

Employers FAQ's for taking on an apprentice

Does my apprentice have to be 16 or a school leaver?

No, apprentices can be any age provided they meet certain criteria, the main one being that they have been resident within the EEA (European Economic Area) for a minimum of three years.

Do I have to pay them and how much?

The minimum wage for an Apprentice is £3.90 per hour for those apprentices aged between 16 and 18. If you take on an apprentice who is 19, or turns 19 in the first year of their apprenticeship, you can only pay this wage for the first year. In the second and/or subsequent years you must pay them the national minimum wage for their age. See www.gov.uk/minimumwage

Can my apprentice be a self-employed or a subcontractor?

No, all apprentices must be employed by your organisation on a PAYE basis and have deductions made for tax and national insurance if applicable. However, you do not have to pay employer national insurance contributions for your apprentice if they are under 25.

www.gov.uk/government/publications/national-insurance-contributions-for-under-25s-employer-guide

Does that mean they have to have a contract?

Yes, funding conditions require all apprentices to have a job description detailing what they will be expected to do as well as what skills they will acquire whilst working for you. They must also have a contract of employment detailing all of the statutory employment requirements.

Do I have to pay them for holidays?

Yes, all apprentices are entitled to the statutory holidays that all other permanent employees are entitled to. This is currently 20 days per year plus the statutory bank holidays.

What else do I have to pay for?

You must pay your apprentice for their study time. They may need to go to college for one day but must be paid for all 5 days. There is also some 'off the job' training time that they need to have which is covered in more detail under 20% Off the Job. If your apprentice is working in an environment that requires PPE (personal protective equipment) then you have a legal obligation to provide this free of charge.

How many hours can they work?

Apprentices aged between 16 and 18 must not work more than 40 hours per week, including their college time if applicable. If they are needed to work extra hours to complete a specific job, they can do this provided that they are in agreement and it is not on a regular basis. They will need to be paid for these extra hours or have time off in lieu.

How long does an apprenticeship take?

This depends upon the apprenticeship but will anything from 12 to 48 months.

Do I have to pay a contribution for the training?

The government has recently changed the way they fund apprenticeships, so it depends upon the age of your apprentice and the size of your company. If your apprentice is aged between 16 and 18, and you have 49 or less employees (not including subcontractors), the government will fully fund the apprenticeship. You will need to sign a declaration saying that you qualify for the funding. However, if your company size or the age of your apprentice falls outside of these criteria, you will be expected to contribute 5% towards the cost of the apprenticeship training. Your chosen apprenticeship provider can give you with details of these costs upon request. There may also be the opportunity for you to access levy funds from a large employer who is not using all of their levy payments. You can find out more information from either Suffolk County Council apprenticeships@suffolk.gov.uk or the New Anglia LEP Alison.ward@newanglia.co.uk

Can I get that contribution back from the apprentice?

No absolutely not. The government is very clear that employers should be contributing to the cost of training their staff and it is illegal to ask your apprentice to pay for their training, even if they leave your employment during their apprenticeship or shortly after it is completed.

What if I have to make a contribution and my apprentice leaves; do I get my money back?

This will depend upon the refund policy of your apprenticeship provider, and possibly the circumstances around the reason why the apprentice left. It may also depend upon how long the apprentice has been employed by you. If you are a levy paying employer, or are funding your apprentice through levy transfer, different rules apply so ask your provider for details. It would be helpful to be aware of your providers refund policy before you employ your apprentice.

As an employer, what am I expected to do for the apprentice?

You will need to ensure that you provide the right opportunities for the apprentice to gather the evidence required for their qualification, and to allow them to develop their skills. You also need to make sure that they are appropriately supervised whilst at work and give them a mentor who can support them. This does not have to be a line manager or supervisor, just someone who can help them with any issues or difficulties that they might encounter during their apprenticeship, and to provide general support. You will also be responsible for their health, safety and welfare and must provide any mandatory PPE (Personal Protective Equipment) that is relevant to your industry sector.

What is the 20% off the job training all about?

This is a requirement for all employers to allow their apprentices paid time away from their work to enable them to train and learn. There are a range of activities which will contribute to this 20% such as: shadowing and observing other skilled and experienced employees to learn new skills; day release at college; time during their day to gather evidence for their portfolio and time to work on assignments and course work. Additionally, if you put your apprentice on any courses that are relevant their job to support their learning, this can be used towards the 20%. Your provider can support both you and your apprentice to know what you can use as evidence, and will have resources you can use, such as an online portfolio, to make sure that this off the job training is recorded.

Does my apprentice have to be a new employee?

No, you can put existing staff on an apprenticeship, provided that they will be learning sufficient new skills relevant to their current job role, or to support them in a new job role. They do not need to be paid the apprenticeship wage, but you must provide them with an Apprenticeship Agreement that outlines what new skills they will be learning. The provider may discuss with you and your member of staff about reducing the duration of the apprenticeship to allow for their prior experience and things that they already know, and therefore do not need to be taught or trained to do. This will be carried out as a skills scan. However, an apprenticeship will never be less than a whole year in duration.

What is in it for me as an employer?

Taking on an apprentice is an investment in an organisations future and many companies take pride in passing on knowledge and skills to the next generation. Apprentices are vital to the protection of those skills by ensuring that there are always skilled individuals entering the employment market. They are an asset to any organisation, supporting succession planning for companies and they can also help to address skills shortages that are beginning to appear within many industry sectors. Apprentices also support growth within your company by bringing through new people who can be trained in the specific methods, processes or specialisms of your organisation and its industry sector.

Here are some statistics:

92% of companies who employ an apprentice believe Apprenticeships lead to a more motivated and satisfied workforce

80% of companies employing apprentices agree they make the workplace more productive

81% of consumers favour a company that employs apprentices

83% of companies who employ apprentices rely on their Apprenticeship programme to provide the skilled workers they need for the future

(Source Semta.org.uk)

There may also be some incentives available when you take on an apprentice. If your apprentice is aged between 16 and 18, all employers are entitled to a £1000 incentive payment. This is paid in two instalments of £500; one paid after the apprentice has completed three months of their apprenticeship and the other £500 is paid after they have completed 12 months. There are some other circumstances under which this incentive can be offered so please ask for details.

What is the apprenticeship providers role in the apprenticeship?

Your provider is there to support both the employer and the apprentice to achieve the final apprenticeship. They can work with you to help find a suitable apprentice, complete all of the mandatory paperwork with you and visit your premises to ensure that you are providing a working environment that meets Health and Safety legislation. They will conduct regular reviews with you and your apprentice to check on progress, put action plans or targets in place as required, address any learning needs that may arise, and provide mentoring support for the apprentice throughout the apprenticeship. They will put in place a training plan, including any mandatory qualifications, and provide the underpinning knowledge and skills required to complete the apprenticeship. Ultimately it will be your decision about when your apprentice is ready for their End Point Assessment,

however your provider will discuss this with you and provide information and feedback on your apprentices' progress and performance to date to ensure that everyone agrees that they are ready.

What is End Point Assessment?

End Point Assessment, or EPA, is the final stage of the apprenticeship. It is conducted by an independent assessment organisation who will take your apprentice through certain assessments to ensure that they have retained the knowledge they have been taught and can display the correct skills and behaviours required for the job. This usually includes two or more of the following:

- multiple choice test
- a skills based task
- an interview or discussion
- a portfolio of evidence

The decision to put an apprentice through EPA, referred to as the Gateway, and is usually made approximately 3 months before the end of the apprenticeship to allow the apprentice enough time to prepare for the process.

What if my apprentice does not want to do the EPA?

It is essential that the apprentice completes this EPA, even if they have achieved any mandatory qualifications that are required. This is because they will not achieve a recognised apprenticeship if they do not complete. If there is no qualification provided within the apprenticeship, the final apprenticeship certificate is proof that they have completed it. Also, any mandatory qualification that is part of their apprenticeship standard is likely to be a knowledge only qualification and therefore will not provide evidence that their skills and behaviours are also at the correct level for their chosen career. Ask your provider to explain to you and your apprentice what is involved in the EPA for the standard you have chosen for your apprentice to study towards.