

Apprenticeship Training Agencies:

A guide to setting up an ATA

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Introduction

This guide was developed with funding support from the National Apprenticeship Service (NAS).

It provides information and guidance to help prospective ATAs identify what key considerations need to be taken into account in establishing an Apprenticeship Training Agency (ATA). The guide is intended for organisations, including providers and other sector bodies, that are investigating the ATA model and the practical considerations needed to be taken into account should you decide to set up an ATA.

The guide was developed following a review with ATAs of earlier existing ATA guidance modules developed by the Learning and Skills Improvement Service (LSIS) in the previous World Class Skills programme in 2009-2010.

Disclaimer

All information contained in this guide is for reference only and does not constitute definitive guidance. All ATAs should seek advice and guidance from their NAS national or divisional links before using, adapting or adopting any of the materials contained in this guide. ATAs should also seek legal and financial advice with regards to any proposed contractual and financial arrangements. Further information about ATAs can be found on The National Apprenticeship Service and Confederation of Apprenticeship Training Agencies' websites.

ATA Scenario Workshop

As part of this guide, a cross-section of ATAs was invited to attend a workshop providing further information on and examples of the key challenges and opportunities they faced when setting up and building their ATA. The aim of the workshop was to share an established ATA's real-world experience of the process.

Prior to the workshop, a draft version of the guide was circulated to the ATAs for review and consideration. The workshop focused on the following key areas:

- setting up an ATA
 - business planning
 - financial requirements
- working with host employers
- working with apprentices
- working with providers, colleges and partnerships.

Further information on ATAs

Throughout this guide, specific examples of ATA practice, advice and quotes that arose from the workshop have been presented in text boxes entitled Real-world experience.

National Apprenticeship Service

The National Apprenticeship Service (NAS) supports, funds and co-ordinates the delivery of Apprenticeships throughout England and is responsible for increasing the number of Apprenticeship opportunities and providing a dedicated, responsive service for both employers and apprentices.

[http://www.apprenticeships.org.uk/
Employers/Steps-to-make-it-happen/
GTA-ATA.aspx](http://www.apprenticeships.org.uk/Employers/Steps-to-make-it-happen/GTA-ATA.aspx)

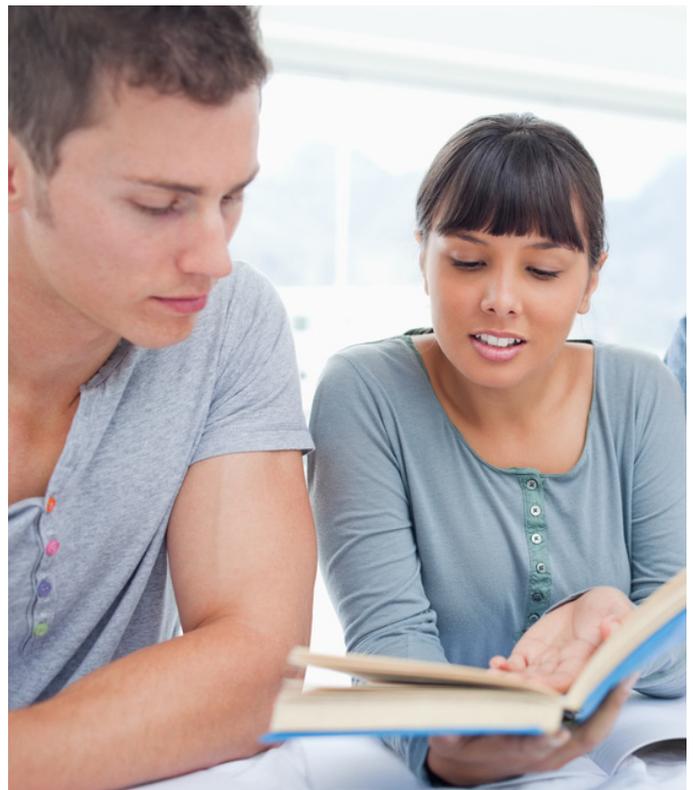
The Confederation of Apprenticeship Training Agencies

The Confederation of Apprenticeship Training Agencies (COATA) is an umbrella organisation set up by 11 Apprenticeship Training Agencies (ATAs) across England to promote and support the development of the ATA model. Any ATA that meets NAS recognition process criteria can apply to join COATA

<http://coata.co.uk/>

The Apprenticeship Training Agency Model: An independent review of progress, prospects and potential

Alongside this guide more information on the how ATAs add value to the Apprenticeship brand in general will be available from an NAS funded, LSIS commissioned piece of research conducted by CFE (an independent research consultancy). The report, entitled The Apprenticeship Training Agency Model: An independent review of progress, prospects and potential, contains research conducted in the autumn of 2012. The report will be published in the near future.



Section 1: Initial considerations in setting up as an ATA

The ATA model has been adopted by many different types of organisations, including learning providers, partnerships, National Skills Academies and colleges. The potential benefits of this model have been identified as:

- providing an opportunity to increase the number of employers engaged in Apprenticeship delivery;
- enhancing the flexibility of employers to meet their business needs by offering of an alternative route for apprentices into recruitment and learning;
- re-engaging with employers who have found recruiting and supporting apprentices difficult through the economic downturn; and
- providing a clear and direct approach to supporting the increased number of Apprenticeships expected by Government.

Before deciding to set up as an ATA, it is important to consider these two questions:

- **Why** do you want to set up as an ATA?
- **What** do you want to get out of it?

In considering these, it will be important to take into account the following:

- the ATA model tends to be a **high volume, low margin activity**; and
- it can be a very **time and resource intensive** model to operate.

For any organisation considering this model, thorough planning regarding business objectives, strategy, structure, delivery model, partnerships and alliances, resources and financial implications (especially those around income, cash-flow and VAT liabilities) are essential.

What is an ATA

Apprenticeship Training Agencies (ATAs) offer a unique approach to the recruitment of apprentices. The ATA model supports the delivery of a high quality Apprenticeship programme with a focus on small 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 small employers not being able to commit to the full Apprenticeship 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 which acts as the apprentice's employer and which 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 (and at least at the minimum apprentice rate) and the ATA management fee.

As with traditional Apprenticeships, a key objective of an ATA will be progression into permanent employment for the apprentice on completion of their Apprenticeship, although there is not necessarily a guarantee of a permanent job at the end of the Apprenticeship.

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. 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.

An ATA provides the potential for organisations to take on apprentices where this would not otherwise be possible for a number of reasons:

- when the organisation does not have the systems or structures in place to employ an apprentice;
- when the organisation would like to take on an apprentice, but the nature of the business means that they cannot offer a full-time or permanent position for that apprentice;
- when the ATA model provides the potential for an apprentice to work across more than one workplace, but with a single employer; or
- when the organisation feels that they are unable to take on the risk of employing an apprentice, due to a lack of previous experience of employing a young person.

The key responsibilities of an ATA are to:

- identify vacancies within host employers;
- support the employer to define the job description and relevant Apprenticeship framework;
- support the employer with advertising and recruitment, finding the right apprentice to meet the employers' needs;
- provide responsibility for apprentice wages, tax, National Insurance, holiday and sick pay, disciplinary



and grievance measures, health and safety as well as administration and performance management;

- provide supervision and pastoral support of the apprentice during the Apprenticeship period;
- link with a Skills Funding Agency funded approved training provider (or providers); and
- provide support to both the apprentice and the host employer throughout the Apprenticeship.

What an ATA is not

It is also important to highlight some key points describing what an ATA is not. It is vital to remember that an ATA is not:

- a 'temporary work' business, but rather a means to manage and give flexibility to the delivery of a high quality Apprenticeship;
- designed to displace existing directly employed Apprenticeship programmes but to create new Apprenticeship opportunities that would not otherwise exist;
- an alternative to the former Programme-led Apprenticeship. Apprentices are expected to be employed from day one with a host employer;
- used to promote a minimum pay model for employers; or
- used as a supplier of work experience placements, but to fulfil a real employment vacancy requirement from employers.

ATA framework

The ATA Framework is intended to help those involved in Apprenticeship delivery through the ATA model to make a judgement about the extent to which their experience reflects considered best practice. For ATAs to be listed on the National Approved Register of ATAs they will need to demonstrate to NAS and the Skills Funding Agency that they are able to operate in accordance with the Framework. The ATA Framework sets out the core features which underpin the ATA model and gives examples of the behaviour apprentices, employers, training providers and others should expect. Specific to this therefore, is that:

- the ATA acts as the apprentice's employer, which places them with a host employer;
- the host employer pays the ATA a fee for the apprentice's services; and
- this fee is based on the wage agreed with the host (at least the minimum Apprenticeship rate) and the ATA management fee.

Appendix 1 outlines the key points highlighted by the ATA Framework in more detail and a full version can be found on the National Apprenticeship Service website:

<http://www.apprenticeships.org.uk/Employers/Steps-to-make-it-happen/GTA-ATA/Quality-Framework.aspx>

ATA recognition process

The ATA recognition process applies to both existing and potential new ATAs in England, and requires ATAs to operate in accordance with the ATA Framework within 6 months of the ATA's launch (this 6-month period is known as being 'in development').

Approved or 'recognised' organisations will be published on a National Register of Approved ATAs which is housed on the NAS website and visited by thousands of employers, providers and potential apprentices. Skills Funding Agency Funding Rules 2013/2014 require Skills Funding Agency funded providers to work with only recognised ATAs or those ATAs registered with NAS as being in development. The 2013/2014 funding rules can be found below.

<http://readingroom.skillsfundingagency.bis.gov.uk/sfa/FRprintfinalv2.pdf>

There are various different organisational arrangements employed by ATAs, all of which the Recognition Process takes into account, including:

- private training / Apprenticeship providers
- recently-formed subsidiaries of Further Education Colleges
- employers
- Sector Skills Councils
- National Skills Academies
- consortiums (led by or involving all of the above)
- as part of a Local Authority.

Colleges and training providers will only be able to contract with NAS-registered ATAs. The advantages of becoming an Approved ATA include:

- recognition that the ATA is providing a quality service;
- use of and reference to 'NAS-recognised ATA' in marketing and promotional materials;
- participation and contribution to research and development of ATAs;
- access to latest updates from NAS regarding ATAs' related activities;
- being part of a wider network of approved ATAs; and
- free application and registration that lasts for two years.

More information about the recognition process can be found on the National Apprenticeship Service website.

<http://www.apprenticeships.org.uk/Employers/Steps-to-make-it-happen/GTA-ATA.aspx>

Section 2: Key considerations in setting up as an ATA

Before embarking on the development of an ATA it is important to consider whether:

- there is sufficient sustainable demand from employers, particularly SMEs in the sector(s) and/or geographical areas the ATA is to service;
- demand can be met via the traditional route of direct employment of apprentices; and
- the ATA is designed to create new Apprenticeship opportunities, not to displace existing directly employed apprentices.

Business planning

The ATA model tends to be a high-volume, low-margin activity and can be a very time- and resource-intensive model to operate. It is therefore important to ensure that a comprehensive business plan is in place that identifies the management structure and board arrangements, and takes into account all required resources and costs against the size and scale of activity necessary to break even. Existing ATAs report that it can take considerable time to establish the model, reach an optimum size and be sustainable.

Real-world experiences – ATAs are employers of apprentices

We are a significant employer. We employ over 300 people, including our staff and the apprentices in other host employers. It's important to remember that having apprentices on your books is not **“quite similar”** to employing someone, it's exactly the same as employing them; there is no legal or financial difference whatsoever.

ATA scenario workshop

Whatever delivery model is adopted, there are costs that are easy to overlook in the initial planning. Where small margins are the norm from the outset, getting these wrong can mean the difference between breaking even or making a loss.



Some existing ATAs would have benefited from a closer examination and understanding of:

- the true cost to employers of the Apprenticeship;
- fixed overhead and other costs;
- staff capacity and lead-in times, for example
 - How many visits to employers can be made in a day?
 - What is the conversion rate?
 - How much time will be taken up by the ongoing management of employer relationships?
- the lead-in time from identifying employers' vacancies to processing apprentice applications and interviews;
- management of provider relationships;
- the number of staff needed; and
- the break-even point, i.e. how many Apprenticeships need to be secured in order to ensure that the costs of running the ATA are covered?

As a recruitment business, ATAs must make themselves aware of, comply and keep up to date with all relevant employment law and regulation including the Employment Agency Standards and the Employment Agency Inspectorate. They must have access to professional HR advice and information. This will include full responsibility for:

- Agency Worker Regulations
- Health and safety regulations
- relevant insurances.

Employment law

An ATA's core function is the employment and development of apprentices. This means that you will need to comply with all relevant aspects of employment law including those appropriate to Employment Agencies where these apply. The Agency Workers Regulations 2010 provide agency workers (which can include apprentices taken on via an agency) with rights from day one of an assignment and equal treatment rights after the agency worker has worked in the same job with the same hirer for a period of 12 calendar weeks. The regulations seek to create parity between ATA apprentices and employees doing the same or similar roles. Guidance on the legislation can be found at the link below.

<http://www.bis.gov.uk/assets/biscore/employment-matters/docs/a/11-949-agency-workers-regulations-guidance.pdf>

Importantly, do you or will you have sufficient access to HR expertise and systems to support your role as the employer of large numbers of employees, particularly 16-18 year olds who require greater support?

The most recent Agency Workers Regulation documentation can be found on the Department for Business Innovation and Skills website:

<http://www.bis.gov.uk/policies/employment-matters/strategies/awd>

Setting up an ATA as a company

When starting a new business in the UK there are several legal structures to choose from: sole trader, partnership, limited liability partnership and limited liability company.

Limited companies have a separate legal persona from their members which means

that they can raise finance in their own right and with any debts belonging to the company, reducing any personal liability. The main types of limited companies are:

- Private limited companies, which can have one or more members. They cannot offer shares to the public.
- Public limited companies, which must have at least two shareholders and must have issued shares to the public to a value of at least £50,000 or the prescribed equivalent in Euros before it can trade.
- Private unlimited companies, which are uncommon and are usually created for specific reasons.

The private limited company is the most common form of this business structure and is straightforward to set up. Private limited companies can be limited by shares or by guarantee. A company limited by shares is the type of company commonly used for forming a small business.

These limited companies have limited liability – if the company fails there is no claim on the assets of the shareholders (beyond their original investment). Shares are issued and directors are appointed by the shareholders (often the same people in a small business). The purpose of this type of company is to trade and make profits. These profits can be retained in the business to fund future growth or distributed to shareholders as dividends.

A **company limited by guarantee** is the type of company commonly used to set up a club or an association. The company has limited liability – the liability of its members being limited to an amount not exceeding £100 which each member undertakes to contribute to the company's assets in the event of it being wound up. No shares are issued.

This type of limited company has members. The members agree to contribute a membership fee or subscription, normally have equal voting rights and elect a board of directors. Any profits (often known as 'surpluses') are not distributed as dividends, but may be used to support the activities for which the club is formed.

A business cannot operate as a limited company until it has been incorporated at **Companies House** using the following documents: **Memorandum of Association** and **Articles of Association**.

Developing Memorandum and Articles of Association

When you register your company with **Companies House** you must have Articles of Association.

These are the rules regarding running the company that shareholders and officers (directors or company secretaries) have to agree to, for example rules about how decisions that affect the company must be made and the role of shareholders (if there are any) in those decisions. Most companies use standard ('model') articles, but you can change these or write your own as long as the company does not break the law.

Examples of model Articles of Association can be found on Gov.UK:

<https://www.gov.uk/limited-company-formation/articles-of-association>

The Memorandum of Association of a company, often simply called the **Memorandum**, is the document that governs the relationship between the company and the outside world. It is basically a statement outlining that the subscribers wish to form a company under the **Companies 2006 Act**,

have agreed to become members and, in the case of a company that is to have a share capital, to take at least one share each. It is one of the documents required to incorporate a company in the United Kingdom.

While it is still necessary to file a Memorandum of Association to incorporate a new company, it no longer forms part of the company's constitution and it contains limited information. **The Companies (Registration) Regulation 2008** includes pro-forma Memoranda.

Companies House provides template Memorandum of Association forms for newly-formed organisations to use. <http://www.companieshouse.gov.uk/>

Establishing Management and Advisory Boards and their terms of reference

You may wish to consider setting up management and/or advisory boards to steer the set-up and development of the ATA. It is advisable for those who are legal directors of the company to reserve the right to make decisions on aspects relating to the legal obligations and operations of the company. Advisory Boards are effective when they contribute to strategy, policy development, marketing and public relations.

Example Terms of Reference for a management board and/or advisory group can be found in Appendix 2.

Setting up as a separate legal entity

If you are a provider in receipt of Skills Funding Agency funding and are considering setting up an ATA within your existing business you must establish the ATA as a separate business so that apprentices are contracted employees of the ATA.

In practice this would mean:

- ensuring separate registration at Companies House or through a separate legal partnership set-up.

You must also ensure the following:

- that there is clear and separate financial management so that the provider does not use Skills Funding Agency Apprenticeship allocations intended for training to support the operation of the ATA, and that this can be clearly demonstrated (however HR and other business services can be shared with the parent provider as they would be in other subsidiaries); and
- that Apprentices are employed by the ATA, not by the provider.

A provider-led ATA which just has a separate cost code does not constitute a separate business entity.

More information regarding Skills Funding Agency Funding Rules can be found at the following website (please note Funding Rules may be subject to amendments. Providers will be informed of any changes via the Stakeholder Bulletin).

<http://skillsfundingagency.bis.gov.uk/providers/fundingrules/>

Health and safety

Health and safety is relevant to everyone in the workplace but young people are particularly vulnerable to accidents at work as they do not have as much experience or training as older workers. Under the Health and Safety at Work Act 1974, young workers should receive at least the same protection as other workers.

More information on this legislation can be found at the following address: <http://www.legislation.gov.uk/ukpga/1974/37>.

An ATA has ultimate responsibility for ensuring that the health and safety of the apprentice is met, and as the legal employer should consider the following activity before agreeing to work with a host employer:

- Does the employer conduct a full risk assessment on all aspects of the apprentice's job before they start?
- Is health and safety a part of the training that the apprentice will receive?
- Is health and safety covered in induction training?
- Where an apprentice works with equipment, do they have the appropriate protective clothing?
- Where supervision of the apprentice occurs, are staff appropriately trained and do they have the time to provide adequate support?

There are some legal provisions that apply specifically to workers aged under 18; more information on this can be found on the Health and Safety Executive website.

<http://www.hse.gov.uk/youngpeople/>

If you have decided that you want to set up an ATA, thorough business planning is required to ensure that the business has as much chance as possible of success, both financially and within the broader requirement of both the ATA framework and recognition process requirements.

Real-world experiences – Health and safety

It is important for ATAs, particularly directors who are accountable for the business, to meet their duty of care for their employees, whether on the host employer's or provider's premises.

ATAs need to ensure the safe placement of their apprentices. This begins from the ATA's initial engagement with the host employer. A general health and safety assessment of host employers should be carried out to ensure that health and safety procedures are in place, (for example, that injuries and incidents are reported swiftly and efficiently).

Where this is not the case, the ATA should supply the host employer with a health and safety policy, with associated templates, for a nominal charge. Ensuring that the host employers have these policies and procedures will determine whether the ATA can make a placement in accordance with its own insurance policies.

Time and resourcing

Existing ATAs identified that sufficient time should be allowed for the volume of paperwork, administration and time involved in the set-up and running of the ATA. Activities such as ensuring appropriate job-matching between vacancies and applicants, the lead-in time between taking on an apprentice and beginning the programme, and the time spent on the preparation, mentoring and pastoral support of the apprentice must be taken into account in the planning of both staff

and cash-flow. Linked to this are the legal implications of contracting; contracts need to be comprehensive but simple. Those wishing to pursue this model should build in the cost of getting legal advice.

Marketing

It is advisable to take a strategic approach as to how the ATA will be positioned in the market in terms of employers and competition and collaboration with providers or other ATAs. Getting the marketing message right is vital to protect the reputation of the ATA delivery

model. You will need to consider how the message is communicated to employers. Messages need to be clear and direct and should not raise employers' expectations beyond the service that can be provided. It is important that employers that are able to offer a fully employed Apprenticeship do not use the ATA model as a substitute; this would be regarded as displacing an existing Apprenticeship opportunity.

Real-world experiences – Marketing

During the early days of the ATA, it is likely that it will have a limited marketing budget. It is therefore essential that innovative marketing techniques are used in order to maximise the impact of the money available. Existing ATAs have suggested several ways in which to market themselves.

- Networking: attend and engage with businesses at employer-focused events.
- Social media: develop knowledge of e-marketing and develop strategies to advertise online.
- Undertake activities with or support local groups that can generate press attention and improve awareness of the business.
- Engage with employers with which the ATA or its existing staff have worked previously, but which have not employed a young person / apprentice into a position for a period of 12, 18 or 24 months.
- Engage with employers which already have apprentices but may be able to offer additional Apprenticeships using an ATA, whilst being careful not to displace what would have ordinarily been a fully employed Apprenticeship opportunity.
- Work with partner providers to help identify employers which have not been engaged in Apprenticeship delivery for 12, 18 or 24 months, asking the providers to promote the ATA on your behalf.
- Ensure maximum exposure of the ATA by including full details of the programme on its website and promotion through local or regional press.
- Engage with sector and trade groupings of employers
- Use promotional literature such as flyers and leaflets.

Staff expertise and capacity

It is necessary to appoint and align staff with the responsibilities of running an ATA, whilst taking into account your individual business plan and proposed financial model. As an ATA you will need to take responsibility for:

- sourcing recruitment opportunities and generating sales with employers, and maintaining those relationships;
- engaging, and nurturing relationships with training providers and training provider networks, and quality assurance of their performance;
- recruiting, placing and providing support (i.e. pastoral care) to apprentices whilst with a host employer;
- the legal obligations of being an employer;
- becoming the host employer's Human Resources function; and
- providing the wrap-around administration support throughout the process.

Ideally, the ATA should be able to offer expertise in all of the above areas in order to develop your business successfully. Existing ATAs reported that staff with knowledge of employment law and experience of working in the recruitment industry were particularly beneficial when establishing the ATA and building capacity.

Having staff with experience of the further education and skills sector (particularly when engaging with employers) is regarded as being advantageous too, because of an ATA's involvement in aligning training to employment opportunities rather than purely recruitment in the traditional sense. Should your ATA business plan be sector-focused,

it is recommended that the ATA should not be reliant exclusively on its training provider network's knowledge. Instead, key members of your staff should also have the required sector expertise.

As a business you will need to determine the number of staff needed to manage all your obligations as an ATA whilst having the capacity to generate a continuous income stream. It is important to consider:

- the size of your sales force (i.e. telesales and face-to-face sales executives) to convert leads into the necessary sales required to operate as a going concern;
- the staff needed to process CVs and job applications especially where there are high volumes of applications per vacancy advertised;
- the time needed to fulfil the administration duties of running a business, for example:
 - payroll functions
 - submitting employer invoices
 - handling queries
 - inputting of management information where needed
- the time to manage training provider relationships and make QA site visits;
- the time to manage the employer relationship (for example the frequency of site visits and visits to support employees); and
- the provision of ongoing pastoral care to the apprentice.

Real-world experience – Recruiting staff with the right skills and competencies

Individuals planning to establish an ATA need to consider expanding the roles that key staff have to undertake in order to keep overhead costs down, although the recruitment of an individual with all the necessary skills and competencies can be challenging. Existing ATAs suggest that it may be appropriate to adopt a grow-your-own approach to staff employment and development, as individuals adapt and grow into specific roles.

ATAs have suggested that, as the business grows, staff with general skills can be supplemented with specialists in employment and recruitment. It may be between 3-5 years, however, before the ATA is in a position to achieve this growth. Even then, senior members of staff are often still required to adopt several roles to reduce costs further.

As an indication of the roles staff will need to undertake, the ATA will need to either employ or train existing staff in the following areas:

- networking and presenting at events to develop the brand and the business;
- engaging and developing a rapport with host employers from a variety of sectors;
- scoping job specifications with employers;
- aligning Apprenticeship frameworks to the need of the host employer;
- establishing and developing links with training providers;
- establishing costings and charge-out rates with host employers;
- assessing the health and safety risks of locating an apprentice with a host employer (with associated ongoing assessment);
- negotiating deals with host employers and providers to secure business;
- undertaking the recruitment and selection of apprentices;
- providing the necessary pastoral care and/or mentoring of apprentices on a regular basis; and
- handling in a professional manner employee / employer and training provider grievances and issues.



Lead-in time

As well as fulfilling your legal obligations in setting up a new business, it is advisable to carefully scope and research the requirements of establishing the ongoing running of the ATA. Existing ATAs report a variety of lead-in times from a period of a few weeks up to eight months before commencing delivery. ATAs with short lead-in times reported having developed their processes and procedures as they began actively targeting employers. Others with a longer lead-in time had put their systems in place and developed their brand before delivering their services.

In addition to the legal obligations, premises and staff selection, as an ATA you will need to consider:

- market-testing your ATA proposition;
- seeking legal advice and developing employer-friendly contracts or service level agreements (where applicable) for the host employer, the apprentice, and the training providers with which you choose to engage;
- developing your ATA brand by considering the marketing side of establishing an ATA for example by arranging open evenings for training providers, schools, and employers, visiting careers fairs, or devising a marketing campaign with press adverts;
- designing a professional website and social media links for your ATA;
- arranging appropriate insurance; and
- agreeing an appropriate pricing structure.

Engagement and management of provider partners

It is recommended to develop an approved list of training providers to maximise the number of Apprenticeship frameworks available (discussed in more detail below) to potential employers. Developing your provider network will therefore increase the options available for both the host employer and the apprentice(s) by taking into account framework suitability for the business as well as distance and transport links between providers' and employers' premises and the apprentices' home. Limiting the number of frameworks available may constrain your sales team's ability to meet the business needs of the employers with which you engage.

You may already have existing contacts with local or national training providers. To develop your network further you may wish to contact other providers directly, requesting their prospectus and arranging a meeting with a senior representative to gauge their interest and suitability for supporting your business.

To aid in engaging with providers you may wish to discuss or request information on their:

- Strategy – examining their organisational approach and areas of mutual interest.
- Capability – the scale of their operation and how they manage their staff and resources
- Delivery – what can the provider offer? (eg, what frameworks and infrastructure do they have?)
- Performance – what have they achieved and how do they make use of the information they capture to improve results?

- Communication – how they would communicate with you and the host employer throughout the duration of the learner’s Apprenticeship?

For ATAs to ensure delivery of a high quality Apprenticeship and for the benefit of employees and host employers, it is recommended that you develop and implement quality checks and ongoing quality management programmes with a provider network. In doing this, you may wish to consider:

- undertaking due diligence checks (i.e. financial, and health and safety procedures) of the providers with which you intend to work;
- reviewing training providers’ most recent Ofsted reports;
- requesting available data on provider success rates (i.e. completion rates for apprentices, Apprenticeship conversions into employment);
- assigning members of ATA staff to be responsible for the ongoing quality management of providers;
- putting in place monitoring checks, contacting the apprentice and/ or the host employer to monitor provider performance and satisfaction with delivery;
- establishing bi-annual face-to-face meetings with representatives from the training provider; and
- putting in place a service level agreement (SLA) between you and the training provider to formalise the above and other elements as necessary.

Setting up customer relationship management systems

Promoting the programme will hopefully result in a great number of leads for you to consider, and you will need to:

- capture employer information accurately; and
- ensure that vacancies and person requirements are described in sufficient detail to enable any suitable young person to be matched to them.

You may need to update, amend or purchase a Customer Relationship Management (CRM) system. Comprehensive CRM systems can be a great help in making your ATA a success, however it is worth setting out some clear objectives when introducing a system. If your ATA is to make a success of its CRM implementation it is important that your senior management backs it and that a key member of your team is nominated as a CRM champion and drives the implementation process.

Apprenticeship frameworks

An Apprenticeship framework is a document that covers all the statutory requirements for an Apprenticeship programme in England or Wales and is used by colleges, employers and training providers to make sure that all Apprenticeship programmes are delivered consistently to national standards, no matter where in England and Wales the Apprenticeship takes place.

As at January 2013 there are more than 250 frameworks on offer covering more than 1,200 job roles. The number is constantly growing as new frameworks are developed in different sectors. Apprenticeship frameworks in England must meet the Specification of Apprenticeship Standards for England (SASE).

For more information about the SASE visit the following page on the NAS website.

www.apprenticeships.org.uk/Partners/SASE.aspx.

For a comprehensive and up-to-date list of Apprenticeship frameworks available visit the following page from the NAS website.

www.apprenticeships.org.uk/Types-of-Apprenticeships.aspx.

Apprenticeship Frameworks Online (AFO) also contains detailed information on all of the Apprenticeship frameworks currently available, including a detailed framework document. For more information visit the following site.

<http://www.afo.sscalliance.org/frameworkslibrary/index.cfm>

ATA activity and performance

It is important to have systems in place to capture your activity and monitor your ATA's performance. The collection and subsequent analysis of performance data will aid in informing your business strategy and planning. In addition, it is NAS's aspiration that 85 per cent of apprentices who complete their full Apprenticeship framework go on to gain permanent employment.

Further to this, as part of the recognition process ATAs will need to provide reports to the NAS on their performance against targets. In order to verify ATA reports it is imperative that provider partners accurately complete the correct fields in the Individualised Learner Record, used to capture information about apprentices in the further education and skills sector. As such, ATAs should seek confirmation from providers that they are completing the Individualised Learner Record correctly when working with them. The 'host employer' name

should be recorded in the location code, the name of the ATA should be recorded in the employer code, while the number 130 should be recorded in the Learning Delivery FAM code, to show that the apprentice is employed by an ATA. Capturing data on the following will also be important:

- the number of employers engaged with, including the size of the employer;
- the number of apprentice starts;
- the age profile of these apprentices;
- the occupational area these apprentices are working in;
- the frameworks offered by the provider;
- the sector and/or geographical coverage of the apprentices in their host employers;
- progression into formal employment with the host employer; and
- progression into general employment, whether with the host employer or not.

Financial requirements

ATAs do not receive public funding to meet the operational costs of running the business, and therefore it is vital that appropriate systems and processes are in place to ensure that any organisation being set up is financially viable.



Securing income and sustainability

The main income stream under the ATA model will be from a financial charge placed on the host employer, typically a 10-20 per cent administration fee based on the apprentices' salary. How this charge is calculated and how it is collected will need careful consideration as this will directly impact on the cash flow of your ATA. Existing ATAs have developed a range of options. Examples of these include:

- taking income from the training provider, e.g. a percentage of the income stream or as a flat fee from the provider delivering the Apprenticeship and accessing appropriate funding;
- charging employers a membership fee, e.g. £150 per year, possibly combined with added incentives such as a discount on other training services;
- an introductory / recruitment fee levied on the employer which can be applied on conversion to a full-time Apprenticeship. This would be either a flat fee or as a percentage of future salary and is a standard practice for many recruitment agencies;
- charging employers a one-off fee, e.g. a £750 arrangement fee and then subsequently invoicing employers for actual costs incurred;
- charging employers a flat fee for the whole service of recruitment support, arranging the learning, supporting the apprentice with a contract of employment, administrative and payroll functions, invoiced in three intervals through the year; and
- charging an arrangement fee and a percentage of the apprentice salary including on-costs (e.g. tax, pension and National Insurance).

HR / payroll systems and processes

As the employer of the apprentice, you will take responsibility for the payment of the apprentices' wages. Consideration needs to be given to the implications of this for:

- **The ATA company payroll system:** for example, can your current system be adapted to pay apprentices weekly if it is set up for a monthly pay-run?
- **Cash-flow:** there are real implications for cash flow as the ATA is responsible for paying the apprentice wage on the agreed pay date and should therefore ensure that the host employer has settled their invoice before salary is paid to the apprentice. Invoicing host employers in advance is a common approach adopted by the existing ATAs.

Real-world experience – Paying apprentices

As an employer you have to pay wages to the apprentice, and this is usually every week or every two weeks. Depending on how many apprentices you have on your books, this could be a significant and regular outlay.

You have to really understand VAT and cash-flow principles to be able to do this, because if we don't come up with those wages at the end of the two weeks, those apprentices are out of pocket.

ATA scenario workshop

Income, cash flow and VAT liabilities

Cash flow sums up the pattern of cash paid out (expenditure) and cash coming into the business (income) over a given accounting period. For instance, if you receive payment for products or a service to the value of £100,000 in a month and have outgoings of £40,000 over that period you have a positive cash flow of £60,000.

The aim of any business is to be, and remain, cash flow positive. However businesses in their early stages often find that remaining cash flow positive is very challenging as they establish themselves in a market.

For an ATA, a key consideration, particularly when first in business, will be the ability to balance the payments to apprentices, which might be out of sync with money coming in from employers. Apprentices might expect to get paid weekly, however a fee charged to an employer might be paid at the end of each month. Additional finance might be required to set up and start the ATA. This could be by using a bank overdraft facility or loan. There may also be other sources of publicly-backed finance or support for your business. Details about what schemes might be right for you can be found on the Gov.UK website.

<https://www.gov.uk/business-finance-support-finder>

Optimum number of apprentices and engaged employers

ATAs should calculate an optimum number of apprentices employed at any given time for the company to initially break even, then operate at a surplus or profit (depending on the status of the ATA). You will therefore need to reflect on the annual operating costs of the ATA from which to estimate this figure. You should therefore include as a minimum when making your calculations:

- staff costs – administrators, sales team salaries and pensions on a pro-rata or full-time basis;
- office overheads – rent, rates, light and heat, cleaning, office supplies, photocopier maintenance and copying, postage, telephone and internet connectivity, travel and subsistence;
- ICT systems – IT consumables, maintenance and servicing;
- professional fees – accountancy and payroll, audit and legal fees, bank charges and required insurance;
- marketing; and
- staff training and development.

Real-world experience – Designing the business to break even

Look at your break-even point based on what it costs you to cover one member of staff and your overheads. The key question is, “How many apprentices do we actually need over a twelve-month period to get us that income?”

ATA scenario workshop



Taking into account the potential operating costs, expenditure and pricing structure of the ATA you should then be able to calculate the optimum number of apprentices and employers needed for financial sustainability. It is advisable though to take into consideration the capacity and skill set of your organisation to handle the level of work associated with the volume of apprentices necessary to achieve your target. For example, does your organisation's staffing structure meet this level? If it does not, then you should reflect and consider whether you can adjust your pricing or reduce your overhead costs to enable you to consider employing additional staff (which in turn will increase your operating costs) in order to achieve your optimum figure.

As a business, it is recommended you should also build into your business model the capacity to develop new leads and secure new sales as apprentices become employed by the host employer, end their tenure with the host early, or are not taken on at the end of their Apprenticeship. The target number of apprentices and employers necessary to achieve your optimum figure will in part be

dependent on your employer engagement strategy, e.g. whether you are considering a sector-specific approach and/or your target geographical area.

Where there is greater targeting of small- to medium-sized employers (SMEs), for example in sectors that tend to have smaller businesses, ATAs will most likely have to generate more leads as available vacancies will be fewer. With larger businesses there is greater opportunity to locate more apprentices in that business, or pilot a small number of apprentices with a view to developing the relationship and staggering the employment of apprentices.

Labour market intelligence about the size and structure of businesses by sector and location can be accessed through Sector Skills Councils (SSCs). Information about each SSC is provided via the Federation for Industry Sector Skills & Standards.

[http://www.sscalliance.org/
SectorSkillsCouncils/DirectoryofSSCs/
DirectorySSCs.aspx](http://www.sscalliance.org/SectorSkillsCouncils/DirectoryofSSCs/DirectorySSCs.aspx)

Section 3: Working with host employers, apprentices and providers

Working with host employers

The distinctive feature of the ATA model is that the ATA acts as the apprentice's employer, placing them with a host employer where a vacancy is available. Therefore working closely with your host employer is key. The host employer pays the ATA a fee for the apprentice's services based on the wage agreed with the host and the ATA management fee. As such, the success of your ATA business relies heavily on this relationship.

Marketing and employer engagement

The main focus of the ATA is primarily to allow smaller employers access to Apprenticeship opportunities, although larger employers and/or public sector organisations may be included if there are specific needs within a business meaning they would not normally engage with the Apprenticeship programme. ATAs should focus on engagement with employers who are looking to recruit into future jobs, not those employers who wish to use ATAs as a source of temporary agency staffing or offering work experience.

Existing ATAs report that one of the most challenging aspects of running a sustainable ATA is attracting sufficient and suitable employers to support the number of apprentices they need to make their organisation viable. It is therefore imperative to have a comprehensive employer engagement strategy that identifies the following.

- What is your offer to employers – and what services are included in your management fee?
- What size of employer, sector and/or geographical location will be your focus when attracting employers?
- Where and how are you are going to market your ATA to those employers, for example through your website, the local press and media and/or through trade bodies?
- How many host employers will you need on an ongoing basis to meet the demands of your business?
- How you are going to capture and retain employer information (i.e. what type of customer relationship management system are you going to employ)?
- Consider in which sectors direct Apprenticeship employment for the minimum duration is difficult for employers – as this may present opportunities for your ATA.

Screening host employers

It is advisable to develop transparent criteria for selecting host employers to work with. This will help to manage both your financial risk and the reputation of the ATA model. You should consider:

- running a financial credit check on potential host employers (a small fee will be involved);
- setting a minimum period of employment (currently 12 months) or for the actual duration of the Apprenticeship, whichever is greater; and
- setting a limit as to how many Apprenticeships a host employer can offer, without progressing apprentices into full employment.

Avoid employers who are keen to offer the minimum wage rather than the going rate for the job.

Contracting with host employers

Once host employers have been engaged it will be essential that formal contracting arrangements are put in place to ensure that:

- They are fully committed to supporting the learning programme with relevant company and off the job training.
- They understand their responsibility for supervising the apprentice on a day-to-day basis as well as offering the necessary and appropriate support (particularly the additional pastoral care required for 16-18 apprentices).
- They are clear about the salary and payment arrangements.
- They are aware of their health and safety obligations to the apprentice.

- They understand their responsibility in terms of managing the performance of the apprentice.
- They are aware of the insurance requirements and can evidence that these are in place.
- They understand and are prepared to comply with the ATA's terms and conditions for the apprentice (including but not limited to holiday pay, sickness pay, maternity cover, absence policies and so on).
- They understand how to terminate arrangements with either the ATA or the apprentice.
- Provision should also be made by the ATA to support the apprentice in finding an alternative host employer should the original hosting agreement be broken.

You should seek legal advice before issuing any contracts through the ATA model.

Some employers, particularly SMEs which are not experienced in Apprenticeship provision, are likely to be less familiar working with and supporting a young person in the workplace. Where this is the case it is worth providing additional guidance above and beyond the formal arrangements identified above. This could include information on:

- workplace supervision;
- getting the best from a young person;
- how and when to recognise achievement; and
- policy development, for example current legal requirements around health and safety, safeguarding of young people and equality and diversity.

Employer handbooks

To assist host employers to understand their obligations and responsibilities you may wish to issue them with an employer handbook that reflects the information and advice that you have given to your apprentices.

An example of an employer handbook can be found in Appendix 3.

Working with apprentices

As outlined in the ATA framework, a key priority for ATAs is to contribute to a high quality Apprenticeship experience. At the heart of the ATA process, therefore, is the requirement to provide an apprentice with a high quality, relevant experience that should lead to a permanent job.

Marketing and recruitment

The ATA must have a clear engagement strategy to attract suitable apprentices. This will include deciding what your offer is to apprentices and could include:

- finding high quality employment opportunities for young people;
- offering advice and guidance on their options;
- providing counselling and support;
- organising training with approved providers; and
- having 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.

You will need to develop clear processes to recruit, interview and place suitable apprentices, ensuring that the apprentice fully understands the nature of the employment, based on a link with real job vacancies offering full-time employment as the norm.

You should consider marketing your offer through the usual Information, Advice and Guidance (IAG) routes including:

- advertising job vacancies through the Apprenticeship Vacancies site <https://apprenticeshipvacancy.matchingservice.lsc.gov.uk/navms/Forms/Candidate/Apprenticeships.aspx> and the local press;
- information leaflets and flyers;
- an annual prospectus;
- promotion to providers and colleges in your region, particularly those engaged in pre-Apprenticeship / employment programmes; and
- engagement with education and business partnerships.



Real-world experiences – Apprenticeship recruitment

In order to engage effectively with potential apprentices, ATAs should consider avenues such as working with local schools and Jobcentre Plus. This is mainly considered as a business development activity, rather than specifically income generating, and helps to gain exposure for the ATA and increase its brand awareness. This is of particular importance given the necessity to minimise marketing costs in order to keep financial outgoings down.

Where the ATA is based in a rural area, existing ATAs suggest a proactive approach by establishing a presence at local amenities such as a village shop or engaging with youth clubs.

ATAs will need to allocate the necessary resources to handle potentially high volumes of applications for job opportunities that are advertised either through the ATA's own media links or through Apprenticeship Vacancies, which posts vacancies nationally. Existing ATAs suggest that there is no set approach for dealing with the volume of applications received as it can fluctuate significantly, but being prepared to process up to 30 applications per vacancy is not uncommon.

Contract of employment

As the apprentice's employer you will need to issue a formal contract of employment that ensures all parties understand their own and each other's obligations. Your contract must be as clear and concise as possible. Under employment law you will need to provide a 'principle statement' to your apprentices that must contain the following:

- the legal name of the host employer company (it is also advised to include any trading name if different);
- the legal name of the employee;
- the date current employment began;
- the employee's pay, how it is calculated and the intervals at which it will be paid;
- the employee's hours of work;
- entitlement to holiday – including public holidays and holiday pay. The information must be clear enough to allow employees to calculate their own accrual;
- the job title or a brief description of the work; and
- the address of the employee's place of work (if they will be working in more than one place then you should indicate this along with host employers' addresses).

You should seek legal advice before issuing any contract of employment under the ATA model.

Terms and conditions

You will also need to ensure clarity on responsibilities as an employee as set out for the apprentice in the form of a handbook or guidance document. In addition it should also contain encouragement and advice on how the apprentice can make the most of their time and opportunity while under the ATA contract of employment. This should include information about:

- absence, injury and sick pay;
- probationary periods and periods of employment;
- expenses policy;
- dismissal, disciplinary and grievance procedures – including suspension of contract and pay;
- notice periods;
- pension information;
- disclosure of information and data protection;
- the agreed period of continued employment with the ATA whilst a suitable alternative host is found should there be an interruption in employment with the host employer;
- an Apprenticeship Agreement covering all aspects of the training and including all parties (apprentice, host, provider and ATA);
- an individual learning plan;
- assessment and verification of the apprentice's progress;
- arrangements for functional skills;
- health and safety; and
- equality and diversity.

An example of an Apprentice Handbook can be found in Appendix 4.

Health and safety, and safeguarding

As an employer you are responsible for the health and safety of your employees. You must provide a safe environment for your workforce, and this applies equally to an apprentice.

Your ATA is responsible for ensuring that the apprentices' work environment complies with all relevant health and safety, employment, workplace, industrial legislation, by-laws, codes of practice and legal requirements to which you are ordinarily subject in respect of your own staff.

More information and resources providing support on safeguarding when working with young people and vulnerable adults can be found on the LSIS Excellence Gateway.

<http://www.excellencegateway.org.uk/node/1338>

Working with providers, colleges and partnerships

As an ATA responsible for the recruitment, employment and pastoral care of apprentices, you are reliant on your provider and/or college partners to deliver a high quality learning experience for your employees. It is therefore imperative that you have a robust strategy and system in place for selecting high quality providers and monitoring their performance.

You can only use Skills Funding Agency accredited providers to deliver training for your apprentices, and providers can only work with ATAs that have achieved recognition with NAS through the recognition process. The NAS Apprenticeship Quality Statement provides more information on the expected quality of delivery of the Apprenticeship offer.

<http://www.apprenticeships.org.uk/Partners/Policy/~media/Documents/NAS-Apprenticeships-Quality-Statement-brand-ed-May-29-2012.ashx>

You will also need to develop a close working relationship with other organisations currently engaged in the promotion of Apprenticeships to employers; in addition to providers and colleges, this includes NAS, Sector Skills Councils and National Skills Academies.

Real-world experience – Responsibilities to the apprentice

It is important to build into staff time the ability to support apprentices when placed in host employer's premises. This will typically be time to ensure that both the apprentice and the employer are benefiting from the arrangement and, should the need arise, the capacity to deal with disagreements and unfortunate situations swiftly. ATAs have suggested procedures for ensuring that apprentices are adequately supported throughout their employment and in particular if problems or issues arise:

- Set pastoral visits at the host employer at regular intervals (for example, 3-month intervals) to review the performance of the individual apprentice; ensure that the apprentice is getting exposure to work relevant to their Apprenticeship framework; and ensure that the host is happy. These visits should be used to address any issues with both the apprentices and the host employer.

- Look to probe apprentice's softer skills developments as well as their technical competence, including issues associated with confidence and working with others, and look to set specific goals.
- Consider using younger members of staff (where applicable) as a first point of contact for your apprentices. Existing ATAs suggested that they found apprentices more willing to share their experiences and concerns with younger members than with a director of the business.
- Scope and produce a risk and mitigation document, outlining likely risks and how these will be handled. This should outline the roles and responsibilities of key members of staff and response times. The document can be refreshed as and when new scenarios occur or when there is an opportunity to reflect on how the ATA has handled a particular situation.
- Look to negotiate a mutually beneficial arrangement between host employer and apprentice (for example negotiating a change in working hours if the apprentice has child care responsibilities).
- Be confident in implementing a termination of an apprentice's time with a host if it is proved to be an unsuitable arrangement.

Engaging and selecting delivery partners

You will need to consider the roles and responsibilities of your delivery partners and how you intend to involve them in the development and day-to-day running of your ATA, for example:

- You may wish to involve partners as part of an advisory or steering group, contributing to the overall direction of the ATA but with no formal rights or responsibilities.
- Delivery partners may form part of a formal network of providers signed up to promote / market your ATA as well as deliver the training.
- Delivery partners may be retained on some form of 'call-off' contract or agreement and engaged with on a case-by-case basis.

Whichever model you choose, you will need to set criteria against which you will select your delivery partners and may want to consider issuing an Expression of Interest (EOI) that clearly describes your requirements and seeks information from potential providers that demonstrates their ability to meet them. You can then sift these applications to identify a core group of providers which you then issue with an Invitation to Tender (ITT).

Real-world experience – Contracting with providers

We have a due diligence process we go through. We'll actually look at the performance of the college first. We want to know what their delivery mode is based on, what Apprenticeship frameworks they offer and what the host employer is looking for.

ATA scenario workshop



Invitation to Tender (ITT)

As a minimum, your ITT should clearly identify your expectations of the provider (as covered in your EOI), including any quality specifications (for example, minimum Ofsted grade 2, success rates, etc). You should give sufficient information on your delivery model so that the provider can clearly understand what they will be expected to deliver on your behalf. You may also wish to include your expectations about how provider partners will generate ATA vacancies with their own employer partners. Most standard ITTs contain mandatory sections in the following areas:

- Latest audited accounts and statements of financial viability;
- Evidence of sufficient liability insurances;
- Evidence of quality assurance procedures;
- Current Ofsted grade for relevant sector subject areas;
- Completion rates on current relevant contracts;
- Information about other relevant contracts;
- Management structure and staffing levels;
- Health and safety policy and compliance;
- Equality and diversity policy and compliance; and
- Environmental policy compliance.

You should also consider how the ITT process will work with providers operating through consortia and make it clear whether each provider needs to respond individually to the ITT or whether the consortia can represent them at this stage. Most lead partners

in consortia are used to monitoring and managing the quality standards and outputs of their members.

Service Level Agreements (SLA)

Once you have established your delivery partners (using an EOI / ITT process or other system) you should consider adopting either a Service Level Agreement (SLA) or a contract which clearly sets down the standards and working arrangements agreed between all parties. This could include reporting templates and dates, requirements to allow access to apprentice files for audit purposes and how poor performance or a change in provider status (e.g. a re-inspection resulting in a lower grade) will be dealt with.

The purpose and benefit of an SLA is that it provides a convincing statement that describes the actions, level of effort, timing and expected outcome triggered by a support request. These may be expressed as targets, commitments or guarantees. It should also include your expectations of your partners, particularly where you expect the provider to take action within a given timeframe (for example, you might want to ensure that a provider contacts the apprentice within one week of confirming their employment date). Your SLA should also contain and re-iterate the role of the ATA and what services you will provide.

SLAs can vary enormously by sector, geographical coverage and organisational design. Suggested SLA sections could include the following.

- An introduction – specifically stating the partners to which the SLA applies (you and the named provider).
- Pre-programme activities – clearly stating how apprentices and employers will be engaged by you, what you will

- have undertaken and what you expect the provider to undertake.
- How the apprentice and host employer details will be communicated to the provider, providing examples of any templates you intend to use (see the handover section later within this guide).
 - How the training provision will support the employment opportunity offered by the host employer (the Apprenticeship should be based on the job role not on the training available).
 - How the ATA Apprenticeship starts will be recorded on the correct ILR field by the provider partner.
 - What reporting you expect from the provider and how often, particularly on progress updates for apprentices. Provide reporting dates, e.g. monthly / quarterly, and any templates you expect them to use.
 - How the provider should report any issues to you, particularly in regard to the progress of the apprentice.
 - How you expect induction to be undertaken, either by your organisation, jointly or as the sole responsibility of the provider.
 - How providers should act if any further vacancies are identified within the host employer (this is an important area which you need to give due consideration, particularly as there is little enforcement you can use if a provider begins to 'poach' your host employers – other than ending the partnership).
 - An outline of how the SLA can be terminated by either party, together with an outline of the main reasons why the SLA may be terminated. For example:
 - if you receive more than 3, 4 or 5 upheld complaints or concerns from host employers or apprentices;
 - if the provider falls below a minimum expectation in terms of contact with the apprentice or the ATA; or
 - if the provider processes vacancies directly with a host employer without informing you.
- It is advisable to develop a process which enables you to discuss any difficulties and reach a resolution with your delivery partners as this will most likely be in the best interests of both the apprentice and the employer. Where you feel there is a need to terminate your engagement with a partner you must ensure that the apprentice and host employer are not left without training provision.
- A sample Service Level Agreement between an ATA, employer and training provider can be found in Appendix 5.
- ### Handover templates
- It is likely that at regular intervals you will need to communicate apprentice, host employer and provider partner information to each respective party when an apprentice is ready for their employment opportunity. Having a formal record of the information exchanged can help to ensure that information is communicated clearly between all parties. As the employer with ultimate responsibility for your apprentice, it is imperative that you have a clear process in place that clarifies who has undertaken each aspect of the mandatory requirements, for example employer liability insurance, health and safety checks, and Information, Advice and Guidance (IAG). Having a formal record of the information exchanged will help to ensure clear communication between all parties and

will reduce the need for the host employer to be approached more than once for the same information.

You should agree in advance:

- the contact point for each handover template;
- how receipt will be acknowledged by the provider, host employer or apprentice;
- how queries or missing information will be dealt with;
- the frequency with which health and safety and equality and diversity checks are carried out; and
- details and evidence of insurance liabilities.



Provider reporting

As the apprentice's employer you have a duty of care for their progress, health and safety, and welfare. It is vital that apprentice progress (in terms of qualifications and personal development) is reported back to you at regular intervals. Wherever possible and in order to reduce duplication of work, the details you request should reflect the information the training provider is contractually bound to evidence by its own funded contract. This should be accompanied by a list of reporting dates for when the report should be returned to you.

Reporting can include:

- apprentice name
- host employer name and address
- percentage completion of the programme
- date of last contact with the apprentice
- date of next contact with the apprentice
- whether progress is on target – and an explanation of why it is not on target
- ongoing health and safety review
- how the apprentice is coping with their work / colleagues / employer
- completion date.

Appendix 1: ATA Framework

There are a number of core principles set out in the ATA Framework, which establish the criteria under which ATAs are expected to operate. These areas are highlighted below.

Framework criteria	Detail
Operating model	<ul style="list-style-type: none"> • The ATA is a separate legal entity established to recruit and employ apprentices with the intention of hiring them out to host employers to support the Apprenticeship. • The ATA will have ultimate responsibility for the welfare, health and safety, learning and employment of the apprentice. • It 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 Skills Funding Agency participation funding, but where this is available, it must be used in adherence with Skills Funding Agency terms and conditions and solely support the delivery of training. • The ATA should offer full-time employment of the apprentice as the norm, with part-time employment available only in limited circumstances. • It should agree a wage in conjunction with the host employer which must be at least the legal minimum Apprenticeship wage currently set at £2.65 per hour (as of 1 Oct 2012). • It should ensure clarity about the responsibilities of an employee, set out for the apprentice in some form of handbook or guidance document.

Framework criteria	Detail
Quality	<ul style="list-style-type: none"> • The ATA should ensure that Information, Advice and Guidance (IAG) are available for the apprentice where possible. • It should ensure that the host employer(s) offer the apprentice productive employment which supports the Apprenticeship framework. • It should ensure that the host employer's vacancy is clear from the outset and where possible offers productive employment for the length of the Apprenticeship. • It should ensure that the length of the programme supports the beneficial outcomes associated with Apprenticeships. • ATAs should offer a structured Apprenticeship programme using a combination of host employers where a host employer is unable to provide continuous employment. • 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. • Training provision supports the employment opportunity offered by the host employer. • An Apprenticeship Agreement is in place covering all aspects of the training and including all parties (apprentice, host employer, provider and ATA).
Creation of new apprentices, not displacement of existing ones	<ul style="list-style-type: none"> • There should be a close working relationship with organisations currently engaged in the promotion of Apprenticeships to employers. • There should be a clear engagement strategy and engagement criteria to secure host employers. • ATAs should ensure that employers both understand, and are committed to Apprenticeships. • There should be clear systems to ensure that host employers can give necessary and appropriate support to the apprentice.

Framework criteria	Detail
	<ul style="list-style-type: none"> • There should be 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. • There should be a focus on securing employment for the apprentice at the end of the Apprenticeship. • The host employer can 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.
Strategic procedures for working with apprentices, host employers and providers	<ul style="list-style-type: none"> • An ATA will agree clear terms with all the employers, providers and apprentices with whom they work. These terms should reflect best practice in the delivery of an Apprenticeship. • An ATA should have 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.
Adherence to employment agency regulations	<ul style="list-style-type: none"> • ATAs must make themselves aware of and comply with all relevant employment law and regulation, including those in the Employment Agency regulations.

Appendix 2: Sample terms of reference for a Management board or Advisory Group

These Terms of Reference exist to:

- clarify the composition and the overarching roles and responsibilities of the Management Board and its Advisory Group;
- establish the consensus around shared principles and consistency of approach with regard to the delivery of Apprenticeships, especially the employer and apprentice experience;
- establish, and identify the mechanisms for upholding, the criteria for:
 - Management Board membership
 - employer engagement
 - employment of apprentices
 - minimum levels of performance
 - intervention
 - complaints and conflict resolution.

The Company

<Your ATA> is an independent trading entity with a single focused mission: the creation of high quality Apprenticeships in <region>. It is registered as <insert details, e.g. a company limited by guarantee with 'not-for-profit' Memorandum and Articles>.

Management Board

The Management Board will be chaired by the CEO of <your ATA> and comprise the Directors and Operations Manager of the same. The Management Board (excepting the Operations Manager) hold legal

responsibilities for the company as designated by the Companies Act 2006, and therefore will hold all decision-making responsibility for issues relating to:

- finance and funding
- employment structure
- contracting with third parties
- all aspects / issues relating to the day-to-day management and operation of the company, including marketing, recruitment, target setting, HR issues, etc. For the sake of expediency and efficiency, these issues, other than the three above, will be delegated to the CEO of <your ATA>.

Advisory Group

The Management Board will be supported by an Advisory Group, comprising the Operations Manager and representatives from <insert relevant partner agencies: NAS, Sector Skills Councils, National Skills Academies, etc>.

This Advisory Group is invited to contribute to:

- strategic planning, including employer engagement and marketing;
- policy development; and
- ensuring complementarity with, and additionality to, existing and planned provision.

All members will be required to attend meetings and make a positive contribution to <your ATA>. Any member failing to attend

three consecutive meetings or failing to deliver against their responsibilities will be subject to a review of their membership by the Management Board.

Membership will be reviewed annually.

Management and reporting

The day-to-day operations of the company will be managed and administered by <your ATA>. On behalf of <ATA>, the Management Board will hold overall responsibility for:

- financial control
- quality assurance
- strategic planning
- policy development
- risk management
- performance monitoring
- reporting against targets
- sustainability and growth.

These Terms of Reference will be supported by specific Service Level Agreements and contracts (as required) with each provider, and the Memorandum of Understanding with the National Apprenticeship Service (NAS).

These will detail Apprenticeship numbers, recruitment arrangements, data capture requirements, funding allocations and reporting expectations.

Delivery on SLAs will be monitored by the Management Board.

Conflict resolution

In the event of a conflict between any of the partners, the issue will be raised initially with the <ATA> Operations Manager and, if unresolved, be mediated through the Management Group.

The Operations Manager will refer any slippage in delivery against SLAs to the Management Board, and monitor and report on improvement. Continued slippage and/or under-performance <criteria to be determined> will be referred back to the Management Board for appropriate action <to be determined>.

Good Partners Agreement

The parties will inform each other prior to any sensitive messages emerging which might impact adversely on <ATA>. The parties will share information as appropriate about agreements with other parties.

Confidentiality

Each organisation will observe confidentiality as required in relation to shared information which is not in the public domain.

Signatories

Signed by (Management Board member organisations).

Appendix 3: Employer handbook

Supervision and management of your apprentice

Under the terms of this agreement and the contract of employment held between us and your apprentice(s) you accept the responsibility to support the apprentice for both pastoral and work-related issues.

Probation

When your apprentice accepts your offer of employment, the apprentice will be on a period of probation for <insert frequency as agreed in the apprentice handbook>.

Expenses policy

Any travel costs incurred by your apprentice to and from work (public transport, parking, etc.) cannot be claimed under any additional expenses and are the responsibility of your apprentice.

If, in the course of work, you request that the apprentice go to an offsite location for which the apprentice will incur costs on your behalf (for example, taxis or public transport) you are asked to reimburse the apprentice without undue delay. All expenses incurred should be settled directly between you and the apprentice.

Absence, sickness, Injury and sick pay

We operate a timesheet system which you and the apprentice sign and return to us <weekly / fortnightly / monthly>. You will sign

each timesheet to confirm that you agree to pay for the hours declared.

Unauthorised absence should be recorded on the timesheet. Any unauthorised time away from work will be deducted from the apprentice wage. Sickness should also be recorded on the timesheet and, unless indicated by you to the contrary, time recorded as sickness will be deducted from the apprentice wage.

If you are concerned by the attendance behaviour of your apprentice you should contact us on <central contact number> as soon as possible.

If your apprentice is injured while in work, or while performing work duties, it should be recorded in an accident book and you should inform us as soon as possible.

Your apprentice has been instructed that all cases of sickness and absence will be reported to you directly. You should ensure that the apprentice has the details of who to contact and what your absence policy is (for example, is there a specific time of day where absence is reported).

Dismissal, disciplinary and grievance

Under the terms of the contract of employment, the apprentice has been informed that we, as their employer, operate a disciplinary and grievance procedure. They have also been instructed that the following actions or behaviours may result in a discipline or dismissal procedure:

- arriving at work under the influence of drugs or alcohol or consuming alcohol or illegal drugs during work hours;
- being abusive at work or disobeying any reasonable instruction of their host employer;
- being absent from work without explanation or if they are regularly late for work;
- disclosing confidential information; and
- being involved in unlawful or criminal activities.

All of the above rules also apply while attending training activities.

Should you suspect any of the above, you should contact us immediately, or in the case of gross misconduct where you need to remove the apprentice from the premises, please contact us without delay.

Annual and bank holidays

Apprentices are entitled to be paid for 4 weeks holiday per year (accrued as 1.5 days per month worked). All holiday requests will be made by the apprentice to you, their host employer. Apprentices should not take paid holiday leave before it has been accrued. You will not be invoiced for holidays taken by the apprentice, as holiday payments are included in our regular invoice to you.

In addition to paid holidays, apprentices are entitled to eight public bank holidays per year. We calculate our holiday year based on <a set annual start date / as an anniversary of the start date>.

Overtime

Our contract of employment with the apprentice and our formal agreement with you is based on an agreed number of working hours per week. If you require your apprentice to work additional hours to those agreed, you should make these arrangements between you both.

Apprentices have been advised that additional hours which have been worked with agreement from you will be paid as overtime.

Payments for any overtime should be made <directly to the apprentice / identified through the timesheet and invoiced through normal arrangements / other arrangement >

Supervision

You will appoint an appropriate supervisor who the apprentice will report to and who will assist the apprentice with evidence-gathering to support their learning programme (where appropriate). This person will confirm the apprentice timesheet submission as being accurate and including correct details.

Training support

Under the terms of our contract of employment, your apprentice is entitled to time off for study as agreed with you. We will arrange for a training provider to deliver a learning programme to your apprentice and you are required to allow access to the training provider for the purposes of apprentice assessment and/or apprentice review. You are also required to allow access to the apprentice co-ordinator, employed by us, who may need to enter your premises to conduct business with your apprentice.

Your obligations

Health and safety

For health and safety (H&S) purposes, your apprentice is protected and should be treated in the same way as any of your employees.

<If you already have an H&S handbook, refer to it here and issue as a separate document.>

Timesheets

Timesheets are the prompt by which your apprentice will be paid. Our payroll for your apprentice runs <weekly / fortnightly / monthly> and as a result, timesheets must be returned to us by <set a deadline, e.g. Tuesday morning at 11.am – and a how to send, e.g. email address, post, fax> to ensure your apprentice is paid on time. Any timesheet submitted late, or submitted incorrectly completed, or which is unsigned by you may cause delay in wages being processed. <An example timesheet could be attached as an annex.>

Financial arrangements

Our fees and invoicing arrangements

You are contractually obliged to pay our invoice on presentation. You will be invoiced <frequency weekly / fortnightly / monthly> and this will represent <this could be one / two weeks in arrears and one / two weeks in advance>.

Your invoice will be made up of:

- the agreed weekly rate paid to the apprentice
- a xx % uplift to cover holidays and bank holidays
- a xx % uplift to cover Personal Protective Equipment (where appropriate)
- a xx % service charge for our services
- VAT at the prevailing rate.

Delays in settling our invoice may result in your apprentice being removed from your workplace with immediate effect. We will remove your apprentice immediately should you fail to settle <two> consecutive invoices.

Employing your apprentice directly

We would encourage you, as an employer, to offer your apprentice a direct contract of employment at the end of the Apprenticeship programme. If you feel that you are able to offer a contract of employment earlier then we will relinquish our contract of employment, however we reserve the right to charge a fee of £xxxx to cover our costs.

Introductory fee

If you decide to employ a candidate we have submitted to you for selection at the stage of interview, we reserve the right to charge a fee of £xxx to cover our costs.

Payment arrangements

We require you to pay us by direct debit on a <weekly / fortnightly / monthly> basis. Invoices will be sent electronically on a <weekly / monthly> basis. Monthly statements will be sent to you.

Termination of this agreement

We reserve the right to suspend or terminate this agreement and our services to you if you breach the terms and conditions detailed.

You can terminate the agreement at any time prior to accepting an apprentice. Once you have accepted one of our apprentices, you need to give a minimum of <5 / 10> days' notice. Any outstanding payments will be due to us at the date of termination of this agreement.

Liability clause

We are not liable for any loss, damage, delay or cost incurred by the actions of an apprentice whilst on placement with you.

Appendix 4: Apprentice handbook

Probation

It is usual for all new employees to have a review period (often called probation) when they start a new job. Your probation will last for <insert time>. You will be informed when you have successfully passed your probationary period. Although you hold a contract of employment with us, your main place of work will be with your host employer < insert company name / contact person>.

Expenses

Travel costs (public transport, parking, etc) to and from work cannot be claimed under expenses.

If, in the course of your work, your employer asks you to go somewhere which means that it will cost you money (taxi, public transport) or you are asked to buy something on behalf of the employer, you **MUST** keep all receipts or tickets and give them to your employer who will arrange to pay you back.

Disclosure of information

You must not disclose any sensitive or personal information, or remove any data or information from your host employer without permission. Breach of this rule could lead to instant **dismissal**.

Sickness, injury and sick pay

If you are unable to attend work through illness or injury you must inform your supervisor / manager at your employer's office **and** your apprentice co-ordinator. Each company will have their own reporting procedure so make sure you know how to report that you will not be attending work.

You will not be paid if you are recorded as sick, unless your host employer agrees to pay you during this period. If you are injured while in work, or while performing work duties, you should report this immediately to your host employer and it should be recorded in an accident book. If your injury is serious and is likely to lead to time off work, you must contact your <Apprenticeship co-ordinator's name> as soon as possible.

Dismissal and disciplinary procedures

If you have a **grievance** (a serious complaint) about your work place, work colleagues, <training co-ordinator> or <Apprenticeship co-ordinator> you should contact <insert name, job role and email address> who will <issue you a grievance form / arrange an interview> within <set timeframe>.

If when you raise a grievance procedure you feel that it wasn't dealt with fairly, you should then contact <insert name, job role and email address> who will <issue you a grievance form / arrange an interview> within <set timeframe>.

We want to help you to complete your Apprenticeship successfully and gain your qualifications. In return we expect your performance at work and in training to be professional.

You may be **disciplined or dismissed** from work for the following behaviour:

- arriving at work under the influence of drugs or alcohol or consuming alcohol or illegal drugs during work hours;
- if you are abusive at work or disobey any reasonable instruction given by your host employer;
- if you are absent from work without explanation or you are regularly late for work; or
- if you disclose confidential information or if you are involved in unlawful or criminal activities.

All of the above rules also apply while you are attending training activities.

Pensions

You will not be entitled to a company pension under the terms of this contract of employment.

Annual and bank holidays

You are entitled to be paid for 4 weeks' holiday per year (or 1.5 days for every month worked). You must let your employer know of your planned holiday dates and then record this on your timesheet as holiday. You will not be paid for any holidays taken from work before they have been built up (note that you will need to work approximately 12 weeks to have built up 5 days' holiday). In addition to paid holidays, you are entitled to 8 public bank holidays.

Overtime

If you are asked to work more hours than you normally do, you will be entitled to be paid for this additional work. Overtime will be paid <through your employer recording the time as payable on your timesheet / directly by your employer... as appropriate>.

Advice on making the most of your Apprenticeship

It is important to build your job specific skills, but it is also very important to develop skills that all employers are interested in:

- Communication skills – that contribute to productive and positive relations between employees and customers.
- Teamwork skills – that contribute to productive working relationships and outcomes.
- Problem-solving skills – that contribute to productive outcomes.
- Independent thinking and self-motivation – that contribute to new business ideas.
- Planning and organising skills – that contribute to long-term and short-term business planning.
- Self-management skills – that contribute to employee satisfaction and growth.
- Learning skills – that contribute to ongoing improvement and expansion in employee and business outcomes.
- Technology skills – that contribute to effective completion of tasks.

You should try to nurture and develop these skills in yourself. These skills are what employers are looking for when hiring new staff. Take notice of the work habits of successful employees around you and learn

from them. If you recognise what further skills you need and can improve them, it will have a positive effect on your future employment prospects.

During your Apprenticeship

- Set yourself daily, weekly and monthly tasks – write them down and tick them off when completed.
- Be on time – every time.
- Never stand around with your hands in your pockets with nothing to do – always be keen to ask what you can do next.
- Keep in touch with your apprentice co-ordinator.

What can I do to make on the job training work for me?

You are the driving force behind your own training programme and you are ultimately responsible for making it work. Take responsibility: it's up to you to apply yourself to your job and your training to the best of your ability. Apprenticeships are a learning exercise – you need to seek out information.

- Learn about your employer's work.
- Consult your apprentice co-ordinator, work with your training provider and learn from your employer.
- Accept that experience pays off in the long run – don't expect high wages to start with.
- Keep busy, show initiative and recognise that every day you're building up experience to take you further in your career.
- Ask questions and keep asking until you have the answers.

During your employment, especially at the start, you might feel under pressure. This is completely normal and everyone will go through stressful times at work. It is important not to panic. The best thing to do is take a step back and give your Apprenticeship co-ordinator a call.

There is usually an easy solution, and we will work with you to sort it out.

At work

- Arrive on time.
- Be prepared for the job and make positive suggestions.
- Maintain an interest in your work.
- Comply with your employer's workplace policy and procedures.
- Follow instructions and accept suggestions constructively.
- Ask for help if needed.
- Behave in a way that reflects well on you and <Insert Organisation name>.
- Work safely.
- Dress suitably for the job.

Get in touch

We want to support and assist you in successfully completing your Apprenticeship. Don't be afraid to ask for help – contact your Apprenticeship co-ordinator if you are experiencing difficulties that are affecting your work or study.

Training

Your off the job training is extremely important to the Apprenticeship scheme. It is vital that you allow enough time, so you can achieve the formal qualifications. This will make your employer happy and will give you a head start in progressing within your sector.

Get along with others

Be polite to your employer and fellow colleagues at all times. You will have to work with a variety of people. Don't be afraid to ask questions and keep asking until you have the answers. Good communication can prevent and solve most problems.

Get involved

To get the most out of your Apprenticeship, make sure you get involved in as many workplace events as possible. Just ask your colleagues.

Stay away from trouble

Your training and/or employment may be in jeopardy and may be terminated if you:

- arrive at work under the influence of drugs or alcohol;
- consume alcohol or take illegal drugs during work hours;
- are involved in a fight or engaged in dangerous behaviour;
- abuse your superiors or workmates;
- disobey any reasonable instruction from your employer;
- are absent from work without explanation;
- share confidential information;
- are constantly late for work;
- lose your driver's licence; or
- are involved in unlawful or criminal activities.

Be safe

Always think safety first. You are not only responsible for your own safety, but also for the safety of others around you. You must work within your employer's health and safety policy and procedures. Don't take unnecessary risks and always wear protective clothing where necessary.

If you are injured or have a near miss at work, immediately notify your supervisor. Follow the procedures of your employer and remember to report the incident to your Apprenticeship co-ordinator as soon as you can.

Get your entitled leave

You are entitled to 20 days' holiday on top of the 8 public holidays already set. Make sure you plan when you want to take time off because you will need to get approval from your employer and will need to give adequate notice.

You are expected to keep your Apprenticeship co-ordinator informed about planned leave, so they know when you are away from work.

Appendix 5: Service Level Agreement

This service level agreement (SLA) sets out the roles, responsibilities, and the monitoring and quality undertakings for training providers and host employers working with <ATA> for the 16-18 and 19+ age groups.

By signing this SLA, the training provider and host employer agree to be monitored against these requirements and to be subject to a regular performance review with <ATA>, which reserves the right to take such actions as may be deemed necessary to achieve the desired outcomes for the apprentice and to protect the integrity of the public funding being used to support the apprentice.

This SLA is between <ATA> and

.....
.....

(the provider/host employer).

Prior to employment

Please note, some of the functions listed may not be appropriate to your organisation, for example, whether you expect providers to support the identification and recruitment of employers and apprentices – this list is also not exhaustive and should be used as a guide only.

ATA

<Your ATA> will ultimately be responsible for the selection and recruitment of host employers and for the identification and selection of apprentices, specifically, <your ATA> will:

- take responsibility for high level marketing and recruitment activities: media campaigns, market stimulation through profile-raising, etc;
- determine the criteria and assess eligibility for inclusion in the <ATA>Apprenticeships programme – from both an apprentice and employer / sector perspective;
- keep training providers updated on overall progress towards meeting the sector and apprentice-based targets, and therefore the types and number of places which are still available;
- identify suitable providers to work with host employers;
- provide sufficient information to providers to enable them to undertake their responsibilities;
- ensure that employers are fully appraised of the terms and conditions relating to taking an apprentice(s) under the programme, including the grievance and disciplinary procedures;
- ensure that employers are informed of the standard processes and protocols of working with <your ATA> host employers and apprentices where these exist;
- agree with the host employer a job description that the apprentice can work towards and which will become part of the apprentice’s training plan. This will be shared with the delivery provider prior to commencement of learning;
- undertake a risk assessment of the role that the apprentice will be fulfilling, which will be shared with the delivery provider prior to commencement of learning;
- identify health and safety issues to be addressed, which will be shared with the delivery provider prior to commencement of learning;
- make arrangements for the payment of the wage subsidy to the host employer;
- confirm with provider partners that the appropriate ILR field is completed; and
- outline what reporting you expect from the provider and how often, particularly progress updates for apprentices <monthly / quarterly> and any templates you expect them to use.

Training providers

As our delivery partner, you have agreed that you will:

- engage employers (if appropriate) by identifying and making contact with appropriate host employers;
- conduct training needs analysis (TNA) and organisational needs analysis (ONA) if required and record and share this and other relevant information (e.g. health and safety) if requested by <your ATA>;
- prepare reporting schedules as agreed with <ATA>;
- prepare to highlight the Apprenticeship start data in the correct ILR field;
- prepare a flexible delivery model which meets the employer's and apprentice's needs;
- nominate an assessor / point of contact for the apprentice;
- market and recruit apprentices (if appropriate) through the promotion of the ATA model; and
- undertake initial and diagnostic assessment and suitability profiling of apprentices (if appropriate to your delivery model).

The host employer

The host employer will:

- agree with the training provider a flexible delivery model which meets the host employer's and apprentice's needs;
- agree a job description that the apprentice can work towards and which will become part of their training plan; and
- nominate a mentor / point of contact for the apprentice.

Apprentice induction

Please note some of the functions listed may not be appropriate to your organisation, for example, whether you expect providers to undertake a full induction of apprentices, which may be appropriate for a national organisation utilising delivery partners for regional coverage. This list is also not exhaustive and should be used as a guide only.

ATA

The <ATA> will provide initial induction information to apprentices, which will include:

- an explanation of the work and role of <ATA>; and
- issuing a contract of employment including apprentices' rights and responsibilities, and the procedures for grievances which they can refer to in the future (e.g. an apprentice handbook).

The provider

The provider will:

- provide the apprentice with a formal induction specific to their learning programme;
- complete all relevant funding paperwork required;
- support the apprentice in the completion of any induction paperwork;
- explain how appropriate constituent qualifications are achieved; and
- when requested, be able to provide <ATA> with a record that the induction has taken place, and that issues such as welfare, health and safety and safeguarding have been covered and understood.

The host employer

The host employer will:

- introduce apprentices to the people they will be working with and their supervisor;
- explain the importance of health and safety in the workplace;
- explain relevant policies including the departmental code of conduct, standards of behaviour, timekeeping, flexi systems, use of e-mail, internet and data protection (if appropriate);
- provide basic information about the role that they will be undertaking;
- provide the apprentice with a mentor / point of contact; and
- ensure health and safety issues are identified and addressed and maintain this role throughout the learning programme.

Planning and designing individual Learning Plans (ILPs)

ATA

The ATA will:

- supply delivery partners with sufficient job role information to enable them to develop an appropriate ILP relevant to the Apprenticeship framework;
 - require a copy of the apprentice's ILP and progress being made towards targets from the provider if requested; and
 - seek assurance from providers that all funding paperwork is completed, in order to enable apprentices to be recorded as an apprentice.
- identify appropriate learning opportunities within the workplace, build these into the training plan, helping the apprentice to develop and progress;
 - understand the apprentice's training programme including NVQ and functional skills requirements, personal learning and thinking skills, and employment rights and responsibilities; and
 - share information on request with <ATA> on the nature of and progress against the ILP.

The provider

The provider will:

- work with the employer to identify and agree the apprentice's immediate training and development needs;
- assess the apprentice's current skills, knowledge and qualifications via an initial diagnostic assessment at the interview stage (if your model requires that this is a responsibility given to the delivery provider);
- produce a training plan (ILP) to reflect the assessed needs, setting out apprentice and provider objectives;
- monitor progress against the ILP and work to address any issues arising;
- identify and meet the apprentice's individual job-specific training and development needs;

The host employer

The host employer will:

- work with the training provider to identify and agree apprentices' immediate training and development needs; and
- ensure apprentices have the appropriate time off for college / off the job training / learning.

Delivering training plans

ATA

The ATA will:

- inform delivery providers of apprentice and employer needs (if appropriate to your model);
- require reviews on the probation period and recommendations from the training provider;
- set dates when progress reports from the training provider against the ILP are due;
- provide an outline report to be completed by training providers; and
- inform training providers of any issues raised which may affect the progress of the apprentice towards completing their Apprenticeship programme.
- assist apprentices to put into practice what they have learnt during training sessions;
- provide appropriate training to support the skills that the apprentice is developing, in order to gain their qualification;
- keep host employers informed of up-coming training sessions for the apprentices;
- undertake regular apprentice reviews which incorporate employer comments;
- maintain health and safety awareness of the workplace; and
- contact <ATA> with any concerns about any aspect of the training delivery, which might include barriers to learning.

The provider

The provider will:

- with the employer, conduct a probation review and inform <ATA> of the outcome;
- provide guidance and support on planning workplace training and learning activities;
- be aware of and make best use of the learning activities that are taking place within the workplace;
- help apprentices develop their knowledge and skills by providing a wide range of learning and training;
- be responsible for ongoing compliance with health and safety standards;
- be accountable for apprentices' work programmes and targets;
- manage apprentices according to their usual HR policies and practice; and
- issue timesheets, record sickness and other absences and manage any other performance issues.

The host employer

The host employer will:

Reviewing an apprentice's progress

ATA

The ATA will:

- organise a schedule of review meetings with training providers to review the progress of all <ATA> apprentices;
- ensure that the apprentice is contacted by an Apprenticeship co-ordinator (if appropriate);
- monitor providers and apprentices' progress towards achievement and timely achievement;
- seek regular feedback from apprentices and host employers about their experiences; and
- provide feedback to training providers and, where necessary, agree remedial actions.

The provider

The provider will:

- conduct apprentice performance review meetings, and involve the apprentice and the assessor in the meetings;
- as far as possible involve the host employer in the reviews;
- record the progress made by the apprentice;
- agree and record actions and targets between reviews;
- ensure that the apprentice and host employer receive copies of the performance review;

- inform <ATA> as soon as possible of any concerns regarding the apprentice's progress and/or conduct;
- identify additional training and support needs and amend the training plan accordingly, informing the ATA of any significant changes; and
- complete all associated paperwork promptly and return to <ATA>.

The host employer

The host employer will:

- endeavour to participate in apprentice review meetings; and
- work with the training provider to address any concerns with regard to the apprentice's progress, conduct, etc.

Supporting the apprentice in their work-based training programme

ATA

The ATA will:

- keep in regular touch with the provider (as per the agreed schedule);
- nominate a named contact for all dealings with training providers (if appropriate);
- through regular reviews and feedback, identify any problems or concerns that the apprentice or employer may have; and
- liaise with the provider, host employer and apprentice to agree suitable solutions to any problems or concerns that the apprentice may have.

The host employer

The host employer will:

- be aware of any problems or difficulties which may be facing learners and report these concerns to the <your ATA>;
- share any concerns or worries which might impact on the learners' progress toward their Apprenticeship with the training provider; and
- support any action plans designed to address learner needs.

The provider

The provider will:

- help apprentices understand how to collect evidence for their qualifications;
- be aware of any problems or difficulties which may be facing apprentices and address these through the review process; and
- share any concerns or worries regarding the welfare or pastoral care of the apprentice with <ATA>.

Equality and diversity

Please note – you should set down clear responsibilities and actions for equality and diversity and safeguarding for host employers and training providers. Most training providers will be familiar with these policies and may be able to support you to develop your policies. You are strongly advised to seek further information and ensure your ATA is kept up to date with regard to changes in legislation and how this might impact on your organisation. More information on equality and diversity issues can be found on Gov.UK and the LSIS Excellence Gateway:

<https://www.gov.uk/browse/working/rights-trade-unions>

<http://www.excellencegateway.org.uk/node/2771>

ATA

The ATA will:

- be assured by the training provider that all obligations under equal opportunities, safeguarding, health and safety, and the Disability Discrimination Act (DDA) legislation are being met <http://www.nidirect.gov.uk/the-disability-discrimination-act-dda>;
- explain to the apprentice what to do if they have a complaint about the way they are treated (if appropriate);
- reserve the right to check paperwork and/or make on site checks having given notice of their intention to do so to check on the above; and
- act on any complaints received from the apprentice, provider or host employer.

The provider

The provider will:

- make sure that the apprentice knows what to do if they feel they are being unfairly treated in the workplace;
- where necessary, assist in identifying the needs of individual apprentices with disabilities and liaise with the host

employer accordingly; and

- inform <ATA> immediately if there are any concerns with any aspect of the above.

The host employer

The host employer will:

- ensure that the apprentice is treated fairly and equally;
- make sure that the apprentice is not bullied, harassed or made to feel unwelcome in the workplace;
- make ‘reasonable adjustments’ to meet the individual needs of apprentices with disabilities;
- ensure all staff are Criminal Records Bureau (CRB) checked and registered as required by the Disclosure and Barring Service <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about> and;
- inform the training provider immediately if there are any concerns with any aspect of the above.

Health and safety

ATA

The ATA will:

- undertake an initial health and safety review of the employer's premises and share this information with the training provider;
- be assured by the training provider that all health and safety requirements continue to be met;
- support the training provider to address health and safety issues (if appropriate);
- reserve the right to check paperwork and/or make on-site checks having given notice of their intention to check on the above; and
- act on any complaints received from the apprentice, provider or host employer.

The provider

The provider will:

- use competent staff and verify that the host employer can provide a healthy, safe and supportive learning environment;
- assist the host employer in questions of health and safety requirements and their application to an apprentice;
- check apprentices' understanding of health and safety risk awareness;
- carry out an annual check to ensure that a safe and healthy working environment is being maintained by the host employer;
- monitor health and safety practices on an ongoing basis;

- investigate any accidents involving apprentices and agree preventative action with the provider and host employer (if appropriate); and
- provide health and safety and other trained personnel with feedback on the quality of service.

The host employer:

The host employer will:

- provide initial and ongoing relevant health and safety information, instruction and training in the workplace for the apprentice (and record instruction and training);
- inform apprentices about who is responsible for health and safety matters;
- provide necessary protective clothing, instruction in its use and check that it is used appropriately;
- assess the risks to which apprentices are exposed at work and apply the general principles of prevention;
- introduce and maintain appropriate measures to eliminate or control risks to the lowest reasonable practicable level and ensure a competent person always appropriately supervises apprentices;
- ensure the health, safety and welfare of apprentices and bring the training provider policy to the attention of the apprentice (if appropriate); and
- comply with health and safety legislation in relation to the apprentice.

Performance and standards

ATA

The ATA will:

- provide written protocols for and guidance on review and reporting requirements;
- take action in the light of underperformance or malpractice;
- ensure understanding of and agreement with the above; and
- monitor provider performance against agreed <ATA> targets and national quality standards.

The provider

The provider will:

- adhere to <your ATA> protocols and quality standards;
- attend the review meetings according to the review schedule; and
- seek <ATA> advice and guidance should there be any difficulty in compliance with the above.

Notes:

Notes:

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LSIS 329

Learning and Skills Improvement Service

The Learning and Skills Improvement Service's aim is to accelerate the drive for excellence in the learning and skills sector, building the sector's own capacity to design, commission and deliver improvement and strategic change. LSIS's vision is that every learner acquires the skills, knowledge and appetite for learning, living and working and every provider is valued by their community and employers for their contribution to sustainable social and economic priorities.

LSIS's Strategic Ambitions demonstrates how we will contribute to delivering core improvement principles and sets out our new ways of working to engage the sector in everything we do to make LSIS a truly sector-led organisation. You can find this document and other information about LSIS activities and services at www.lsis.org.uk

Disability equality policy

LSIS is committed to promoting equality for disabled people and we strive to ensure that all our communication and learning materials are available in various formats including large font, audio or braille. Please let us know if you consider yourself disabled and require reasonable adjustments made to support you.