



Apprenticeship Policy

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1. PURPOSE

1.1 The Bath and Wells Multi Academy Trust (hereafter referred to as the MAT) values apprenticeships and recognises the contribution of apprenticeships to service delivery, including increased productivity, greater staff retention through career progression, and a more highly motivated workforce. Other benefits of employing apprentices include:

- Apprentices bring new ideas into organisations
- Apprentices provide a pool of skilled people to select from for future promotion.

1.2 There are economic and social reasons for the MAT to employ apprentices. These include:

- Developing the skills of local people
- Bringing young people into the workforce
- Involving the local community in the delivery of local services
- Training the organisation's current workforce and growing the workforce of the future; increasing staff morale, productivity and retention

1.3 This document outlines the MAT's policy and guidelines on the recruitment and employment of apprentices.

2 APPLICABILITY

2.1 This policy applies to apprentices being recruited within the MAT.

3 ROLE AND RESPONSIBILITIES

3.1 Recruiting Managers are responsible for gaining the relevant authorisation when they wish to recruit an apprentice, the recruitment of apprentices, for ensuring apprenticeship roles are appropriate for the individual and the organisation, and for ensuring the apprentice is employed on an appropriate contract.

3.2 The School Headteacher/Principal is responsible for authorising the recruitment of apprentices if it is within their staffing budget.

3.3 The MAT Directors are responsible for the authorisation for the recruitment of apprentices that are not within normal staffing budgets.

3.4 Human Resources are responsible for advising on and updating this policy and for advising recruiting managers on the recruitment and employment of apprentices

4 RECRUITING AN APPRENTICE

4.1 The recruitment of an apprentice can be considered when there is a staffing vacancy which would allow for someone to be trained to fill the role. Apprentices can be considered for vacancies where there is the capacity to support the training and development of the individual and where there is the potential of a future role on completion of the apprenticeship.

- 4.2 An apprenticeship should be a planned programme in place for a defined period of time that combines work and learning, and supports an individual to develop skills and knowledge, within the framework of achieving a qualification for a particular trade or profession. Therefore when considering recruiting an apprentice the Recruiting Manager should carefully consider the role and whether it is suited to an apprentice and whether they are able to provide the support required.
- 4.3 Before commencing to recruit an apprentice the Recruiting Manager should obtain approval. If post is within current staffing budget then approval can be sought from the Headteacher/Principal of the school, or if it is outside of the current staffing budget then an Authorisation to Recruit from needs to be completed and submitted for authorisation from the MAT Directors.
- 4.4 Once approval has been gained the Recruiting Manager can proceed to recruit an apprentice in the same way as other staff (please refer to the Recruitment Policy). The Recruiting Manager could contact a training provider to match the role with an apprentice through the national vacancy matching service. Training providers can also help with the selection process if needed.
- 4.5 The Recruiting Manager can use a training provider of their choosing; however they must ensure that it is an approved apprenticeship scheme. In order to seek advice on recruiting an apprentice and to find a training provider the Recruiting Manager can visit the website www.apprenticeships.org.uk or phone 08000 150 600.

5 JOB TITLE AND JOB DESCRIPTION

- 5.1 The apprentice must be assigned a job title and given a job description. The job description should include a description of their duties.
- 5.2 All apprenticeship job descriptions need to include the following statement: "employed specifically to learn a particular skill, and as appropriate to obtain a specific qualification." New apprentice job descriptions should be sent to Human Resources for approval before proceeding to recruit. Please refer to the Recruitment and Selection Policy for further guidance on writing a job description.

6 PAY ARRANGEMENTS

- 6.1 New starters on an apprenticeship programme will receive a rate of £3.50 per hour (correct rate as at September 2013) for the first 12 months of their apprenticeship.
- 6.2 On completion of the first 12 months of an apprenticeship the apprentice will receive the relevant National Minimum Wage amount per hour applicable to their age.
- 6.3 The apprentice's line manager is responsible for ensuring that the apprentice's salary is correct and for the completion of changes forms in order to ensure the apprentice's pay and records are accurate.
- 6.4 The apprentice's salary will be paid from the relevant department's budget.
- 6.5 Apprentices are entitled to join the Local Government Pension Scheme.

7 APPRENTICESHIP AGREEMENT

7.1 All apprentices will be issued with an Apprenticeship Agreement (see Appendix 1). An Apprenticeship Agreement is an agreement between an employer and an apprentice under which the apprentice undertakes to work for the employer and is in the form prescribed by s32 of the Apprenticeships, Skills, Children and Learning Act 2009 (ASCLA). The Apprenticeship Agreement is a contract of service and not a contract of Apprenticeship, reflecting the fact that an Apprenticeship is primarily a job rather than training. Apprentices have the same employment rights as other employees. An apprentice employed under these arrangements has no greater protection or rights on termination than an ordinary employee. The following conditions must be met for an apprentice to be employed under an apprenticeship agreement:

- There must be an agreement in the prescribed form as set out in the Apprenticeship Agreement Regulations.
- The apprentice must undertake to work for the employer

8 APPRENTICESHIP CONTRACTS

8.1 An apprentice is an employee and should receive the same information and treatment as any other existing or new employee.

8.2 The Recruiting Manager will need to set the hours of work in accordance with the requirements of the role, however an apprentice needs to be employed for at least 16 hours a week (based on a 52 weeks per a year contract). The hours of work that are set need to include any off the job training that the apprentice needs to attend. The hours of work should be appropriate to the requirement of the job role and the amount of off the job training required. The time apprentices spend studying is dependent on the course and the course provider, therefore the Recruiting Manager will be responsible for discussing hours of study with the training provider and including them in the apprentice's hours of work.

8.3 Apprenticeship contracts can be issued for both term time only roles and all year round roles. The contract offered should be based on the needs and requirements of the role.

8.4 Apprenticeship contracts will be a for a fixed term period due to the reason of training. The Recruiting Manager will also be responsible for liaising with the training provider and HR to determine the length of the fixed term contract. On average, a (level 2) Apprenticeship takes between 12 and 15 months while an Advanced Apprenticeship (level 3) takes between 18 and 24 months.

8.5 The Recruiting Manager is responsible for completing a New Starter form for the new apprentice and submitting it to Wiltshire Council. On receipt of the New Starter form Wiltshire Council will draft a contract of employment and send to the Recruiting Manager for checking and to issue to the apprentice.

9 SPECIAL PROTECTIONS

9.1 Special protections with regards to working time regulations that apply for young workers under 18 will apply to apprentices. Therefore if an apprentice under the age of 18 is employed advice should be sought from Human Resources.

10 GOVERNMENT FUNDING AND GRANTS

10.1 Employers can also apply for funding to cover the training costs for apprentices. The amount depends on their sector and the age of the candidate, the following usually apply.

- aged 16 to 18 - 100% of cost paid
- aged 19 to 24 - 50% of cost paid
- 25 years and older - employers may only get a contribution

10.2 Recruiting Managers are responsible for discussing funding options with the training provider and setting up funding.

11 FUTURE EMPLOYMENT WITH THE MAT ON COMPLETION OF AN APPRENTICESHIP

11.1 On completion of an apprenticeship the employee should be fairly considered and fairly assessed for any appropriate roles within the organisation. Options and processes should be discussed with Human Resources.

12 TERMINATING THE CONTRACT ON COMPLETION OF THE APPRENTICESHIP

12.1 If there are not any appropriate roles for the apprentice on completion of their training the employee's line manager is responsible for meeting with the employee and giving notice that their fixed term contract is coming to an end. The manager should also discuss with the employee any potentially suitable vacancies and the employee's right to appeal the decision to terminate their contract. The meeting and all the points discussed should be confirmed in writing, the letter issued to the employee following the meeting should clearly explain the employee's right of appeal.

12.2 Once the employee has completed the apprenticeship, if the decision is not to retain the employee within the organisation, this will involve a dismissal on the basis that the fixed term contract is not to be renewed. The MAT would need to demonstrate that the dismissal was fair.

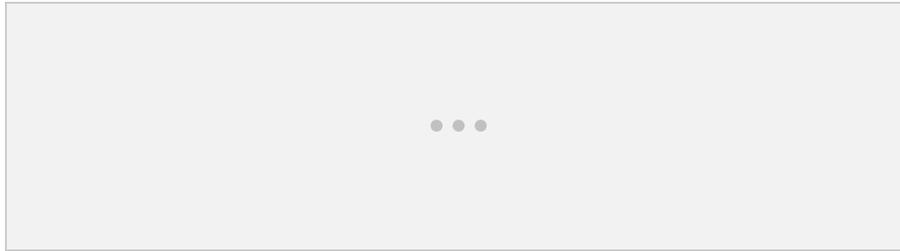
13 MONITORING AUDITING AND REVIEW

13.1 The Apprenticeship Policy will be monitored and reviewed on a regular basis.

The Bath and Wells Diocesan Academies Trust operating as Bath & Wells Multi Academy Trust

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APPENDIX 1 - APPRENTICESHIP AGREEMENT

Apprenticeship Agreement

Further to the Apprenticeships (Form of Apprenticeship Agreement) Regulations which came into force on 6th April 2012, an Apprenticeship Agreement is required at the commencement of an Apprenticeship for all new apprentices who start on or after that date.

The purpose of the Apprenticeship Agreement is to:-

- identify the skill, trade or occupation for which the apprentice is being trained; and
- confirm the qualifying Apprenticeship framework that the apprentice is following.

The Apprenticeship Agreement is incorporated into and does not replace the written statement of particulars issued to the individual in accordance with the requirements of the Employment Rights Act 1996.

The Apprenticeship is to be treated as being a contract of service not a contract of Apprenticeship.

This agreement is governed by the law of England and Wales and is entered into in connection with a qualifying apprenticeship framework.

Apprenticeship Particulars:

| | |
|---|--|
| Apprentice name: | |
| Skill, trade or occupation for which the apprentice is being trained: | |
| Relevant Apprenticeship framework and level: | |
| Training provider: | |
| Start date: | |
| Estimated completion of learning date: | |

Signatories:

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|-------------|--|-------|
| Apprentice: | | Date: |
| Employer: | | Date: |