

### **Who can be funded?**

The new rules are clear that apprentice must not be asked to contribute to cost of training or end-point assessment. We saw instances last year of employers attempting to get apprentices to either pay towards their cost of training or repay the cost of their training if they left employment or did not complete. The rules clarify the ESFA's position on this.

### **Off-the-Job Training (OTJT)**

This is specifically a section worth looking at in detail if you have not already. The rules confirm that OTJT is a statutory requirement for an English apprenticeship, although the statute does not specify how much OTJT is required. The minimum 20% is a specific rule in the funding rules not in statute. From August for new starts the 20% OTJT should cover the planned duration of training, which for standards is until the gateway for end-point assessment. Providers should now deduct statutory leave when calculating the 20% OTJT requirement for all apprentices who begin their programme from 1st August 2018. Planned OTJT must be set out in the apprentice's commitment statement and it should be clear which components have been used to calculate the minimum 20%.

### **Ineligible Costs**

Confirmation and clarification that student membership fees, even where linked to mandatory qualifications in a standard, are an ineligible cost for government funding.

### **Additional Payments**

Confirmation that the DfE recognising that many providers still deliver frameworks to 16 to 18 year olds and are therefore maintaining the 20% transitional uplift for 16 to 18 year olds or eligible 19 to 24 year olds. This is something AELP has been lobbying for and is a welcome commitment. These arrangements are being extended and will be kept "under review ahead of 2020" when all frameworks are due to be decommissioned.

### **End Point Assessment**

A reminder that in subcontracting the main provider must lead the relationship with the end-point assessment organisation not the subcontractor.

### **Subcontracting**

As part of due diligence the ESFA is insisting that the main provider must take account of any relevant Ofsted reports when carrying out your own due diligence checks on potential delivery subcontractors. Clarification that the provider may have more than one sub-contractor with a single employer.

### **Paying for an apprenticeship**

Clarification that the funding bands, and standards and frameworks placed within them, may be subject to change and we are expecting changes once the IfA has made its recommendations to the DfE on 31 existing standards in the near future.

### **Accounting for Prior Learning**

This is another section worth paying extra attention to. Much emphasis has been again being provided that funds must not be used to pay for training in skills already attained. And where the ESFA find evidence of this they will recover funding where this happens. The provider must account for prior learning and must reduce the content, duration and price where an appropriate. Where accounting for prior learning would mean the duration would be less than 12 months or fail to meet the 20% off-the-job, the apprenticeship is ineligible. The provider must include a thorough assessment of apprentice's existing knowledge, skills and behaviours against those required for the apprenticeship. This includes work experience, previous apprenticeships and prior education and this assessment must be included in the evidence pack.