These are key apprenticeship funding rule relaxations, temporarily made during the COVID-19 disruption, updated by the ESFA on 24th April.

[www.gov.uk/government/publications/coronavirus-covid-19-apprenticeship-programme-response/coronavirus-covid-19-guidance-for-apprentices-employers-training-providers-end-point-assessment-organisations-and-external-quality-assurance-pro](http://www.gov.uk/government/publications/coronavirus-covid-19-apprenticeship-programme-response/coronavirus-covid-19-guidance-for-apprentices-employers-training-providers-end-point-assessment-organisations-and-external-quality-assurance-pro)

**A Temporary Changes to the Rules**

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| **Subject** | **Change in the funding rules** | **Guidance / comments from David Lockhart-Hawkins** | **Provider use** |
| **Breaks in learning** | Can now be initiated by employer or provider. Was formally an agreed break initiated only by the apprentice. This is stated as temporary, but the guidance applies until further notice. | Remember when a break occurs there needs to be an equal extension to the programme upon return, the apprenticeship agreement requiring update at that time. | Click or tap here to enter text. |
| **Evidence of signatures** | Signatures in evidence: Where you don’t have an electronic or digital signature system you temporarily do not need a wet signature on new evidence during the COVID restrictions (includes commitment statement, apprenticeship agreements, contracts, gateway reviews) but you do still require some form of authentication.  This is in effect until further notice. (See FAQ 25.) | Acceptable alternative evidence includes:   * an email from the learner and/or employer’s email address with details of the confirmation and their typed name at the end of the message * a typed name on an electronic form or document emailed from the learner and/or employer * a signed scanned document attached to an email from the learner and/or employer * photo taken on a camera/digital medium of the signed document attached to an email from the learner and/or employer   If you have digital systems though you are expected to use that. The evidence examples given were key start and end documents, stated so as to try and ease recruitment and completion concerns. | Click or tap here to enter text. |
| **End Point Assessment Flexibilities** | EPA method flexibilities: As of 28th April, 75 standards have End Point Assessment variations applied to the methods of undertaking EPA to allow for remote delivery. These will be in effect until further notice, though is shown on each Standard’s page on the IFATE website. These may update frequently. | Method Flexibilities & disruption: The IFATE page for each standard shows if a variation has been applied. Don’t assume your EPAOs are fully aware, though they most likely are. Ensuring Apprentices and employers are aware of the flexibilities will be essential in maintaining good customer relations but also of course ensuring the apprentice is as best prepared as they can be. More information about the delivery of assessment is available in:   * [Institute for Apprenticeships and Technical Education’s guidance for COVID-19](https://www.instituteforapprenticeships.org/response-to-covid-19/) and its FAQs * [Institute for Apprenticeships and Technical Education’s FAQs](https://www.instituteforapprenticeships.org/covid-19-information-regarding-apprenticeships/covid-19-faq/)   If the information you want is not included in IFATE’s guidance, or the FAQs, please send a question to [Enquiries.IFA@education.gov.uk](mailto:Enquiries.IFA@education.gov.uk) and IFATE will come back to you “as quickly as possible”.  If any of the above is occurring, document it in the evidence pack within a file note. | Click or tap here to enter text. |
| **Elongated EPA** | Apprentices who are deemed ready for assessment, and cannot be assessed due to COVID-19 related issues: These will be able to have their EPA rescheduled. Where there is a specified time limit for EPA post gateway, a further pause of 12 weeks is allowable. E.g. Where your Assessment Plan has a time limitation for delivery of all components, i.e. 4, 6, 12 there is approval for this to be extended by 12 weeks so becomes 16,18,24. Where there isn’t a timeframe the EPA can be openly rescheduled.  Apprentices whose gateway is being delayed are allowed a break in learning, with an extension to the assessment timeframe. The training provider is required to record this in the ILR.  Furloughed apprentices can take EPA. | If the EPA phase is elongated it will delay when you receive your completion payment. It will also potentially impact the achievement year and QAR (though these stats will not now be published).  If gateway is delayed, the apprentice remains in learning. Use of a break if the apprentice is past the planned end date has no funding impact beyond EPA being delayed and the completion payment being delayed.  Applying a break will remove the apprentice from success rate calculations, neither in cohort nor achieved or not achieved. Apprentices coded as complete but result not yet known are also negatives in your QAR calculation under the current methodology.  Delayed completion payments will have an impact on cashflow, also be aware of your payment terms with the EPAO. | Click or tap here to enter text. |
| **Proof of Certificates for Gateway** | Mandatory qualification certificates for entering gateway: Some awarding orgs (AOs) are currently unable to issue certificates confirming that apprentices have completed the necessary qualifications to go through gateway. Temporarily the EPAOs should accept a confirmation email from the awarding organisation as evidence of achievement. To ensure authentication emails must contain the following information:   * learner details * certification run date * unique number | This may not affect things too much as many EPAOs accept confirmation from Awarding organisations anyway. This does perhaps though set a precedent that certificates must be held (rather than confirmation from the AO) when the temporary measures end.  You will naturally liaise with your EPAO on EPA arrangements but there may be instances where they are not aware of the relaxation. | Click or tap here to enter text. |
| **Functional Skills** | Relaxation of need for level 2  apprenticeships to have level 2 FS exam attempted: Apprentices who are due to take their end point assessment up until 31 July 2020 should be passed through gateway to sit their EPA without the need to attempt the level 2 functional skills English and maths assessment.  Providers should retain evidence if an apprentice did not take the level 2 assessments due to COVID-19. | This will be reviewed in July 2020. A level 2 apprentice will still require a level 1 functional skills in English and/or maths in order to complete apprenticeship and level 3 apprentices of course still need their level 2 equivalent.  For evidence, we’d recommend you have an apprentice signed statement understanding that they choose not to sit the level 2 and wish to use the temporary relaxation. This could be within the body of your gateway review or similar.  If you have apprentices whose start of EPA may be delayed past 31st July, you should inform them that the functional skill may still be required.  If the apprentice is capable of sitting and doing well, and you have the capability to deliver then our advice would be to try and make it happen. It is plausible that the July expiry of the relaxation be extended, but if an apprentice reaches gateway on 1st August then currently they would still need to sit that exam. Remember you cannot go to EPA prior to 12-month minimum duration having been met so you can’t rush through in July someone whose 12th month is in August. | Click or tap here to enter text. |
| **Audit** | “Routine” funding audits have been suspended “to cover the period..the duration of the lockdown” unless already in progress however ESFA will continue “oversight” so may contact providers for ad hoc activity. Routine funding audit would be the typical provider assurance sampling. The timeframe on this is open ended but will be reviewed “when lockdown measures are reduced and there is a return to office-based working”. | There will still be a need to assure 19/20 funding data. The monthly FRM reports will continue to be reviewed.  Based on where we are in the calendar with just a third of the funding year remaining and the other provider support schemes, I think its likely we’ll still see 19/20 monitoring activity occurring in volume up until R14, perhaps longer. The format of this may also evolve. | Click or tap here to enter text. |
| **Furlough and engagement** | Not new in the April 24th update, but just to clarify Apprentices can continue in learning when furloughed if they continue to engage in the learning programme subject to being paid at least the apprentice minimum wage for training time (not 80% of the minimum wage).  An employer may wish for an apprentice not to engage and request a break in learning / levy payer suspend payments but this is something for you to negotiate with the employer.  See FAQ 15-19. See also: <https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme> | It’s important that for apprenticeship funding to continue the study activity should be relevant to the apprenticeship KSBs. If other study takes place using the wealth of other subject online learning available there needs to be at least something relevant to their apprenticeship within a four week period. Only relevant learning will count toward the off the job training requirement.  A gap of more than four weeks away from the workplace and not engaging in study will have to be a break in learning.  We’ve seen short term revisions to the commitment statement or amended learning plan identifying the revised learning pattern during furlough, this is good practice as clarifies the amount of time to be spent and the provider has a better idea of what the apprentice is working on. It’s also useful if the employer needs to top up the furlough salary to meet the apprentice minimum wage. | Click or tap here to enter text. |

**B What hasn’t changed**

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| **Subject** | **LH Comment** | **Provider Use** |
| **Engagement** | Apprentices must be in learning to continue funding, this is engaging in Apprenticeship knowledge, skills or behaviours at least once every four weeks (otherwise a break would apply).  Obviously many levy paying employers have been quick to pause or suspend funding on the Apprenticeship service, the terms in which they do so should really be in your agreements with them, defining what your break in learning policy.  If there is less engagement than originally expected, say reduced off the job hours occurring then the funding rules require that time to be caught up or in our definition “actualised”. This may mean the programme being elongated to allow that time to be spent. Remember more than 20% off the job training may be required in a programme, but aside from that there is a percentage of actually doing the job. Readiness for EPA may naturally be affected. | Click or tap here to enter text. |
| **Redundancy Rules** | Redundancy rules allow for continued funding for 12 weeks if an apprentice is made redundant more than six months prior to their end of their Programme (final day, meaning expected end of practical period) and can continue learning while the provider supports in seeking an alternative employer. See para 271 in funding rules.  When redundant less than six months prior to the end of practical period subject to terms in 272.1 you can keep on delivering. This may prove to be vital in working sectors that may not recover quickly after lockdown (eg hair and beauty where social distancing is very difficult and businesses may not be able to function normally) so you may want to start defining your planned approach to continued engagement for redundant apprentices, which even if employment cannot be obtained, it may mean some apprenticeships can still be completed and the apprentice enjoy that benefit. | Click or tap here to enter text. |
| **Unemployment and EPA** | When unemployed you cannot sit EPA unless they were redundant less than six months prior to the Final day (end of practical period) | Click or tap here to enter text. |
| **The Training Price (TNP1 on the ILR)** | The training price must be right.  If the employer wishes to renegotiate cost because of your reduced delivery cost in a remote method that’s their prerogative subject to your contractual agreement with them.  Employer providers or providers delivering to their own apprentice employees need to be extra vigilant as the cost must be actual cost and not profit making. | Click or tap here to enter text. |
| **The Assessment Price** | The assessment price must also be right. There may be changes to the assessment price enforced by the EPAO, this may have impact on whether the combined price goes above maximum funding band and require additional employer coinvestment, or will you also reduce training price to account for the increase in assessment?  EPA flexibilities during the pandemic have seen more remote EPA occurring, there may be scope here for the price to have reduced or be re-negotiated. If it changes the ILR must reflect this. | Click or tap here to enter text. |

**About SDN and Lockhart-Hawkins**

SDN has helped hundreds of apprenticeship organisations across the country to set-up, grow their provision and establish robust funding and compliance systems.

Led by **David Lockhart-Hawkins**, we provide end-to-end tailored support for established and new apprenticeship providers, HEIs and employers.

Want to chat with one of the team?

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We help you, and your teams, to:

* Understand ESFA funding, systems and processes
* Set-up effective data, funding and compliance systems
* Sample the quality of your data, reduce errors and avoid claw-back
* Establish evidence collection systems that helps to drive quality provision
* Design effective Skills Gap Analysis tools and practice