



# Modern Apprenticeship Programme Specification 2021-2022 (plus an optional 1 year for 2022-2023 & a further optional + 1 year for 2023-2024)

## Version History

Version	Revision(s)	Approved by	Date
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## Abbreviations

Term	Meaning
AAG	Apprenticeship Approvals Group
ATP	Apprentice Transition Plan
APR	Apprentice Progress Review
BME	Black and Minority Ethnic
CSR	Change of Support Requirements
ESF	European Social Fund
FA	Foundation Apprenticeship
FIPS	Funding Information and Processing System
GA	Graduate Apprenticeship
IA	Initial Assessment
ITA	Individual Training Account
ITT	Instructions to Tenderers
MA	Modern Apprenticeship
PA	Pathway Apprenticeship
QAP	Quality Action Plan
QPR	Quarterly Progress Reviews
RIDDOR	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations
RPL	Recognition of Prior Learning
SCN	Scottish Candidate Number
SCQF	Scottish Credit and Qualifications Framework
SDS	Skills Development Scotland
SIA	Skills Investment Adviser
SOAR	Summary of Achievement Record
SQA	Scottish Qualifications Authority
SSO	Sector Skills Organisation
STEM	Science, Technology, Engineering and Mathematics
SVQ	Scottish Vocational Qualification
TA	Training Agreement
VQ	Vocational Qualification

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## 1. Context

### 1.1 The Apprenticeship Family

#### 1.1.1 Modern Apprenticeships

Modern Apprenticeship (MA) training enables people in paid work to develop and learn new skills from SCQF level 5 to level 12. This includes technical and professional levels, and training to support upskilling new and existing staff.

We administer the public sector's funding contribution towards the cost of training and assessment for employees who employers wish to support through an approved MA framework. MA frameworks are devised by Sector Skills Organisations (SSOs) in consultation with relevant employers and are based on National Occupational Standards. The Apprenticeship Approvals Group (AAG) approves the frameworks for delivery in Scotland. The type and level of framework must be appropriate to the Apprentice's job role. Only those approved will be deemed eligible MAs for the purposes of our MA Contracts.

The dual purpose of the MA Programme is to support people to learn while in work and to encourage economic growth across Scotland. MAs are a joint investment between employers and the Scottish Government. Employers invest the greater amount through wage costs and on-going support, and public funding contributes towards the cost of training.

In Scotland, there are at present over 100 different apprenticeships in 17 occupational groupings. They are each designed to provide training that meets minimum standards of competence agreed by the AAG, after consulting employers. Details of AAG approved MA frameworks are published on [Apprenticeships.Scot](#) and [SDS Provider Web Pages](#).

They each contain three parts: -

- A relevant Scottish Vocational Qualification (SVQ) or alternative work-based qualification. Work-based qualifications are provided by Awarding Bodies approved by Scottish Qualifications Authority Accreditation.
- Core Skills, except for technical and professional apprenticeships, where this component is 'Career Skills'.
- Industry-linked training.

Meta-skills will be integrated into any new MA frameworks being developed. For further general information on meta-skills see [https://www.skillsdevelopmentscotland.co.uk/media/44684/skills-40\\_a-skills-model.pdf](https://www.skillsdevelopmentscotland.co.uk/media/44684/skills-40_a-skills-model.pdf)

Employers lead apprenticeship development in conjunction with SSOs to meet skills needs.

#### 1.1.2 Foundation Apprenticeships (FAs)

FAs provide work-based learning opportunities for secondary school pupils in their senior phase. They create strong links between education and employers to help pupils make informed choices about their post school destinations including vocational pathways. They represent a fundamental change in the approach to offering work-based learning in the senior phase of education – providing valuable

skills and real qualifications. Based on existing and successful MA frameworks, FAs enable pupils entering S5 to complete elements of a MA framework. Delivered in partnership by schools, employers and learning providers, such as colleges, Local Authorities and learning providers, FAs usually take two years to complete. Shorter-duration types of FA frameworks are also available.

We reserve the right to make deductions from the contribution rate for any relevant, prior achievements from MA Starts who have undertaken a FA.

For more on FAs, see <https://www.apprenticeships.scot/become-an-apprentice/foundation-apprenticeships/>

### 1.1.3 Graduate Apprenticeships (GAs)

We have developed GAs as a way for people to develop the necessary knowledge, skills and competence required by Scottish industries. By building on the success of our existing Foundation and Modern Apprenticeship programmes, GAs give people an opportunity to be in paid work while gaining qualifications from DipHE up to Master's level from SCQF Level 8 to 12. These have been developed with employers, which ensures that learners gain the knowledge and skills they need for their chosen work area.

For more on GAs, see <https://www.apprenticeships.scot/become-an-apprentice/graduate-apprenticeships/>

### 1.1.4 Pathway Apprenticeships (PAs)

In direct response to the significant disruption within the skills system caused by COVID-19 and to ensure that young people are offered the best chance of employment and accessibility to apprenticeships, we developed Pathway Apprenticeships. Pathway Apprenticeships (PA) are designed to provide people with the opportunity to develop knowledge, technical skills and meta skills that prepare and enable them to access Modern Apprenticeship (MA) opportunities or progress to other positive destinations in line with their career aspirations. Pathway Apprenticeships were contracted for starts up until 31<sup>st</sup> March 2021.

We reserve the right to make deductions from the contribution rate for any relevant prior achievements from MA Starts who have undertaken a PA.

For more on PAs, see <https://www.skillsdevelopmentscotland.co.uk/for-training-providers/pathway-apprenticeships/>

## 1.2 MA Services

This document is the MA Specification that applies to the delivery of MA Services for MA starts for year 2021-22, plus optional two 1-year extensions for 2022-23 and 2023 -24, at SDS discretion. Such services will continue to be delivered for the duration of the apprenticeship (in-training). This documents also states the principles behind publicly funded support of the MA programme.

**You must operate within all the terms and conditions of your MA Contract. If you break any of your obligations under your MA Contract, including any of the Conditions, you are in breach of your MA Contract.**



After any breach, we are entitled to take action against you as outlined in the MA Conditions. This may include putting a hold on your ability to make claims; recovering sums paid to you; withholding payments you have claimed; withdrawing volumes awarded to you; registering starts on FIPS; requiring you to complete and fulfil an action/improvement plan; and suspending or terminating your MA Contract.

As a Provider, you must also:

- ensure that all contractual obligations, our administrative and compliance requirements and those of the awarding bodies and SSOs are met before you begin delivery and throughout the duration of your MA Contract;
- be or be working with an approved centre that is registered with the relevant SQA Accreditation approved awarding bodies and SSOs to deliver the MA frameworks you are bidding for in your ITT Response;
- ensure that the statutory and compliance requirements for individual industries which are set out in the MA Framework documents for Scotland are in place before delivery. These are published on [Apprenticeships.Scot](https://www.apprenticeships.scot.nhs.uk/);
- have Staff that are competent in delivering work-based learning, assessments and verification of Vocational Qualification (VQ) units as set out by the relevant Awarding Body's quality assurance. This will be in line with SQA Accreditation's regulatory requirements – [https://accreditation.sqa.org.uk/accreditation/Regulation/Regulatory\\_Requirements](https://accreditation.sqa.org.uk/accreditation/Regulation/Regulatory_Requirements) and our [Quality Assurance and Improvement Framework – Self Assessment guidance](#)
- ensure that the delivery of your MA programme meets the needs and expectations of the Apprentices, employers and stakeholders. To help you consider the effectiveness of your approaches to planning the delivery of your provision, refer to [our Quality Assurance and Improvement Framework – Self Assessment guidance](#);
- ensure that your delivery staff, employers and the employees of organisations directly involved in delivering the MA Programme are inducted into its objectives, understanding the Apprentice's needs and the integral role of employer involvement throughout the delivery of your MA Contract;
- **not charge any Apprentice for any of your Services including training costs;**
- ensure each Apprentice receives the necessary training to meet the requirements of their MA framework as set out in the MA framework documents on [Apprenticeships.Scot](https://www.apprenticeships.scot.nhs.uk/) and provide guidance to support each Apprentice and assessment to achieve their MA. For information on how to deliver quality work-based learning, see [our Quality Assurance and Improvement Framework – Self Assessment guidance.](#)

### 1.3 Priorities for Modern Apprenticeships

#### 1.3.1 Funding priorities are:

- young people aged 16-24 across all sectors including key and supporting sectors - in line with the aims of the Young Person's Guarantee;
- higher level frameworks (SCQF 6 and above) and those aged 16-24 in STEM occupations;
- increasing the focus on offering MA opportunities to those aged 25+ in key and supporting sectors in response to industry need;
- supporting public-sector organisations to promote the uptake of apprenticeships;
- increasing opportunities for young people progressing from a FA or a PA;
- aligning funding with the Skills Investment Plans and Regional Skills Assessments;

- maximising opportunities for the wider availability of higher-level apprenticeships; and
- contracting with organisations that have the capacity to deliver MA Services and achieving positive outcomes for people, have a Fair Work Practice culture and actively promote equality of opportunity and achievement.

As outlined in the Letter of Guidance from the Scottish Government to SDS, apprenticeships help to deliver the Scottish Government's dual aims of supporting economic growth and addressing youth unemployment. They support growth and STEM sectors while providing genuine employment for people and take account of demographic change and employer demand.

Funding decisions and MA allocations are also informed by consultation with employers through demand statements from SSOs and bodies, Industry Leadership Groups, Skills Investment Plans, and Regional Skills Assessments. We reserve the right to pilot the shared apprenticeship model with agreement from Scottish Government. For more about Skills Investment Plans and Regional Skills Assessments, see <https://www.ourskillsforce.co.uk/spotlight-on-industry/>

In addition, there are overarching Scottish Government and SDS priorities to which the MA Programme aims to contribute, as follows:

- encouraging greater participation from small and micro businesses;
- encouraging delivery in island and rural communities to support inclusive growth;
- promoting Fair Work Practices
- increasing the participation of people from under-represented groups or groups who are known to have additional barriers to employment, including
  - disabled people;
  - people from a Black and Minority Ethnic (BME) background,
  - people who are care experienced,
  - people who live in disadvantaged areas and
  - addressing gender imbalance in frameworks where this exists.

If Scottish Government priorities change, we will reflect this in our funding priorities.

### 1.3.2 Advancing Equalities

We are committed to supporting equality and diversity in education and working environments and the best possible outcomes for young people. We recognise the importance of MAs as an integral part of a person's journey to and within employment for people from all backgrounds.

You must actively encourage equality of opportunity in your MA provision. So, you will be expected to:

- demonstrate activity undertaken and planned regarding engaging and supporting **underrepresented or disadvantaged groups or those with protected characteristics** as defined in the Equality Act 2010 (such as sexual orientation and gender reassignment) as part of your delivery of MA Starts, progressions and achievements;

- provide evidence of how you measure, analyse and evaluate the impact of your activity regarding **underrepresented or disadvantaged groups or those with protected characteristics** as defined in the Equality Act 2010 (such as sexual orientation and gender reassignment) using your equality monitoring information and other data sources, for example using customer consultations and satisfaction surveys;
- demonstrate how this evaluative information improves your delivery of your MA provision for those **underrepresented or disadvantaged groups or those with protected characteristics** as defined in the Equality Act 2010 (such as sexual orientation and gender reassignment) as part of your quality assurance (continuous improvement) process.

### 1.3.2.1 Disabled and /or Care Experienced (MAs aged 20-29)

We recognise that disabled and/or care experienced people can face challenges in their career journey and may require additional support to enable them to sustain and successfully complete a Modern Apprenticeship.

Enhanced funding is available to enable you to offer additional support to disabled and/or care experienced people aged 20 -29 as defined in 2.9. You will receive the highest level of MA Programme funding (16 to 19 contribution rate) for enhanced funding.

## 2 MA Offer

### 2.1 Funding Contribution

We administer the public sector's funding contribution toward the cost of training for employees who employers wish to support through an approved MA framework. The contribution rates for 2021/22 are outlined in Appendix 1.

In line with the funding priorities in 1.3.1, you will find a list of the supported MA frameworks by occupational grouping and age group in Appendix 2.

For more about approved MA frameworks, see <http://www.skillsdevelopmentscotland.co.uk/what-we-do/our-products/modern-apprenticeships/modern-apprenticeship-frameworks/>

### 2.2 Funding Model

MA funding is based on three types of payment: start payment; Milestone payment; and output payment. An individual Payment Plan is assigned to an Apprentice when they are registered on the Funding Information and Processing System (FIPS). It is set by the Apprentice's age; the MA framework they are taking; and any previous apprenticeship experience. The evidence needed to support Milestone payments depends on the individual Payment Plan and is summarised in Appendix 3.

### 2.3 Funding allocations

This section sets out the definition of new Starts, re-entrants and progressions and the associated funding allocation. Apprentices re-entering or progressing are subject to manual approval in FIPS and remain at our discretion.

### 2.3.1 New Starts

**Definition** – Apprentices are treated as a new Start from your contracted volumes under the following new Start conditions and are automatically approved in FIPS.

<b>New Start condition</b>	<b>Funding allocation</b>
Apprentice is a first-time entrant with no prior engagement in an MA programme	<ul style="list-style-type: none"> <li>• Full funding for current age group</li> </ul>
Apprentice is starting a different MA framework within 3 calendar years of leaving the previous MA assignment	<ul style="list-style-type: none"> <li>• Full funding for current age group</li> <li>• 16-19 year old will receive a start payment</li> </ul>
Apprentice is progressing from an MA framework to a higher level but in a different MA framework	<ul style="list-style-type: none"> <li>• Full funding for current age group</li> <li>• 16-19 year old will receive a start payment</li> </ul>
Apprentice is starting the same or new MA framework at any level greater than 3 calendar years since the previous assignment leaving date	<ul style="list-style-type: none"> <li>• Full funding for current age group</li> <li>• 16-19 year old will receive a start payment</li> </ul>

### 2.3.2 Re-entrant

**Definition** – The Apprentice is re-entering the same MA framework at any level within three calendar years of the previous MA assignment. A re-entrant is someone who was previously registered as a Start on an MA framework.

An Apprentice who has received SDS funding in the previous three years and who falls under any of the re-entrant conditions described below will have the assignment reviewed at manual approval status by the SDS Contracts Team, will be classed as a re-entrant, and will have their individual Payment Plan amended accordingly. These assignments are counted against the re-entrant category, not against new Starts in your MA Contract.

Re-entry of Apprentices remains at our discretion.

<b>Re-entrant condition</b>	<b>Funding allocation</b>
Apprentice re-enters in the same or new age category from the previous assignment and is re-starting the same qualification	<ul style="list-style-type: none"> <li>• No start payment will be paid for 16-19 year old</li> <li>• Balance of funding from the previous assignment (Milestones and Outcome) will be applied to the new assignment</li> </ul>
Apprentice started their MA but did not achieve any Milestones under the previous assignment	<ul style="list-style-type: none"> <li>• Funding will be the contribution rate set for the current year and age at the new Start date</li> <li>• No start payment will be paid for 16-19 year old regardless of whether or not you are a new Provider because a start payment will have already been paid for this age group</li> </ul>

<p>Apprentice re-enters the same MA framework, having not completed their MA at this level, and re-enters at a lower level MA than the previous assignment.</p> <p>This only applies to:</p> <ul style="list-style-type: none"> <li>• an Apprentice who has moved to a different employer and the job role is at a lower MA level</li> <li>• an Apprentice who remains with their existing employer and their job role has changed and the MA at the higher level no longer applies.</li> </ul>	<ul style="list-style-type: none"> <li>• No deductions will be made</li> </ul>
<p>Apprentice working in the retail or hospitality sector or who has achieved MA in Retail or Hospitality</p>	<ul style="list-style-type: none"> <li>• Funding is not available to undertake a Customer Service MA at any level</li> </ul>
<p>Apprentice has previously achieved Hospitality Supervision &amp; Leadership SCQF level 7 and wishes to take a new MA with the same employer</p>	<ul style="list-style-type: none"> <li>• If wishing to undertake a Management MA, this must be at SCQF level 8+</li> <li>• If moving to a new job role with the employer, e.g. in accountancy, this would be treated as a new MA framework – see definition for a new Start</li> </ul>
<p>Apprentice wishes to undertake more than one pathway, having achieved the first one, in the same MA framework and at the same SCQF level within 3 years of completing their first pathway</p>	<ul style="list-style-type: none"> <li>• Not eligible to receive funding for more than one pathway in the same MA and SCQF level</li> </ul>
<p>Apprentice has partially completed one pathway in MA framework and then re-enters a different pathway in the same MA framework within 3 years</p>	<ul style="list-style-type: none"> <li>• No start payment for 16-19 year old</li> <li>• Milestones and the value from the previous assignment will be removed</li> </ul>
<p>Apprentice has completed level 6+, stays with the same employer and then wants to take SCQF level 5 from any other framework</p>	<ul style="list-style-type: none"> <li>• No funding available because a higher level has been achieved</li> </ul>

### 2.3.3 Progression

**Definition** – The Apprentice is progressing to the same MA framework at a higher level and within three calendar years of the previous leaving date.

An Apprentice who has received SDS funding in the previous three years and who falls under any of the progression conditions described below will have the assignment reviewed at manual approval status by the SDS Contracts Team, will be classed as a progression and will have their individual Payment Plan amended accordingly. These assignments are counted against the progression category, not against new Starts within your MA Contract.

The progression of Apprentices remains at our discretion.

<b>Progression condition</b>	<b>Funding allocation</b>
Within the same framework, Progression from a MA framework SCQF level 5 to SCQF level 6 or SCQF level 6 to SCQF level 7	<ul style="list-style-type: none"> <li>Apprentices who have achieved SCQF level 5 or 6 will have the value of level 5 or 6 deducted from the SCQF level 6 or 7 using the current year contribution rate and the Apprentice's current age group</li> <li>Apprentices who have not achieved the full SCQF level 5 or 6 and are progressed to level 6 or 7 will have payments deducted in line with level 5 or 6 claimed payments</li> <li>A second start payment is not payable for age 16-19, but the value of the start payment will be distributed across the Milestones</li> </ul>
Apprentice is progressing from SCQF level 5 to SCQF level 7 where no MA framework is in place at SCQF level 6	<ul style="list-style-type: none"> <li>The full value of SCQF level 7 will be applied to the assignment.</li> </ul> <p>Eligible frameworks:</p> <ul style="list-style-type: none"> <li>Aquaculture</li> <li>Design</li> <li>Facilities Services/Management</li> <li>Freight Logistics (Logistics Operations)</li> </ul>
Apprentice is progressing to SCQF level 8 and above in the same MA framework	<ul style="list-style-type: none"> <li>No deductions will be made for the previously achieved frameworks at SCQF level 5, 6 or 7</li> </ul>

## **2.4 Sector-specific funding information:**

### **2.4.1 Hospitality MA framework – SCQF level 5**

For clarification, we will only provide financial support for one pathway, within three years, as set out in the MA framework.

### **2.4.2 Engineering**

We will not make a deduction from the engineering individual Payment Plans if the Apprentice has previously achieved Performing Engineering Operations SCQF level 5.

## **2.5 Additional Funding Criteria for 25 +**

Appendix 2 sets out the frameworks supported for the 25+ age group. If you are contracted to deliver 25+ Starts you should be aware that some frameworks at 25+ are only funded for specific priority sectors within which the employer is operating. You are responsible for assessing and confirming 25+ eligibility.

## **2.6 Common Unit(s)**

In some occupational areas, units can be part of the SCQF Level 5 framework but may also be in the SCQF Level 6 framework. If an Apprentice progresses from one level to the next, we will not remove Milestones from individual Payment Plans. You should claim payments

in line with the published Payment Plan using non-common units in the first instance. You should claim the remaining Milestones before claiming the Outcome-related funding. No reduction in funding will apply as a result of common units.

## 2.7 Rural Uplift

We encourage provision in island and rural areas and as such, rural funding will apply to Apprentices whose main employment and normal working hours are based in Argyll and Bute; the Isle of Arran; and the Orkney, Shetland, and Western Isles.

Rural funding applies to other areas if the employer's postcode is classed as "Remote Rural" or "Remote Small Towns" in the Scottish Government's classification shown in the post code look-up see [https://sds.qualtrics.com/CP/File.php?F=F\\_eRlxdM6EZfgq4F7](https://sds.qualtrics.com/CP/File.php?F=F_eRlxdM6EZfgq4F7)

The funding can only be claimed while the Apprentice is either in training or when the Outcome has been achieved. The funding is as follows:

- i. longer MA frameworks with 12-16 Milestones e.g. engineering and construction (including electrical and oil and gas frameworks) attract a £1,000 supplement paid as follows:
  - when the Start has been confirmed on FIPS, you claim the first payment of £500
  - when claiming output-based funding for the MA, you claim the second payment of £500
- ii. medium length frameworks with 6-11 Milestones attract a £500 uplift paid when claiming output-based funding for the MA
- iii. shorter frameworks with 2-5 Milestones will attract a £250 uplift paid when claiming output-based funding for the MA

The supplement is additional to the contribution rate. You claim it through FIPS.

## 2.8 Travel and subsistence for Apprentices resident in specified areas

### 2.8.1 Eligibility criteria

These criteria are to support Apprentices, who, as part of the MA, must **attend structured and formal off-the-job training** (not conducted by or on behalf of their employer or any of its group Companies) as set out in the MA framework requirements and for mandatory Outcomes only. This may require them to travel and, where appropriate, use overnight accommodation.

Staying in overnight accommodation should apply only to Apprentices who are attending formal off-the-job training outwith normal daily travel arrangements.

Apprentices resident in the following specified areas are eligible: Argyll & Bute; Highland; Moray; Orkney; Shetland; Western Isles; Isle of Arran; Isle of Great Cumbrae; and the Isle of Little Cumbrae.

New Start Apprentices from 1 April 2021 and those registered previously as a Start on FIPS before 1 April 2021 are eligible.

You are responsible for confirming the eligibility of each Apprentice seeking travel or lodging costs (or both) and should do so in advance of any travel. You can check the eligible specified areas postcodes in advance using: <https://www.gov.uk/find-local-council>

## 2.8.2 What is eligible for support?

At all times, you must seek the most cost-effective travel and accommodation costs.

The following costs are eligible to be reimbursed:

### 2.8.2.1 Travel costs

- Ferry fares – full cost of ferry fare – Note: Island residents are entitled to concessionary rates
- Air fares – full cost of air fare – Note: air travel is only to be used if no alternative such as ferry travel is available
- Train fares – full cost of standard train fare
- Bus fare – full cost of bus fare
- Taxi – only in exceptional circumstances, which must be detailed when making claims
- Mileage – 22p per mile. Note: Car travel is allowed only if there is no or limited access to public transport or if timetabling would require an overnight stay, or if journey times are reduced. If the cost of public transport is less than mileage, payment will be restricted to the lower amount. You must cost these options. If more than one Apprentice is traveling in the car, only the car owner is eligible to claim.

### 2.8.2.2 Lodgings

The contribution towards overnight accommodation is as follows:

- Employers employing **less than 250 employees** – our contribution will be up to a maximum of £35 per night.
- Employers employing **more than 250 employees** – our contribution will be up to a maximum of £25 per night.
- If nightly accommodation is secured for less than the minimum rates for the employer's size, then the actual cost should be claimed. Example – the employer employs fewer than 250 people and the nightly cost is £30, then only £30 can be claimed.

The size of employer must be based on all groups, departments, divisions or sites operated by the employer and not the single site where the Apprentice is based.

## 2.8.3 Funding and evidence requirements

You will be allocated money within existing contracts that allows you to make claims against agreed eligibility as outlined above. Apprentices and employers must be reimbursed before a claim.

You must retain evidence of costs to be reimbursed – i.e. copy of travel costs (tickets, receipts) along with accommodation costs (hotel, B&B invoices and receipts) clearly showing the date of the journey or accommodation.

You must provide evidence that Apprentices and employers have been reimbursed for their costs. The evidence will be subject to monitoring.



**You must make claims through FIPS for reimbursement within two financial periods of the actual journey or accommodation being taken.**

You must claim through the Bulk Expense and Expense Claims area in FIPS, using the Travel & Lodging Claim Form. Further guidance on is given on that form, available on request from [macontracts@sds.co.uk](mailto:macontracts@sds.co.uk).

## **2.9 Enhanced funding for Disabled and/or Care Experienced Apprentices**

Enhanced funding is an enhanced rate payable as an alternative to (and not in addition to) the standard funding rate, to enable you to offer additional support to disabled and/or care experienced Apprentices aged 20 -29.

Enhanced funding applies to;

- 1) New Starts;
- 2) Existing Apprentices; or
- 3) Progressions;

in each case, where (i) the Apprentice discloses that they have a disability and/ or care experienced and (ii) the balance in the rate of funding between the standard rate and the enhanced rate is required as a result of that disability and/ or care experience, to enable the Apprentice to sustain and complete their apprenticeship.

You will be required to produce evidence of the additional support and/or adaptations required for the Apprentice as a result of the disability and/or care experience. Where applications are approved, you will receive the highest level (16 -19 funding contribution) for the person's chosen MA Framework.

Enhanced funding is available across all MA frameworks. Where an Apprentice is progressing to the same higher-level framework, the funding shall only be available at our discretion and you have clearly detailed all the additional support and/or adaptations required to enable the Apprentice to sustain and complete their apprenticeship.

For further information on enhanced funding refer to the Enhanced Funding for Modern Apprenticeship Guidance see <https://www.skillsdevelopmentscotland.co.uk/for-training-providers/equality-and-diversity/>

**For you to be able to claim the enhanced funding, all of the following must apply:**

- The Apprentice has disclosed being disabled and/or care experienced and requires support from you as the Provider (as defined in Appendix 4 -Eligibility Declaration for Enhanced Funding for Modern Apprentices (Disability and/or Care Experienced aged 20 -29)
- The full balance in the rate of funding between the standard rate and the enhanced rate is required by you (i) as a result of the disability and/ or care experience (as applicable), and (ii) to provide additional support and/or adaptations to enable the Apprentice to sustain and complete their apprenticeship
- You have clearly detailed all the additional support and/or adaptations required to enable the Apprentice to sustain and complete their apprenticeship in the enhanced funding form contained in Appendix 4.
- The Apprentice has disclosed and signed each statement in the form that applies to them

- You must have (i) applied for enhanced funding by sending the fully completed and signed form to the Equality Team at the email address – Equality.Apprenticeship@sds.co.uk and (ii) received formal approval from SDS in the form of written confirmation from the Equality team from the email address above (SDS will aim to confirm whether the form is being approved or rejected no later than 5 working days from receipt of the completed form)
- The fully completed and signed form must be uploaded on to FIPS in good time once it has been approved (refer to [enhanced funding guidance](#) for more detailed information on this process)
- The original signed hard copy of the form must be retained securely by you for Audit purposes in accordance with MA Condition 28 (Records, Audit Access and General Assistance) and Appendix 4 (Information Security policy in the MA Conditions).
- Completion of and signature to any such statement or statements in the form must be voluntary.
- You must have fully explained the content of the statements in the form to the Apprentice prior to the Apprentice signing the statements and be satisfied that the Apprentice fully understands the purpose of enhanced funding and agrees with the statement(s) and the required support you will put in place as set out in the form. You must not have coerced or bribed any Apprentice into completing and/or signing any such statement.
- You must ensure that funding for the additional support and/or activities identified is not available to you from any other source (refer to [enhanced funding guidance](#) for more detailed information).

If the Apprentice discloses a disability and/ or care experience **after** they have started their MA and their live assignment has been approved on FIPS, the Provider must email the Equality team and follow the process outlined above and as detailed in the [enhanced funding guidance](#).

The enhanced funding Contribution will be on a pro rata basis. **Pro-rated means that following approval of an application, the enhanced funding rate will apply from the date the approved form was received on FIPS, for the period of the Apprentice's apprenticeship remaining during the period of this MA Contract and shall not be applied retrospectively.**

If the additional support requirements and/or adaptations significantly change during the duration of the Apprentice's apprenticeship you must complete a [Change of Support Requirements Form \(CSR Form\)](#) and upload the fully completed and signed form to FIPS in good time. You must follow the instructions detailed in the form and refer to the process outlined above and in the [enhanced funding guidance](#)

Where we have approved and/or made enhanced funding payments to you or any other Provider in respect of any Apprentice previously, and that MA Contract has expired or terminated, you will require to submit a fresh application in respect of the Apprentice (if they are continuing with their apprenticeship) in accordance with the provisions set out here, if you wish to be considered for enhanced funding. Approval and/or payment under any previous scheme does not guarantee approval and/or payment under the Conditions that apply under this MA Contract.

We reserve the right at any time, whether prior to, or subsequent to approval, and whether any enhanced payment has been made or not, during the period of your MA Contract to withdraw the enhanced funding with effect from such date as we determine ('effective date').

Where the enhanced funding rate is withdrawn: -

- we will email you to advise you of the withdrawal, and the effective date;
- the rates of funding for all Apprentices approved for enhanced funding shall with effect from the effective date, revert to the standard rates set out in Appendix 1 to this MA Specification;
- no new enhanced funding applications can be submitted.

## 2.10 Apprentice Transition Plan (ATP) Services

In response to the COVID-19 pandemic, the ATP Service should be offered to your Apprentices who have been registered in FIPS, and for whom their employment status has changed on or after 1 April 2020, for one of the following reasons:

- the Apprentice has been made redundant as a result of the economic downturn; or
- the Apprentice is unemployed because the employer ceased trading or was unable to continue employing the Apprentice due to a shortage of work.

Apprentices who agree to participate in the ATP Service will receive support from you, or from a third party provider (as detailed in the ATP service information – see link below) if you are unable to deliver ATP services, to create an individual plan that will quantify and credit their learning and experience, with the aim of optimising the Apprentices chances of success of moving into a positive destination.

The ATP Service is not for Apprentices who have been dismissed by their employer for reasons not listed above, or for Apprentices who choose to leave their employment for reasons not listed above.

ATP Service information can be found at <https://www.skillsdevelopmentscotland.co.uk/for-training-providers/apprentice-transition-plan-atp-service/>

In addition to our right to variation, we reserve the right to withdraw and/or suspend the ATP service at any time during the duration of the MA Contract.

### 2.10.1 Content and Duration

The type of support offered will be determined by:

- the progress of each Apprentice at the point they have been made redundant; and
- the career goals of the Apprentice, which may involve a change of direction.

The ATP Service has five stages as summarised below:

<b>Stage 1</b>	Assess achievements and gaps in knowledge, skills and behaviours required for their apprenticeship.
<b>Stage 2</b>	Design an alternative learning and assessment plan (continued certification)
<b>Stage 3</b>	Implement a revised learning and assessment plan (continued certification)
<b>Stage 4</b>	Support the Apprentice through the Recognition of Prior Learning (RPL) benchmarking activity to create a Record of Achievement (RoA).
<b>Stage 5</b>	Provide appropriate guidance, support and signposting to the next stage of the learner journey (employment or other learning).

Apprentices can engage in the 5 stages where it is appropriate to do so. It is envisaged that Apprentices will fall in to one of the two groups identified below. Apprentice participation in ATP Service related activity must not exceed 16 hours per week. You should endeavour to complete the planned activities within the timescales suggested below:

Apprentice Group	ATP Stages Available	Timescales
Individuals within 26 weeks of their expected end date who could, assessment strategy and Awarding Body permitting, complete part of, or their whole apprenticeship and be certificated in the normal way. RPL may also be offered.	All stages	Within 26 weeks
Individuals at any stage of learning who cannot complete certificated learning out with the workplace due to the nature of the assessment strategy or are not within 26 weeks of completion at the time they were made redundant.	Stages 1, 4 and 5	Within 12 weeks

You should inform us, in writing (by email to [ATPsupport@sds.co.uk](mailto:ATPsupport@sds.co.uk)), if there is likely to be a delay in completing the ATP and update the expected completion date in FIPS accordingly. There is a guidance available for the completion of the ATP document which can be found at this link

<https://www.skillsdevelopmentscotland.co.uk/media/47282/atp-documentcompletionguidancefinaldec20.pdf>

Where Apprentices engage in Stage 4 and successfully complete, they will be provide them with a Record of Achievement. This must be submitted to SDS for quality assurance and approval before issue to the Apprentice. The Record of Achievement will include:

- a record of all certificated learning gained from the apprenticeship;
- a quality assured benchmarking statement to indicate the SCQF level for the transferable skills help by the Apprentice; and
- a technical skills statement of the Apprentices competence in skill areas which have not been formally assessed or certificated.

When the ATP is complete, you must hold a discussion with the Apprentice which will help them agree their next steps including signposting to appropriate learning, employment and/or other specialist support services.

You must only use the mandatory forms provided by SDS for the ATP which can be found at <https://www.skillsdevelopmentscotland.co.uk/for-training-providers/apprentice-transition-plan-atp-service/>. The Record of Achievement template will be shared with ATP providers when ATP Services commence and the completed RoA should only be shared with the apprentices once SDS approval has been given.

### 2.10.2 Funding

Providers will receive a single payment of £400 for providing ATP Services for Stages 1, 4 and 5. For Stages 2 and 3 of ATP Service delivery, payments will revert to the original MA Contract.

### **2.10.3 ATP Entry, Claims and Payments**

There is a FIPS Quick Start Guide on the ATP Registration and Claims Process available which can be found at this link

<https://www.skillsdevelopmentscotland.co.uk/media/47281/atp-registration-and-claims-process-fips-quick-start-guide.pdf>

#### **2.10.3.1 ATP Entry**

After an Apprentice has been made redundant and the leaving code is entered into FIPS, the ATP Service should be discussed with the Apprentice. If they wish to participate, an initial discussion should cover how ATP services will be delivered and consider which stages of the ATP service are best for their individual situation. The discussion must include checks to confirm that they meet the eligibility criteria for entry to ATP services. From this discussion, appropriate stages in ATP should be agreed between you and the Apprentice. You should complete Part A of the ATP documents with the Apprentice and email this, along with the evidence of redundancy, where possible, to confirm eligibility to [ATPsupport@sds.co.uk](mailto:ATPsupport@sds.co.uk) for approval. We will review this and send email confirmation that you can complete the ATP with the Apprentice direct to you.

The leaving code on FIPS should then be updated to reflect one of the new ATP specific leaving codes (see 4.8.1). Please note this cannot be updated in a period of less than 24 hours from entering the initial redundancy code.

#### **2.10.3.2 For Stages 1, 4 and 5 Claims**

Prior to making a claim, you must submit the evidence below for quality assurance checks and approval, by email, to [ATPSupport@sds.co.uk](mailto:ATPSupport@sds.co.uk):

- completed ATP document which is signed by the Apprentice;
- the Record of Achievement which is signed by the Provider, the Apprentice and where possible, the employer; and
- related completed evidence which demonstrated that the stage 4 process has been appropriately complied with:
  - Describing Your Skills templates;
  - RPL Benchmarking Grid;
  - Internal Reviewer templated for the Technical Skills Statement and Benchmarking Grid.

Within 5 working days of submitting your evidence, you will receive a response email to confirm if you can make your claim.

#### **2.10.3.3 For Stages 2 and 3 Claims (continued certification)**

You should follow the normal claims process for milestones and/or outcome based payments where Apprentices are eligible to continue with their MA qualification, see Part 4.4. These payments will continue to be made under the original MA Contract. For any claims which normally require employer input or action (i.e. Apprentice Progress Reviews), we withdraw the requirement for employer requirement.

## **2.11 Individual Training Accounts**

Apprentices must not use SDS Individual Training Accounts (ITAs) - and any replacement programme – to fund training that forms part of their MA framework or for any elements of their MA training. Further, Apprentices taking part in the MA Programme must not apply for SDS ITA funding and any replacement programme until their apprenticeship is complete.

## **3 Policies, Procedures and Systems**

You are always expected to apply, adhere to, complete and have in place certain policies, procedures and systems before recruiting eligible proposed apprentices to the MA Programme. These include: -

### **3.1 Equal Opportunities policy and procedures:**

Under the Equality Act 2010, we have a Public Sector Equality Duty to promote equality of opportunity in our products and services, including the MA programme. This applies to all protected groups under the legislation. We also promote and support the needs of care experienced young people through our duties under the Children and Young People Act 2014. You must ensure that in delivering the MA programme no acts of discrimination take place (as defined in the Equality Act 2010), and that you take steps to ensure equality of opportunity regarding the recruitment and achievement of customer groups. More information on Equality Act 2010 can be found at <https://www.gov.uk/guidance/equality-act-2010-guidance>

You must include at least one equality action in your quality action plan which outlines how you intend to improve the diversity of your MAs. You should seek to continuously improve your equality outcomes via your action plan and be able to demonstrate the impact of your actions. For more information and resources to support you to promote equality of opportunity please see the Provider Equality and Diversity area on the SDS website. <https://www.skillsdevelopmentscotland.co.uk/for-training-providers/equality-and-diversity/>

### **3.2 Reporting and Investigation of Incidents**

You must immediately notify all Reportable Incidents to the relevant authority as required by RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations). If a Reportable Incident occurs while an Apprentice is conducting activities identified in their Apprentice Progress Review or which are relevant to the MA Programme, you must ensure we are informed immediately by contacting your Skills Investment Advisor (SIA) by phone (leaving a message containing brief details, if unanswered) and email. In each case, if re-directed to an alternative contact, you must inform that contact.

These conditions are without prejudice to any statutory duty of any person to notify a death, injury, disease or dangerous occurrence.

### **3.3 Funding Information and Processing System (FIPS)**

Funding for each MA Programme will be administered through FIPS in line with our requirements. Through duly authorised and appropriately qualified Staff, you must ensure all the information collected for FIPS and input to FIPS is up to date, is accurate, is entered in to FIPS in good time and complies with MA Condition 8 and our FIPS Guidance (as amended from time to time). This relates directly to the key Performance Levels in MA Condition 10.5.

To use FIPS as prescribed in the MA Contract awarded, you must obtain annually for the MA Contract period, a User Permission for each user of the FIPS software. We will give you all information about each User Permission including the terms and conditions, and charges and guidance on how to request/grant/amend the permission. We will make User Permissions available to you or, at our discretion, set them out in SDS Provider Web Pages currently available through <http://www.skillsdevelopmentscotland.co.uk/for-training-providers/fips-funding-information-and-processing-system/>.

You must complete a FIPS Delegated Authority form annually and notify us of any changes in line with the User Permission guidance. You must always keep to our security guidance and ensure FIPS passwords are reviewed regularly and updated for changes in Staff or contacts (or both).

### **3.4 Information Security Policy and Procedures**

You must have due regard to data protection and the security of information. You must comply with our Information Security and Data Handling Requirements as stated in **Appendix 4 of the MA Conditions** as amended by us from time to time, including the encryption of data being transferred electronically.

### **3.5 Promotion of Fair Work Practices Policy**

The public sector in Scotland is committed to delivering high-quality public services. It recognises that this depends on a workforce that is well rewarded, well-motivated and well-led, has access to appropriate opportunities for developing training and skills, is diverse and is engaged in decision making. These factors are also important for workforce recruitment and retention, and continuity of service. Public bodies in Scotland are adopting Fair Work Practices. The Scottish Government has set out a Fair Work Action Plan <https://economicactionplan.mygov.scot/fair-work/>.

Further information on our Fair Work Practices is as follows: -

Our Corporate Plan includes our ambition to become an exemplar of Fair Work, in line with the work of the Fair Work Convention. <http://www.fairworkconvention.scot/> This includes our commitment to fair pay and reward as a Scottish Living Wage accredited employer <http://scottishlivingwage.org/> and [https://scottishlivingwage.org/accredited/skills\\_development\\_scotland/](https://scottishlivingwage.org/accredited/skills_development_scotland/);

To ensure the highest standards of service quality in the MA Contract, you must take a similarly positive approach to fair work practices when performing your Services, as part of a fair and equitable employment and reward package. You must also comply with all the undertakings you gave in your ITT Response regarding Fair Work Practices (subject to any amendments agreed by the parties and reflected in the award letter and any formal variation).

When marketing your MA Services to employers and apprentices, you must take appropriate action to promote the benefits of employers operating Fair Work Practices. Best practice guidance is available at <http://www.gov.scot/Publications/2015/10/2086/0> or another website that we may inform you of from time to time.

In this promotional activity, you are expected to mention any wage rates agreed by relevant industry bodies (e.g. the arrangements referred to in <http://sbatc.co.uk/documents.php>) and <http://www.snijib.org/members/documents/SNIJIB2016.13Gradedrates> or any additional or alternative examples we may inform you of from time to time).

### **3.6 Promotion of other SDS Initiatives**

#### **3.6.1 Apprenticeships.scot**

You must use your best efforts to promptly post all MA vacancies on [www.apprenticeships.scot](http://www.apprenticeships.scot) and raise awareness of this with employers you work with so they may post appropriate vacancies.

#### **3.6.2. My World of Work**

You must use your best efforts to encourage each Apprentice to register on our My World of Work web service at <http://www.myworldofwork.co.uk/> (or any alternative address that we may use from time to time) during the Apprentice's induction to the MA Programme and, if unsuccessful at that time, during the Apprentice's training. From time to time, we will compare the number of your Apprentices registered on FIPS against the number registered on My World of Work;

#### **3.6.3 Foundation Apprenticeships and Graduate Apprenticeships**

You must use your best efforts to promote our Foundation Apprenticeship and Graduate Apprenticeship programmes to employers and Apprentices where appropriate.

#### **3.6.4 Other SDS Products and Services**

Stay up to date with the latest news from us by signing up to our Provider newsletter <https://www.skillsdevelopmentscotland.co.uk/for-training-providers/>

You must use your best efforts to promote other relevant SDS products and services that we will bring to your attention from time to time.

### **3.7 Quality Assurance**

The Quality Assurance and Improvement Framework sets out standards designed to assess how far you deliver quality learning and assessment services that focus on the needs of Apprentices and employers. You must meet minimum standards and take action to strive for improvements in your delivery. A copy of our current Quality Assurance and Improvement Framework is available on our Quality Assurance Improvement Hub <https://www.skillsdevelopmentscotland.co.uk/for-training-providers/quality-assurance-framework/> .

The Quality Assurance and Improvement Framework may be amended from time to time by us. Any amended version will be available on the [SDS Provider Web Page](#). You will submit to us no later than 30<sup>th</sup> April 2021, a Self-Assessment and Quality Action Plan (QAP) for review and acceptance by us, the format of which will be determined and made available by us. Your Self-Assessment and QAP is to evidence your achievement and planned improvement actions against the Quality Standards referred to within the Quality Assurance and Improvement Framework.

The QAP should include your contribution to meeting the targets contained within SDS's Apprenticeship Equality Action Plan and their broader contribution to improving the diversity in Apprenticeships uptake and success. Subject to any alternative arrangements which we may advise you in writing, our staff will periodically visit you to review supporting evidence held by you.



We will use your Self-Assessment and QAP and additional appropriate evidence, to assess you against each of the Quality Standards. We may examine a range of evidence as indicated in our Quality Assurance and Improvement Framework. We will routinely monitor you on an ongoing basis against the Quality Standards. We will also undertake formal and/or thematic reviews of Providers, using a risk-based approach. We may not formally review you during the period of this MA Contract. We may publish our findings on each such review, on the SDS webpages. Where you are subject to any alternative quality standard assessment process, for example, Education Scotland thematic reviews of MAs or *'How Good is Our College?'*, you must meet the requirements of that process regarding the quality of delivery of Modern Apprenticeships.

Education Scotland publish a national report for each thematic review of MAs they undertake. Each Provider involved in the sample for the review receives a report for their organisation to inform their own continuous improvement. All national thematic reports will be published on Education Scotland's website. We will also publish links to the reports on SDS webpage and Apprenticeships.scot.

You should ensure your QAP is kept up to date on the progress of improvement actions. If, following a quality assurance visit, a material change is required to the QAP, this must be agreed with your Quality Assessor for ongoing quality assurance monitoring. If you demonstrate during formal quality assurance review that you are meeting the minimum required quality standards e.g. a grade of Satisfactory or above, we may make recommendations for you to include for continuous improvement purposes. If you are not meeting the minimum quality standard, e.g. a grade of Weak or Unsatisfactory we will require you to take immediate action to address weaknesses in the quality of your delivery.

If you fail to achieve a grade of at least satisfactory regarding any of our Quality Standards at any time (whether established through our own examination, or through such alternative quality standard assessment), we will regard this as a breach of the MA Contract.

Breaches include failure to submit a Self-Assessment and QAP acceptable to us; and our formal quality review or an Education Scotland Thematic review where one or more grades are weak or unsatisfactory.

In addition to our other rights and remedies, we may include performance against the Quality Standards as a minimum requirement or evaluation criterion (or both) in future MA contracts.

### **3.8 Provider Controls and Assurance**

You must always have in place management processes and controls to ensure that: you are meeting your contracted obligations; all your Staff involved with the MA Programme are aware of all its requirements; you promptly identify and disclose to us any actual or potential conflict of interest; and there is clear segregation of duties that provide a check that the MA Programme Specification and Conditions are followed. On request, you should:

- present to us an accurate record of your controls in a format set by us, and
- ensure the record reflects any dispensations agreed by us in line with the MA Conditions.

We are entitled to assess your controls during and after the period of the MA Contract, accessing your and any sub-contractor premises as we see fit, and take such action as we see fit to establish how far the controls are or were operating satisfactorily. You must co-operate fully with us in each such assessment and action.

If you are no longer providing training or assessment services to Apprentices and have no outstanding claims for payment under the MA Contract, you must comply with your contracted obligations for the rest of the retention period set out in **MA Condition 28 - Records, Audit Access and General Assistance**.

If you had an MA Contract at any time from 1 April 2020 to 31 March 2021 and we gave you an action/improvement plan, the plan will continue to apply to you under your current MA Contract, unless we inform you otherwise in an email from the your SIA.

### **3.9 Signatures**

We constantly monitor and review the use of electronic signatures and we may provide updated requirements and guidance from time to time.

You must ensure that all required signatures are original on all of our documentation. By original, we mean a signature used where there is knowledge of and an intent to sign a specific document. You must also ensure that key controls are in place to ensure that all signatures on all forms and documentation are genuine.

We accept:

- wet signatures;
- stylus signatures;
- signatures gathered using electronic signature software.

We do not accept copied and pasted signatures.

Typed signatures will only be accepted where these are completed using electronic signature software that provides you with an audit trail. You must retain any electronic signature audit trail with the relevant document and make it available to us on request.

Any irregularity in required signatures may be deemed a breach of your MA Contract. If you are using electronic signatures, including a stylus signature, and have ESF tagged apprentices, please refer to Appendix 7 for further instructions on ESF requirements for signatures.

### **3.10 Awarding Body notification and reports**

You must notify your SDS assigned SIA immediately when either of the following arise: -

- Any hold is placed on accreditation you have with an Awarding Body.
- Any sanction is imposed on you by an Awarding Body that may affect an Apprentice's achievement.

Each Awarding Body External Verifier's Report must be made available to the appointed SDS assigned SIA, for quality monitoring and compliance purposes, within seven calendar days of your receiving it if the report contains any formal actions, and otherwise, immediately on demand by us.

## 4 MA Programme Delivery

### 4.1 Eligibility Criteria for MA Funding

To be eligible to participate in an approved MA framework, an Apprentice must satisfy the criteria set out below. You must use all reasonable endeavours to ensure the Apprentice fully understands and meets all the eligibility criteria.

In deciding who is eligible for recruitment to the MA Programme, you must apply such additional or alternative eligibility criteria as we may inform you about in line with the MA Conditions.

#### 4.1.1 Employment

During their MA, each Apprentice's main employment and business premises must be located in Scotland.

During their MA, each Apprentice must fulfil the requirements of the legal right to work in the UK (see <https://www.gov.uk/government/publications/right-to-work-checklist> ) and be employed by an employer:-

- for whom they are working as an employee to consolidate the skills acquired during their MA framework;
- by whom the Apprentice is directly managed by appropriately experienced staff while performing their apprenticeship tasks on a daily basis, with those tasks being part of the Apprentice's employment during working hours. (For the avoidance of doubt any individual employed under any other arrangement, including being employed by an agency, will not be eligible); and
- under an employment contract relevant to the MA referred to in the Training Agreement.

In exceptional circumstances and entirely at our discretion, we may authorise completion of any part of an Apprentice's MA, if the Apprentice's employment status changes. You may apply to us for such authorisation in line with the MA Conditions.

Each Apprentice following a MA framework must be subject to the same policies and procedures as other employees of the organisation with which they are employed. You must use all reasonable endeavours to ensure that each Apprentice is informed by their employer of their rights as an employee, including those regarding the national minimum wage and working hours directives.

An Apprentice cannot be self-employed.

You will include the time spent by the Apprentice in off the job apprenticeship training (including the time needed to prepare and undertake assessment) as time spent at work.

#### 4.1.2 Age

When their MA starts, an Apprentice must have reached the Scottish statutory minimum school leaving age and be: -

- aged 16- 24 and intending to follow an approved MA framework. For the avoidance of doubt a person aged 15 is **only** eligible if they have met the statutory school leaving age that applies in Scotland; or
- aged 25 or over who intends to follow an approved MA framework in any of the specified sectors listed in Appendix 2.

#### **4.1.3 Demonstrable Need**

The proposed apprentice must have a demonstrable need to acquire significant new knowledge and skills to fulfil their job role. The MA framework selected for the proposed apprentice must be the most appropriate learning programme generally available to them that provides such knowledge and skills. An employee is only eligible to undertake a Modern Apprentice framework which is directly related to their main job role/occupation. We expect you to put forward for MA registration only those employees who are in appropriate job roles/occupations.

We shall take steps to recover any funds paid in respect of Apprentices who are not employed within an appropriate job role/occupation.

#### **4.1.4 Exclusions**

A proposed apprentice is not eligible to begin or continue a MA if at any time they are:

- subject to an employment restriction on their stay in Great Britain;
- subject to any funding restriction on their stay in Great Britain that would apply to MAs;
- in custody as a prisoner or on remand in custody;
- in any, employment, education, training or enterprise programme funded by any UK or Scottish Government department or by us (subject to any exceptions published by us from time to time). For the avoidance of doubt Pathway, Foundation and Graduate Apprenticeships and Community Jobs Scotland are Scottish Government funded employment programmes; Kickstart is a UK Government funded employment programme; and individuals who are in full time education at (i) university, (ii) further education college or (iii) school (in each case as solely determined by SDS) are in education programmes funded by the UK or Scottish Government.

## **4.2 Programme Entry**

A person becomes an Apprentice only when you have properly completed all your obligations towards them as set out below and when an assignment has been approved on FIPS.

Our financial obligations regarding the proposed apprentice under the MA Contract do not arise before the proposed apprentice has been properly entered by you, approved by us and validated by the Apprentice (or employer as outlined in 4.2.4) as a Start on FIPS.

### **4.2.1 Training Agreement (TA)**

Within four weeks either side of the Apprentice's Start Date as entered on FIPS, the TA (Appendix 5) must be fully completed and agreed between the Apprentice, you and the employer. The TA must be completed and signed before any information is input on FIPS. You must only use the TA as supplied in Appendix 5.

For each Apprentice, you must:

- fully and properly explain the eligibility criteria
- make a copy of our current Privacy Notice (available on the [SDS Provider Web Pages](#)), available to the Apprentice and ensure the Apprentice has an appropriate opportunity to consider its contents before signing the TA.
- ensure the Apprentice and employer accurately complete, sign and date the TA

If there is a change to the Apprentice's:

- Date of Birth; or
- NI Number

you must ensure their original TA is updated and initialed immediately by you and the Apprentice. The changes must be updated in good time on FIPS using the Change of Circumstance process (as outlined on the FIPS Information Page of the SDS website).

If there is a change to the Apprentice's:

- Start Date; or
- Qualification

you must ensure that a new TA is completed and signed immediately by the Apprentice, you and the employer. The changes must be updated in good time on FIPS using the Change of Circumstance process (as outlined on the FIPS Information Page of the SDS website).

If there is a change to any other information in the TA (such as email addresses or contact phone numbers for the Apprentice or employer representative or expected end dates), you must ensure the changes are updated on FIPS and recorded at the Apprentice Progress Review (see 4.3).

If there is a change to the Provider and/or Employer this is treated as a transfer, see 4.7.

#### **4.2.2 Equality Monitoring Form**

The Equality Monitoring Form in Appendix 6 must be given to all Apprentices to complete at the same time as the TA. This should be recorded and disposed of in line with Appendix 6. For further information on this process please refer the Equality Monitoring guidance and the Equality resources on [SDS Provider Web Page](#)

#### **4.2.3 Entering an assignment on FIPS**

As soon as the TA has been completed, agreed, signed and dated by all parties, you must enter the Apprentice details required on FIPS. These include the mobile/phone number and unique email addresses of the Apprentice, and the employer representative. A unique email address is an email address used and accessed only by the intended recipient. The employer details entered on FIPS must be regarding the Apprentice's main employment and normal work location in Scotland. This relates to a key Performance Level (MA Conditions 10.5.6).

You must not register a proposed apprentice as a Start on FIPS unless you (or the relevant Permitted Sub-contractor) hold a current accreditation, relevant to the proposed apprentice's MA, from the relevant Awarding Bodies.

#### **4.2.4 Validation**

The mandatory validation process starts when an Apprentice is registered on FIPS. An e-mail or SMS text (depending on the preferred method of contact the Apprentice has requested) is sent to the Apprentice using their unique email address/SMS (see 4.2.3) asking them to verify they have begun their training. If no response is received, an email will be sent to the Apprentices employer representative's unique email address for validation.

Failure to comply with the mandatory validation process is a breach of your MA Contract (MA Condition 23.2).

The mandatory validation process will continue throughout the Apprentices' training for every claim made through FIPS.

For more details of the validation process requirements, see the FIPS Information Page of the SDS Provider Web Page.

<http://www.skillsdevelopmentscotland.co.uk/for-training-providers/fips-funding-information-and-processing-system/>

#### **4.2.5 Registration with the Awarding Body/Sector Skills Organisation**

Before making any Milestone claims, you must register each Apprentice with an Awarding Body, and the appropriate SSO, identifying which qualification the Apprentice will work towards during their training. The Apprentice must be entered for the group award as well as the relevant units for the qualification. Unit registration alone is not acceptable. A Scottish Candidate Number (SCN) must also be entered on the TA. For SQA qualifications, the SCN must be entered before claiming the first Milestone.

Staged registration with the Awarding Body may be acceptable for the VQ if this is in line with the approved MA framework, provided the Apprentice is registered with the SSO as a Modern Apprentice. To avoid doubt, no claims may be submitted for any stage for which the Apprentice is not specifically registered.

Before making a claim, you must hold on file and retain for audit purposes the formal evidence of registration/entry from the Awarding Body/SSO, including the confirmed date.

#### **4.2.6 ESF requirements**

##### **4.2.6.1 ESF Logo**

When requested to use an ESF logo, you must visit the website using the link below to view the publicity guide which clarifies the rules around the use of the ESF logo - <https://www.gov.scot/publications/esif-publicity-requirements-2014-2020/>. The following link takes you directly to different formats of the ESF logo available for download - <https://www.gov.scot/publications/esif-logos/>. You

must ensure you use the **ESF Logo in English and NOT the ERDF or Gaelic logos**. If you wish to use the Gaelic logo, then this must be added in addition to the English version.

#### **4.2.6.2 ESF Audit Requirements**

If a representative from our ESF team emails you to confirm that any Apprentice is being supported by ESF, you must adhere to all the audit evidence requirements detailed in Appendix 7.

#### **4.2.7 Initial Assessment and Learning Plan**

Each Apprentice (including new start, re-entrant and progression) must undergo an Initial Assessment (IA) to demonstrate they have good prospects of success in completing the selected MA, with the appropriate training and support from you and the employer. This is mandatory for all Apprentices.

The IA should take account of the Apprentice's job role and the employer's business and skills requirements. During the IA, you should use relevant evidence (e.g. from aptitude and skills tests, interview, prior learning, CV, application form, FIPS (for re-entrants); and, from the Apprentice, information from their Careers Management Skills Assessment and Career Development Plan and any other information provided by our work/careers coach or other agency worker). Other areas that should be considered are the Apprentice's potential, interests and motivation, and the suitability of the job role to their learning opportunity, digital skills, additional support needs, personal effectiveness and personal circumstances. You may be eligible to apply for enhanced funding if any Apprentice is disabled and/or care experienced and needs extra support (the criteria, see Appendix 4), and they agree to complete and sign the statement in Appendix 4 confirming which criteria apply. Enhanced funding is specific to the Apprentice, so must be treated as confidential.

If the IA process finds that the Apprentice has a disability that means they need extra specialist equipment or support to fulfil their apprenticeship, you should advise them to apply for funding and support through the Department for Work and Pensions (DWP) Access to Work scheme. For information and guidance on this, see <https://www.gov.uk/access-to-work>.

The IA findings should help to develop a tailored Learning Plan for the Apprentice and be shared with them and, where appropriate, the employer. The IA findings and the Learning Plan should be consistent with the TA, inform the planned training and support the Apprentice Progress Reviews.

When documenting the IA, you should ensure the following:

- The Apprentice's prior learning is adequately reflected (if the Apprentice has previously completed all accreditations needed for any Milestone claim).
- The Apprentice needs are assessed, and any support required is documented (for example, support required due to a disability or caring responsibilities).
- A duration is specified that is reasonable in light of the Apprentice's assessed needs.
- The support provided, and the nature and level of any qualification aimed at, are specified.

When developing the Learning Plan, you should ensure the following:

- The content of the Learning Plan corresponds to the IA findings.
- Goals and objectives are set that relate to progression towards the completion of the MA framework. You make them clear to the Apprentice and document them.
- The Apprentice plays a key role in developing their Learning Plan and can contribute to their plan, understand their goals and reflect on their achievements.
- The employer contributes to the Learning Plan with consideration of the job role, wider company objectives and the workplace environment.

The many needs and requirements across industries and in each MA framework mean we do not demand specific templates be used for the IA and Learning Plan stage. However, you must retain the documents you use to evidence that you have done this activity. For your own quality assurance purposes, you must be able to provide this to us if requested. The IA and Learning Plan must be completed within four weeks either side of the Apprentice's Start date.

All re-entrants and progressions (see 2.3.2 and 2.3.3) to the MA Programme follow the normal process for entry including completing a new TA, IA, Learning Plan and any other associated paperwork.

#### **4.2.8 Induction to the MA Programme**

You must carry out an induction with the Apprentice to ensure they understand all parties commitment and contribution to the completion of the qualification.

Induction should include, for quality purposes:

- a meaningful and informative introduction to the MA framework and programme, i.e. what is it, how does it work, what does it mean to be an Apprentice
- familiarisation with the MA programme, i.e. how it will be delivered, their main contacts
- behaviours and expectations from all parties involved
- ensuring the Apprentice is aware of your equal opportunities policy and the actions they should take if they feel they are being bullied or discriminated against.

To ensure you are fulfilling your obligations as an MA Provider, an induction should also include the following:

- Ensuring the Apprentice and employer are aware of the role of SDS relating to the MA programme, including details of our financial contribution for the relevant MA framework
- Informing the Apprentice of the mandatory validation process (see 4.2.4).
- Request and encourage full co-operation by the Apprentice and employer in any observation, visit, meeting, online correspondence, survey and telephone call with SDS regarding the operation of the MA Programme.
- Ensuring that the Apprentices and employers unique email address and contact phone numbers are kept accurate and up to date (see 4.2.3).

The above list is supplementary to the employer's role and responsibility to all employees.



### 4.3 Apprentice Progress Review (APR) Process

You must comply with our quality assurance (see 3.7). You should focus on each Apprentice's needs and provide the necessary support to achieve the objectives of each Apprentice's IA and Learning Plan. When planning the programme delivery for each Apprentice, you must demonstrate how you will work with them and ensure that delivery of all support is fully recorded in each Apprentice Progress Review (APR) as described below.

The Apprentice's progress must be regularly reviewed and assessed. You must carry out APRs with the Apprentice and employer at least every 13 weeks throughout the MA, until the MA leaving date is recorded and evidenced on FIPS. The APR is mandatory for all Apprentices and all MA frameworks. The information recorded in the APR should relate to the activity undertaken at the IA and learning plan stage. It should act as a review against the findings, with particular focus on the goals and objectives set out initially in their Learning Plan. You must ensure that the APR is recorded on the appropriate Apprentice Progress Review Exemplar or your own appropriate document that your SIA has previously approved in writing. It must include at least the following areas:

- ESF logo (see [4.2.6.](#))
- SDS Logo
- Apprentice name
- Review date
- Next review date
- Period under review
- Achievements as detailed in the Apprentice portfolio
- Activities completed against goals/targets set at IA and planning stage
- Goals/objectives for next review
- Areas in which core skills and career management skills have developed
- Any additional training that has taken place, including optional units and off-the-job training
- Employer representative comments on progression and achievement
- Apprentice comments on progression and achievement
- Your comments on progression and achievement
- Changes (including contact information, e.g. Phone number, address, email and Milestone and expected end date changes)
- Apprentice's signature and date signed
- Your name, signature and date signed
- Employer representative name, signature and date signed.

If a MA framework follows a QPR Payment Plan (see Appendix 3), APR's must also include:

- Milestone number
- The following statement at the top of the document in bold type **"This document is to support a Milestone claim on a quarterly basis."**

Alternatively, you can use our APR Exemplar for QPR Payment Plan document to record this information. All exemplar documents are on the SDS Website.

All APR records must be signed and dated by the Apprentice, you and the employer. If Apprentices are taking part in full-time off-the-job training at the time of the APR, we will accept the contribution and signature of an independent representative involved in delivering the off-the-job training, (e.g. a college) as an alternative to the employer's contribution and signature.

After each review, a copy of each completed APR must be made available to the Apprentice and the employer (for the employer's information).

For changes to the Apprentice's date of birth, National Insurance number, qualification and Start date, you must follow the FIPS change of circumstances process (see 4.2.1). You must update FIPS immediately of any other changes to information recorded on FIPS. You must also record the changes at the APR on the appropriate APR form, getting it signed and dated by you, the Apprentice and the employer representative. This relates directly to a key Performance Level (MA Condition 10.5).

#### **4.4 Payment Plans and Claims Process**

The Payment Plans (Appendix 3) are set against the VQ listed in the MA framework. They state our requirements for making a Milestone claim.

Milestone payments can be claimed when you have met your obligations in the MA Contract, as detailed in the Payment Plan. Before making a Milestone claim, you must obtain and collate all the supporting evidence and required signatures and must keep the evidence for audit purposes. This relates directly to MA Condition 9.2 (Claims and payments arrangements) and a key Performance Level (MA Condition 10.5.4).

##### **4.4.1 Payment Plan by Quarterly Progress Review (QPR)**

If the Payment Plan is by QPRs, you must complete an APR to support the relevant Milestone claim. The APR can be your own document as long as it meets the minimum requirements guidelines (see 4.3). The document must also include:

- Milestone number and
- The following statement at the top of the document in bold type **“This document is to support a Milestone claim on a quarterly basis.”**

This document must be approved for use, in advance and in writing, by your SIA.

APR's needed to support the Milestone claim for QPR Payment Plans must be completed during the six-week period starting three weeks before and ending three weeks after the last date of each quarterly period throughout the MA Contract, as defined in the individual Payment Plan. Only one Milestone can be achieved per quarterly period, regardless of the Apprentice's progress in that time. You must submit your Milestone claims based on this individual Payment Plan as soon as possible after completing the APR.

If an APR has been conducted outwith the six week review window, a claim cannot be submitted and must be declined unless exceptional circumstances exist. If exceptional circumstances exist to explain the delay, you may apply to your SIA for approval to allow the claim to be submitted. In such circumstances, approval must be obtained in writing (email) from us before making the claim. If this is approved, the reason for and the duration of the delay should be captured on the next APR. You are required to update the expected achievement dates and end date on FIPS.

If an APR has not taken place, a Milestone claim cannot be made, and you must decline it on FIPS. This also means the Milestone value is removed from the individual Payment Plan and the overall funding is reduced by that amount.

For Apprentices who achieve their full MA before their expected end date, any remaining unclaimed Milestones can be claimed once you have all the evidence of the MA certification from the appropriate SSO (see 4.5).

#### 4.4.1.1 Review Schedule and Evidence Requirements

Milestone No.	Achievement Due	Six Week Review Window	Evidence Requirements
1	Week 13	Week 10 – Week 16	Review of Apprentice progress undertaken and recorded on an APR form within the 6-week review window (see 4.4.1.2) and signed and dated by the Apprentice, the reviewer and the employer.
2	Week 26	Week 23 – Week 29	
3	Week 39	Week 36 – Week 42	
4	Week 52	Week 49 – Week 55	
5	Week 65	Week 62 – Week 68	
6	Week 78	Week 75 – Week 81	

#### 4.4.1.2 Example of 6-Week Review Window

Apprentice Start Date: 10/08/2020			
Milestone 1	Earliest date APR can be completed	19/10/2020	} M1 6-week review period
	<b>Last date of 1<sup>st</sup> Quarter period</b>	<b>09/11/2020</b>	
	Latest date APR can be completed	29/11/2020	
Milestone 2	Earliest date APR can be completed	18/01/2021	} M2 6-week review period
	<b>Last date of 2<sup>nd</sup> Quarter period</b>	<b>08/02/2021</b>	
	Latest date APR can be completed	28/02/2021	
Milestone 3	Earliest date APR can be completed	19/04/2021	} M3 6-week review period
	<b>Last date of 3<sup>rd</sup> Quarter period</b>	<b>10/05/2021</b>	
	Latest date APR can be completed	30/05/2021	
Milestone 4	Earliest date APR can be completed	19/07/2021	} M4 6-week review period
	<b>Last date of 4<sup>th</sup> Quarter period</b>	<b>09/08/2021</b>	
	Latest date APR can be completed	29/08/2021	

The above dates are calculated by the Start Date on FIPS and 13-week APR's are always calculated from the Start Date, regardless of when the last review took place.

#### 4.4.2 Payment Plan by Summary of Achievement Record (SOAR)

When the Payment Plan Milestone payment is by unit achievement, this must be evidenced. You must ensure this is recorded on an appropriate document that has been approved in advance and in writing by your SIA. It must, as a minimum requirement, include the following areas:

- ESF Logo (see [4.2.6](#))
- SDS Logo
- Milestone number (as per Payment Plan)
- Number of units (as per Payment Plan)
- Apprentice name
- MA framework
- SCQF level
- Qualification code
- Qualification title
- Unit title
- Unit code
- Date achieved
- Date claimed

- Apprentice's signature with date
- Assessor's signature with date
- Assessor's name

Alternatively, you can use our SOAR Exemplar to record this information. All exemplars are on the SDS website.

There is a separate exemplar available for automotive frameworks to reflect the Payment Plan. If you are delivering an automotive framework and wish to use your own document, it must, as a minimum, include the following areas and be approved for use by your SIA:

- ESF Logo (see 4.2.6)
- SDS Logo
- Milestone number (as per Payment Plan)
- Number of Units (as per Payment Plan)
- Apprentice name
- MA framework
- SCQF Level
- Qualification code
- Qualification title
- Total number of units (As referred to in the payment plan ROP matrix)
- Subject Area
- ROP Matrix Number
- Date progress confirmed
- Portfolio Reference Number
- Date Claimed
- Apprentice's signature with date
- Assessor's signature with date

This must be signed and dated by the Apprentice and by a qualified subject assessor. Progression recorded on the SOAR or alternative should reflect achievements detailed in the Apprentice's portfolio.

As outlined in 4.3, every Apprentice regardless of Payment Plan must undertake an APR, at least every 13 weeks.

To ensure that Awarding Body records of Apprentices results are up-to- date and accurate, you must enter unit achievement to the appropriate Awarding Body database/system as soon as reasonably practicable after an Apprentice completes each Milestone. You must do this when an Apprentice leaves, no later than 14 calendar days after their leaving date.

The Apprentice's portfolio must be made available immediately on our request. You can only make a claim after the Start date entered on FIPS. Any variation from the Payment Plan requires our prior agreement, which is granted entirely at our discretion. Prior agreement must be in the form of (i) an email from your Contract Executive; or (ii) confirmation by us in the Payment Plan; or (iii) confirmation by us in FIPS. Our prior agreement for any deviation is mandatory.

## **4.5 Completion of the MA Programme**

Before submitting a claim for output-based funding, you must hold evidence of achieving the full MA from the SSO including evidence of achieving the full VQ or work-based qualification from the Awarding Body. This must be formal SSO evidence. Apprentices will remain on the relevant MA Programme until (i) all the documents needed to apply for the final MA qualification have been collated, submitted and certification authorised by the relevant SSO in line with the framework, and (ii) the actual end date is entered on FIPS.

For any Payment Plan by QPR where the APR is not due until after the issue date of the SSO evidence of full MA achievement, you may claim that payment when claiming for the output-based funding.

## **4.6 Temporary Interruptions to Training**

You must inform us immediately in writing (by email to the SDS assigned SIA) if an Apprentice's training is interrupted temporarily for any reason (e.g. extended sick leave, suspension, extended compassionate leave) and update FIPS records immediately there is any change to the TA.

If you are following a QPR Payment Plan, please see 4.4.1 for further details.

We will regard the training for any Apprentice on maternity/paternity leave as temporarily interrupted (we will not regard the Apprentice as having left the training). But, the Apprentice assignment on FIPS must be updated as if they had left the Programme. You must enter the relevant leaving code (see 4.8.1) to identify the Apprentice's status as on maternity/paternity leave. Once they return to work, they must be treated as a re-entrant to the MA Programme and the original individual Payment Plan will continue.

## **4.7 Transfer of an Apprentice**

### **4.7.1 Transfer to another Provider**

All transfer to another Provider arrangements are at our discretion and subject to our prior written agreement on an individual basis in the form of an email from the SDS assigned SIA. We reserve the right to amend the remaining individual Payment Plan for any transfer of an Apprentice.

You must fully co-operate with us if:

- you materially fail to provide the training in line with the Apprentice's Learning Plan and we therefore decide that the Apprentice should transfer to another Provider; or
- we and the employer agree for any reason that the Apprentice should make such a transfer.

At its own expense, the original Provider must then ensure that the organisation to which the Apprentice transfers is provided in good time with all necessary documents to support any follow-on activity and ensure a smooth transition. All relevant documents to support claims made up to the transfer date must be kept by the original Provider and given immediately to us (or our nominee) on request.

If an Apprentice changes Provider, the new Provider must meet the following conditions:

- after the date of transfer, a new TA must be fully completed and agreed between the Apprentice, the employer and the new Provider in line with 4.2.1. The TA must be completed and signed before any information is updated on FIPS.
- the new TA must retain the original Start Date on the MA framework which will ensure that there is no disruption to the APR process. The date of transfer to the new Provider must be recorded at the next Apprentice Progress Review.

#### **4.7.2 Transfer to another Employer**

If an Apprentice changes employment and their new role and new employer supports the continuation of their MA Programme they can remain on the MA Programme if all of the following conditions are met:

- a new TA is fully completed, agreed between the Apprentice, you and the new employer, in line with 4.2.1. The TA must be completed and signed before any information is updated on FIPS.
- the new TA must retain the original Start Date on the MA framework which will ensure that there is no disruption to the APR process. The date of transfer to the new employer must be recorded at the next Apprentice Progress Review.

#### **4.8 Programme Exit**

An Apprentice is regarded as having left the MA Programme if:

- the aim of their Learning Plan has been achieved and all supporting evidence of the MA framework has been collated, submitted and certification authorised by the relevant SSO, or
- the Apprentice states they have left the MA Programme, or
- the Apprentice ceases their employment with their employer for any reason, except when, (a) after notification from the employer that the Apprentice has been made redundant, the Apprentice is engaged in a period of formal training at college. In this case, the period may be extended at our discretion and subject to our written approval in the form of an email from the SDS appointed SIA or as confirmed by us on FIPS or (b) the Apprentice is employed by another employer and is able to continue their MA programme with no break in employment, or (c) a redundant Apprentice is being supported to complete an Apprentice Transition Plan.

Once an Apprentice has left the MA Programme, you must enter the leaving details immediately on FIPS using the leaving codes in 4.8.1. This relates directly to a key Performance Level (MA Condition 10.5).

If any Apprentice has been made redundant, you must use your best efforts to support the Apprentice in a search to secure alternative employment with training making use of the Apprentice Transition Plan (see 2.10) and the Adopt an Apprentice initiative where appropriate. For more detail on Adopt an Apprentice see <https://www.ourskillsforce.co.uk/invest-in-young-people/adopt-an-apprentice/>. This must include working with relevant SSOs to identify opportunities. The input of the relevant leaver code in 4.8.1 to identify the Apprentice's status as redundant is the trigger for extra SDS support to the Apprentice.

#### 4.8.1 MA Leaving Codes

Main heading	Sub-heading
<b>Employed</b>	Self-employed Same employer New employer - same sector New employer - different sector Progression to higher level Modern Apprenticeship Graduate Apprenticeship - same sector Graduate Apprenticeship - different sector Transfer to another provider
<b>Education and Training</b>	Further Education – same sector Further Education – different sector Higher Education – same sector Higher Education – different sector Other training – same sector Other training – different sector
<b>Personal and health issues</b>	Health Issues Serious injury or accident at work/placement Homeless Detained in custody Financial Reasons Called up to armed forces Relocated/moved away Parental/caring responsibilities Travel difficulties Pressure from parent/guardian Other personal reasons
<b>Unemployed</b>	Business ceased trading Dismissed by company End of employment contract/placement Made redundant Temporary layoff ATP < 6 months to expected end – milestones/outcome to claim ATP < 6 months to expected end – milestones to claim ATP – RPL only
<b>Employer engagement</b>	Employer ended involvement in programme Assessor has no access to candidate
<b>Difficulties with course/attendance</b>	Course no longer related to plans Disliked the course content Was not ready to undertake course Not achieving in line with training plan Difficulties with workload
<b>Death</b>	Death
<b>Maternity/Paternity Period (temporary leave)</b>	Maternity/Paternity Period (temporary leave)

#### 4.9 [MA Delivery Process Chart](#)

# MA Delivery Process Chart

