potential learners, employers, providers and future EPAOs.

By agreeing to these conditions of acceptance, you agree to the orderly withdrawal or removal of your organisation from the APAR. At a minimum this includes 6 months' notice to support existing

learners.

We expect you to work with the APAR team and successive EPAO to develop materials to ensure no disruption to learners.

Condition 21: engaging with regulators and APAR team

We expect you to fully engage with your regulatory body, and where required the APAR team, throughout the recognition and delivery process.

Conditions of acceptance for all organisations on APAR

Condition 22: being a member as a provider and assessment organisation

It is possible for you to be listed on the APAR as an apprenticeship training provider, through the main employer or supporting route, and also an EPAO. If this is the case, we expect you to meet the respective entry criteria and requirements of the register and ensure separation of your individual business offers, including how you manage them.

You must also ensure:

- there is a clear separation of individuals, processes, policies and roles and responsibilities between the training and the assessment arm of your organisation
- no individuals involved in on-programme delivery can be involved in EPA for the same individual or group of apprentices
- you do not deliver on-programme training and EPA for the same group of apprentices for the same standard, unless you are delivering both the programme and the EPA as part of an integrated degree apprenticeship

Summary

Apprenticeship training providers

If an apprenticeship training provider does not comply with any of the above conditions, DfE may, at its discretion, take one or more of the following actions.

Review all apprenticeship training providers within your group structure that are admitted on to the APAR

This review will consider whether organisations within the group structure are complying with:

- the conditions of acceptance
- the [DfE policy on funding higher risk organisations and subcontractors](#)
- apprenticeship funding rules
- performance management rules
- any other DfE rules or policy

Require your apprenticeship training provider to re-apply for admission to the APAR

Any re-application will be considered in accordance with the rules and guidance applicable at that time of re-application and based on the information contained in that re-application.

Remove your apprenticeship training provider organisation from the APAR

If DfE takes the decision to remove a provider from the APAR because of meeting one or more of the criteria of [the DfE policy on funding higher risk organisations and subcontractors](#), DfE will not normally consider a further application for registration on to the APAR for a period of 3 years from the date of the letter confirming removal from the register.

End-point assessment organisations

If your organisation does not comply with any of the above conditions, DfE may, at its discretion, remove your EPAO from the APAR.

If DfE takes the decision to remove an EPAO from the APAR, or an EPAO submits a successful withdrawal, you will not be able to apply to deliver against the standard or re-apply to the APAR for at least 12 months.

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