Essential update – apprenticeship funding rules for 2019/20

4 December 2019

> Nick Linford, author of the Complete Guide to Funding Apprenticeships

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LEARNING & SKILLS
EVENTS, CONSULTANCY & TRAINING

Agenda

10.30 Apprenticeship funding rules 2019/20

11.50 Break for refreshments

12.05 Profiling framework and standard starts in 2019/20

13:00 Break for lunch

13.50 ILR data collection changes for 19/20 and future ESFA plans for the Apprenticeship System

14:50 Key tips for Ofsted inspection and ESFA audit in 2019/20

15.30 Workshop end

Apprenticeship funding rules 2019/20

The key changes, additions and 'clarifications' (with plenty of time for Q&A)

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Policy update published in March

"This document sets out the policy for apprenticeship funding in England from 1 April 2019. It updates the policy that has been in place since August 2018."

1. "From 1 April 2019 the rate of co-investment will be reduced to 5% for all new apprenticeship starts, with government funding of 95% provided to cover the remaining costs."

Department for Education

Apprenticeship funding in England

From April 2019

March 2019

2. "From 1 April 2019 levy paying employers wishing to support apprenticeships in other businesses, can transfer up to 25% of the annual funding in their apprenticeship service account."

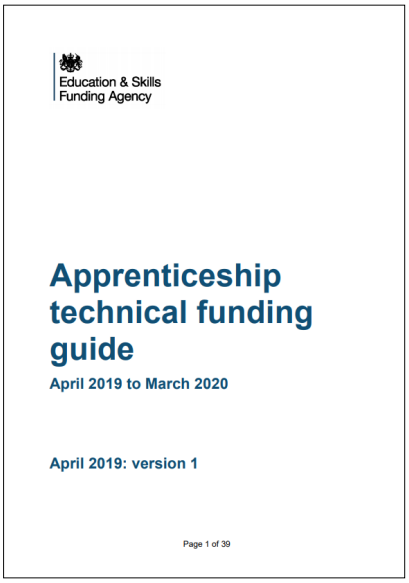
https://www.gov.uk/government/publications/apprenticeship-funding

Technical guide

This document sets out the details of the new apprenticeship funding system for new starts on or after 1 April 2019. It explains how we will calculate funding for organisations receiving funding from us.

Includes scenarios - which may be useful

Scenario A - The employer and provider negotiate a new total price for the programme 29
Scenario B – You retrospectively update the total price. 30
Scenario C - The apprentice changes programme with the same provider 30
Scenario D - The employer chooses a new provider to deliver the apprenticeship 31
Scenario E - The apprentice moves to a new employer but remains on-programme with the same provider 32
Scenario F - The apprentice takes a break in learning 32
Scenario G - The apprentice is made redundant and has more than 6 months of the planned duration of the apprenticeship remaining 33
Scenario H - The apprentice is made redundant within 6 months of their planned end date 33


Education & Skills Funding Agency

Apprenticeship technical funding guide

April 2019 to March 2020

April 2019: version 1

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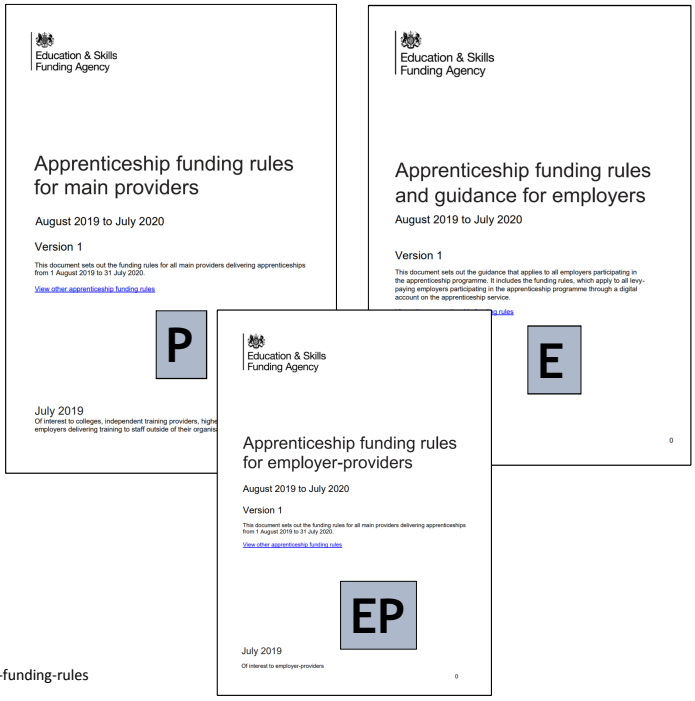
https://www.gov.uk/government/publications/apprenticeship-technical-funding-guide

Three rule books

- Main providers
- Employer-providers
- Employers (levy paying)

Remember: if you are a training provider employing your own apprentices then the employer-provider rules will apply (no profit allowed)



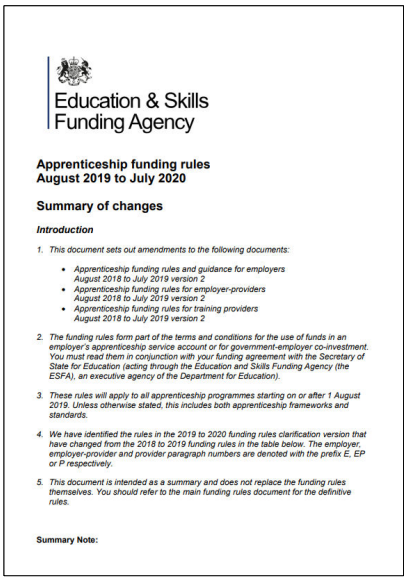
https://www.gov.uk/guidance/apprenticeship-funding-rules

Clarification version came first

with 5 page summary of changes

We have identified the rules in the 2019 to 2020 funding rules clarification version that have changed from the 2018 to 2019 funding rules in the table below. The employer, employer-provider and provider paragraph numbers are denoted with the prefix E, EP or P respectively.

"We are issuing these funding rules as a clarification version in PDF to give you the opportunity to provide feedback on how we can make them clearer or better understood. Please email any suggestions to fundingrules.comments@education.gov.uk by Friday 12th July 2019. Following a review of any feedback we will issue a final version of the rules in July, in PDF and in our new manual format, to reflect any areas of clarification."



Education & Skills Funding Agency

Apprenticeship funding rules
August 2019 to July 2020

Summary of changes

Introduction

1. *This document sets out amendments to the following documents:*
   - *Apprenticeship funding rules and guidance for employers August 2018 to July 2019 version 2*
   - *Apprenticeship funding rules for employer-providers August 2018 to July 2019 version 2*
   - *Apprenticeship funding rules for training providers August 2018 to July 2019 version 2*
2. *The funding rules form part of the terms and conditions for the use of funds in an employer's apprenticeship service account or for government-employer co-investment. You must read them in conjunction with your funding agreement with the Secretary of State for Education (acting through the Education and Skills Funding Agency (the ESFA), an executive agency of the Department for Education).*
3. *These rules will apply to all apprenticeship programmes starting on or after 1 August 2019. Unless otherwise stated, this includes both apprenticeship frameworks and standards.*
4. *We have identified the rules in the 2019 to 2020 funding rules clarification version that have changed from the 2018 to 2019 funding rules in the table below. The employer, employer-provider and provider paragraph numbers are denoted with the prefix E, EP or P respectively.*
5. *This document is intended as a summary and does not replace the funding rules themselves. You should refer to the main funding rules document for the definitive rules.*

Summary Note:

https://www.gov.uk/guidance/apprenticeship-funding-rules

Next came 'summary of changes'

"The funding rules form part of the terms and conditions for the use of funds in an employer's apprenticeship service account or for government-employer co-investment. You must read them in conjunction with your funding agreement with the Secretary of State for Education (acting through the Education and Skills Funding Agency (the ESFA), an executive agency of the Department for Education)."

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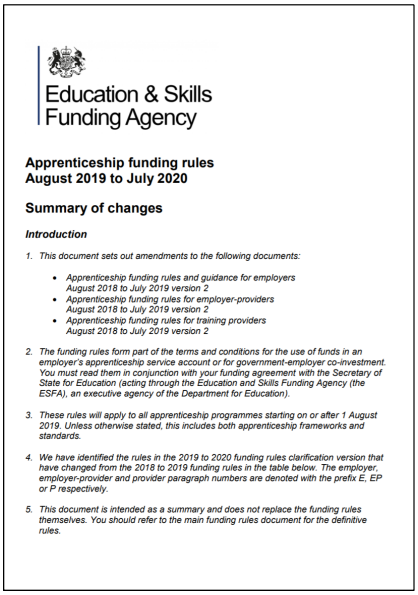

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https://www.gov.uk/guidance/apprenticeship-funding-rules

New rules

"Apprenticeship delivery must not take place without approval from an associated regulatory body where this is needed. The funding rules have been updated to reflect that some occupations require the training provider to be approved by a regulatory body before being able to deliver apprenticeships."

"The number of planned off-the-job training hours, for the full apprenticeship, must be documented on the apprenticeship agreement, the commitment statement **and the individualised learner record**."

https://www.gov.uk/guidance/apprenticeship-funding-rules

New rule

"The rule on funding for concurrent programmes has been expanded and moved into "individuals who are not eligible for funding". The rule has also been expanded to allow an individual to attract funding for an apprenticeship and some AEB funded provision concurrently."

P79 To use funds in the employer's apprenticeship service account or government-employer co-investment, the individual must not:

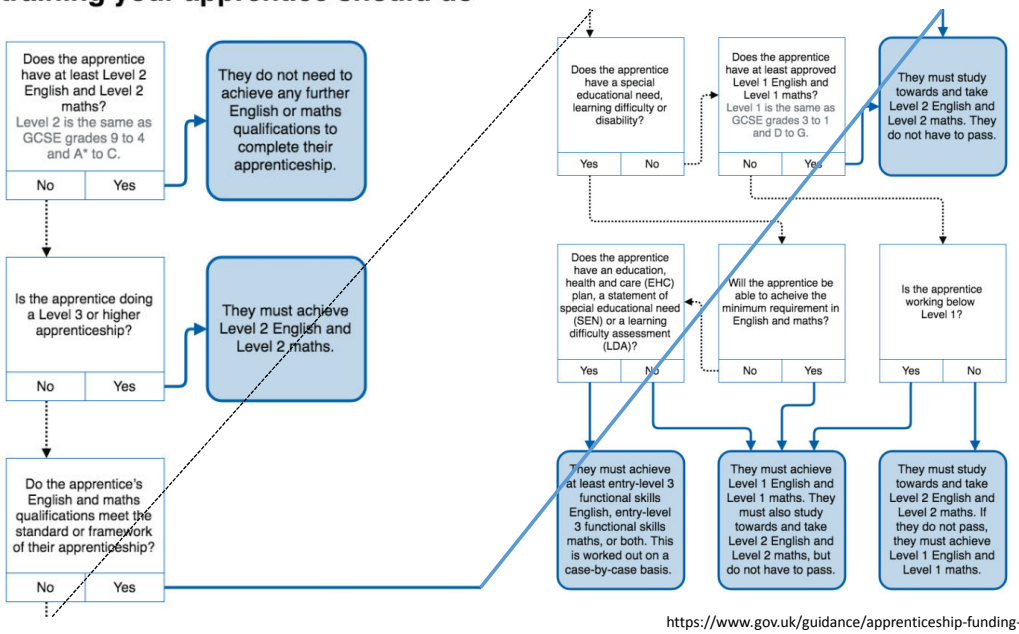
- **P79.1** be undertaking another apprenticeship;
- **P79.2** be undertaking training funded through AEB, where that training will:
  - **P79.2.1** replicate vocational and other learning aims covered by the apprenticeship standard or framework, including English and maths;
  - **P79.2.2** offer career related training that conflicts with the apprenticeship aims; or
  - **P79.2.3** be taking place during working hours. Where an apprentice has more than one job, working hours refers to the hours of the job the apprenticeship is linked to.
- **P79.3** be in receipt of any other direct DfE funding during their apprenticeship programme; this includes any other DfE funded FE/HE programme including programmes funded by a student loan, but excludes funding outlined in P79.2; or
- **P79.4** undertake any part of an apprenticeship whilst on a sandwich placement as part of a degree programme.

P80 As an exception to P79, an individual may commence an apprenticeship, and attract funding, where they have less than four weeks to completion of an existing Government/DfE/DWP funded course.

https://www.gov.uk/guidance/apprenticeship-funding-rules

Find out what English and maths training your apprentice should do

New flow-chart



https://www.gov.uk/guidance/apprenticeship-funding-rules

Contracting and subcontracting

New for 1 August 2019:

- **P170, P179, P180.8, P190 –** New Rules: A statement of expectations is required when working with subcontractors
- **P172–** New Rule: Updated to show the types of delivery subcontractors that can be used
- **P193 to P195 –** Change to existing rule: Updated to reflect RoATP conditions

P190 Your contract must make a clear reference to the up-to-date written agreement you have in place with each employer and include a breakdown of all the agreed services and costs.

https://www.gov.uk/guidance/apprenticeship-funding-rules

P179 You must clearly describe to each employer and potential subcontractor, before each subcontracting relationship is agreed the reason for subcontracting and all services you will provide and the associated costs when doing so. This must include a list of **specific costs** for managing the subcontractor; **specific costs** for quality monitoring activities and **specific costs** for any other support activities offered by you to the subcontractor. All of these costs must be individually itemised and describe how each cost contributes to delivering high quality training. You must also explain how such costs are reasonable and proportionate to delivery of the subcontracted apprenticeship training.

P180.8 A detailed description of how the funding retained for each activity detailed contributes to delivering high quality training and how the funding retained is reasonable and proportionate to delivery of the apprenticeship training described.

https://www.gov.uk/guidance/apprenticeship-funding-rules

P172 You must only use delivery subcontractors that satisfy one of the following two criteria:

.1 they are on the published Register of Apprenticeship Training Providers and have applied by the main or supporting application routes; or

.2 they are either the apprentice's employer, a connected company or charity as defined by HMRC and are on the published Register of Apprenticeship Training Providers, having applied through the employer-provider application route.

https://www.gov.uk/guidance/apprenticeship-funding-rules

P193 Delivery subcontractors who have successfully applied to the supporting application route of the Register of Apprenticeship Training Providers must not receive more than £500,000, or £100,000 if the delivery subcontractor is identified as new, of apprenticeship funding for their delivery from 1 April to 31 March each year.

P194 You must ensure that you are not one of a number of organisations making payments to any supporting provider that exceed £500,000, or £100,000 if the delivery subcontractor is identified as new, in any one year. We will place restrictions on your future use of delivery subcontractors if this happens.

https://www.gov.uk/guidance/apprenticeship-funding-rules

Already been some ESFA back-tracking

"ESFA recognises that subcontracting has an important role to play in delivering quality learning to apprentices and adult learners. In recent years, we have strengthened our funding rules on subcontracting and we are continuing to do so. We expect providers to maximise the amount of funding that reaches front line delivery of high-quality learning."

ESFA will, ready for delivery from 1 August 2019:

- revise funding rules and associated compliance measures to incorporate the requirements set out above
- implement a risk-based approach for monitoring these rules
- impose compliance measures when appropriate

These expectations will be reviewed in 18 months.

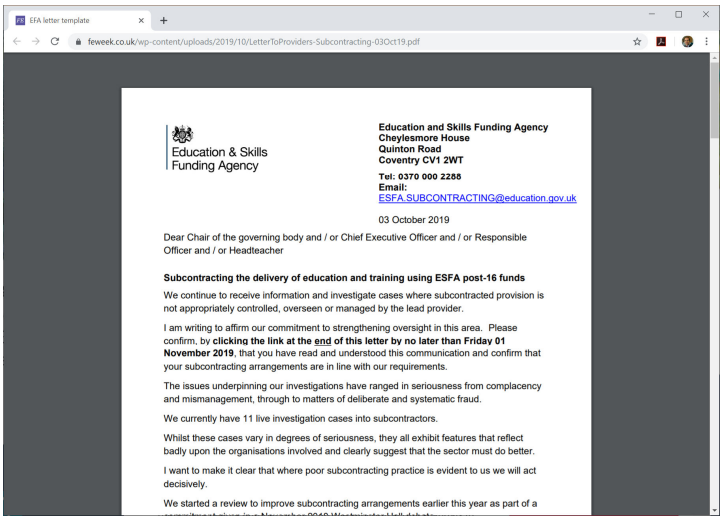
The implementation of the revisions to the AEB and apprenticeship funding rules will apply to new learner, or apprentice starts from 1 August 2019. We realise there should be an implementation period to allow providers to adjust to the changes and to revise their contracts with their subcontractors. The implementation period of the revised rules will apply as follows:

- From 1 August 2019 for new learner and apprentice starts where a new subcontract is yet to be agreed and entered into, and
- By 30 November 2019 for new learner and apprentice starts where revised subcontracts are required

This means that from 1 December 2019, these revised subcontracting rules apply to all new learner or apprentice starts

https://www.gov.uk/guidance/apprenticeship-funding-rules

ESFA letter on subcontracting oversight this month



Education & Skills Funding Agency

Education and Skills Funding Agency
Cheylesmore House
Quinton Road
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Tel: 0370 000 2288
Email:
ESFA.SUBCONTRACTING@education.gov.uk

03 October 2019

Dear Chair of the governing body and / or Chief Executive Officer and / or Responsible Officer and / or Headteacher

Subcontracting the delivery of education and training using ESFA post-16 funds

We continue to receive information and investigate cases where subcontracted provision is not appropriately controlled, overseen or managed by the lead provider.

I am writing to affirm our commitment to strengthening oversight in this area. Please confirm, by **clicking the link at the end of this letter by no later than Friday 01 November 2019**, that you have read and understood this communication and confirm that your subcontracting arrangements are in line with our requirements.

The issues underpinning our investigations have ranged in seriousness from complacency and mismanagement, through to matters of deliberate and systematic fraud.

We currently have 11 live investigation cases into subcontractors.

Whilst these cases vary in degrees of seriousness, they all exhibit features that reflect badly upon the organisations involved and clearly suggest that the sector must do better.

I want to make it clear that where poor subcontracting practice is evident to us we will act decisively.

We started a review to improve subcontracting arrangements earlier this year as part of a

"Please confirm, by clicking the link at the end of this letter by no later than Friday 01 November 2019, that you have read and understood this communication and confirm that your subcontracting arrangements are in line with our requirements."

https://feweek.co.uk/wp-content/uploads/2019/10/LetterToProviders-Subcontracting-03Oct19.pdf

The 'token' para has not changed…

P167 At the outset of each apprenticeship, a main provider and employer will agree a plan for its delivery. You must directly deliver some of the apprenticeship training and/or on-programme assessment associated with **each employer's apprenticeship programme**. By apprenticeship programme we mean the apprentices that are being trained for the employer that has chosen you. The volume of training and/or on programme assessment that you directly deliver for each employer must have some substance and **must not be a token amount** to satisfy this rule. It must not be limited to a brief input at the start of each employer's programme or involve delivery to just a few of a large number of apprentices.

https://www.gov.uk/guidance/apprenticeship-funding-rules

Completely new EPA paras (3 months a new rule?)

P155 The employer in consultation with the main provider must ensure that the apprentice is prepared and understands the end-point assessment process. Engaging the end-point assessment organisation can be at any time, but to ensure timely delivery of the end-point assessment no less than 3 months' notice that the apprentice will be ready for the end-point assessment should be given. As part of this process all information required for the end-point assessment should be ready to present to the end-point-assessment-organisation for the gateway.

P157 At least 3 months before the apprentice reaches the gateway the employer must have:

P157.1 selected an organisation from the Register of End-Point Assessment Organisations (RoEPAO) to deliver the end-point assessment;

P157.2 negotiated a price with the end-point assessment organisation. Only those organisations listed on the RoEPAO will be eligible to be funded.

P158 You are required to complete the ILR field for the assessment price and end point assessment organisation identifier as soon as the price and end point assessment organisation is agreed with the employer. These fields should not be completed prior to this.

https://www.gov.uk/guidance/apprenticeship-funding-rules

Off-the-job change or clarification?

2018/19 rules: "Off-the-job training is training received by the apprentice, during the apprentice's paid hours, for the purpose of achieving their apprenticeship"

2019/20 rules: "Off-the-job training is training which is received by the apprentice, during the apprentice's normal working hours…."

2018/19 rules: "Off-the-job training does not include training which takes place outside the apprentice's paid hours."

2019/20 rules: "Off-the-job training does not include training which takes place outside the apprentice's normal working hours."

2018/19 rules: "To attract government funding at least 20% of the apprentice's paid hours…"

2019/20 rules: "To be eligible for government funding at least 20% of the apprentice's normal working hours…"

This appears to rule out studying in evening and getting time off during the day

https://www.gov.uk/guidance/apprenticeship-funding-rules

Break in learning 'clarification'

P250 The apprentice may take a break in learning where they plan to return to the same apprenticeship programme. The decision to take a break in learning, the reason for the break and its expected duration must be agreed with the employer. This could include medical treatment, parental leave or leave for other personal reasons.. You must record breaks in learning on the ILR and re-plan the delivery of any remaining training and/or assessment following a break, if required. The employer should revise the apprenticeship agreement if required. A break in learning should not be recorded:

P250.1 For annual leave, public holidays and short-term absence (up to 4 weeks);

P250.2 When employment or an apprenticeship agreement has ended (redundancy, resignation, dismissal or any other action by the apprentice or the employer that results in the apprenticeship agreement ending). Where an apprentice has been made redundant you should refer to the redundancy section in the rules (see paragraphs P256 to P258).

https://www.gov.uk/guidance/apprenticeship-funding-rules

Notice this subtle restructure

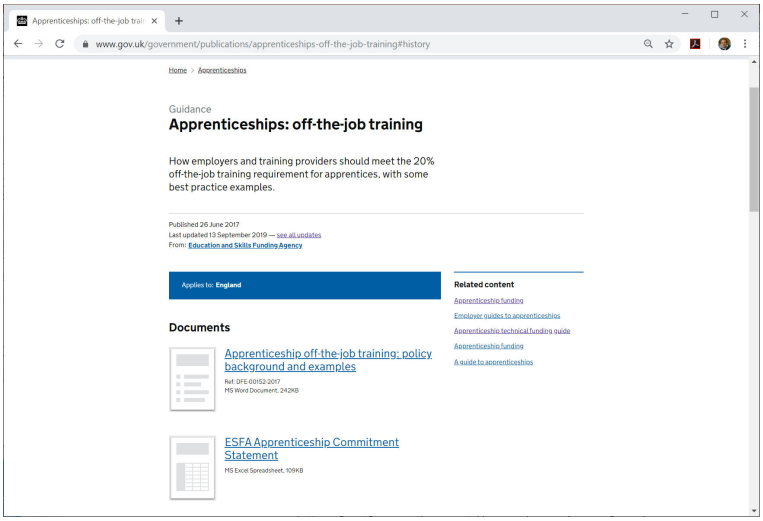
Recognition of prior learning and experience	**Restructure:** The sub-title of the section has been changed from "accounting for prior learning" to "recognition of prior learning and experience" to more accurately reflect the contents. This section has also moved from the "paying for an apprenticeship" section to the "programme eligibility" section.

ESFA audits likely to come down hard now on lack of checking and adjusting price for prior learning and experience

They should include training for pre-existing relevant prior learning and experience in the list of ineligible costs!

https://www.gov.uk/guidance/apprenticeship-funding-rules

Off the job guidance updated



https://www.gov.uk/government/publications/apprenticeships-off-the-job-training#history

Profiling framework and standard starts in 2019/20

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Reminder

Levied employers	Non-levied employers
Definition	
On Digital Apprenticeship System (ACT1)	**Not on Digital Apprenticeship System (ACT2)**
In theory, annual UK payroll £3m+ else a transfer funded receiving employer	In theory, annual UK payroll less than £3m and not a transfer funded receiving employer
Levy credit calculated monthly based on 0.5% above £3m payroll for English employees + 10%	Employer relies on finding a provider with available funding allocation
If no levy credit then co-investment model applies where employer pays provider 5%	Co-investment model applies where employer pays provider 5%
No allocations (not even for co-investment) and ESFA pay for English and maths and incentives	Allocation required to fund everything (incl. English and maths and incentives)

Reminder

Working out if employer should be levied or not

HMRC advice was that if employer payroll was £2.8m or more last year then they should register for paying the levy

The government will not identify which employers are levied. So you will have to do your own homework. Companies House and Charity Commission might be a good place to start.

For example, in etc venues accounts to June 2015 their payroll was £7m (all England)

(£7m x 0.005) - £15,000 = £20,000
£20,000 / 12 = £1,667 monthly tax
£1,667 x 1 x 1.1 = £1,883 monthly credit
£21,996 annual levy credit

For example, BBC accounts say in 2015/16 their payroll was £990m (let's assume 80% for England)

(£990m x 0.005) - £15,000 = £4,935,000
£4,935,000 / 12 = £411,250 monthly tax
£411,250 x 0.8 x 1.1 = £361,900 monthly credit
£4,342,800 annual levy credit

If their monthly pot runs out they switch to 5% cash contribution in return for 95% SFA funding. Unused levy pots fund non-levied employers plus top-up, incentives, English & maths etc (is the theory)

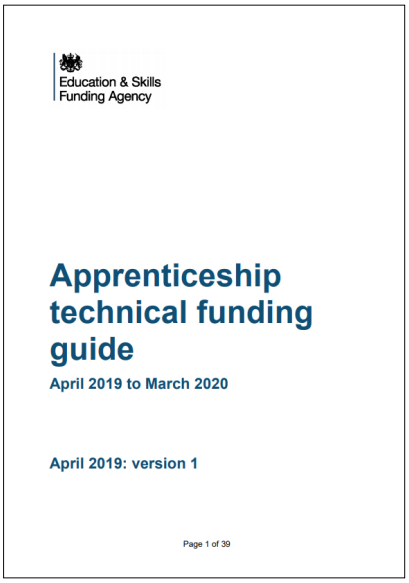
Reminder

The funding bands

Meant to negotiate with employer but reducing for prior learning and experience is an actual funding rule

80% paid monthly with final 20% paid in last month on completion of the framework or EPA (do not need to pass)

For starts from 1 August 2018		For starts between 1 May 2017 and 31 July 2018	
Band Number	Band Maximum	Band Number	Band Maximum
1	£1,500	1	£1,500
2	£2,000	2	£2,000
3	£2,500	3	£2,500
4	£3,000	4	£3,000
5	£3,500	5	£3,500
6	£4,000	6	£4,000
7	£4,500	7	£5,000
8	£5,000		
9	£6,000	8	£6,000
10	£7,000	9	£9,000
11	£8,000		
12	£9,000		
13	£10,000	10	£12,000
14	£11,000		
15	£12,000		
16	£13,000	11	£15,000
17	£14,000		
18	£15,000		
19	£16,000	12	£18,000
20	£17,000		
21	£18,000		
22	£19,000	13	£21,000
23	£20,000		
24	£21,000		
25	£22,000	14	£24,000
26	£23,000		
27	£24,000		
28	£25,000	15	£27,000
29	£26,000		
30	£27,000		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April 2019: version 1

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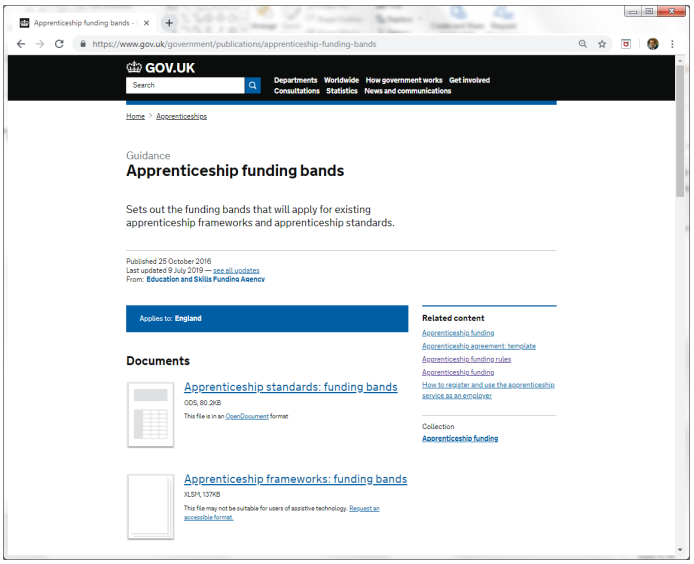
https://www.gov.uk/government/publications/apprenticeship-technical-funding-guide

Can only know band if you know start date

Band spreadsheet fine for frameworks, if fundable…check dates in LARS

Band spreadsheet *not reliable* for standards given rate reviews…check dates and relevant band in LARS



https://www.gov.uk/government/publications/apprenticeship-funding-bands

Reminder

Other funding factors (not funded by levy credit but would come out of non-levy allocation)

£1,000 employer incentive for 16-18s and 19-24s who have previously been in care or who have a Local Authority Education, Health and Care plan. Paid to employers in two equal instalments at 3 months and 12 months. This will be paid to the provider and must be passed on to the employer within 30 working days

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£1,000 provider incentive for 16-18s and 19-24s who have previously been in care or who have a Local Authority Education, Health and Care plan (plus for one year an extra 20 per cent of the upper limit for frameworks). Paid to providers in two equal instalments at day 90 (3 months) and day 365 (12 months).

£1000 for care leavers, paid to provider 60 days from start and must be paid in full to apprentice within 30 days.

No levy or employer contribution for 16-18s and 19-24s who have previously been in care or who have a Local Authority Education, Health and Care plan at employers with fewer than 50 staff

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For additional learning support the SFA will pay providers up to £150 a month, plus additional costs based on evidenced need

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Additional provider payments for apprentices who live in the top 27% deprived areas. £600 for top 10% of deprived areas, £300 for next 10% range and £200 for the next 7% range

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English and maths at level 1 and 2 funded directly by the SFA at £471 for each qualification (no separate funding for ICT)

Demo of my apprenticeship funding calculator – 2019/20 edition

ILR data collection changes for 2019/20 and future ESFA plans for the Apprenticeship System

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Summary of Changes 2019-2020

Version 2 - Published May 2019

Section	Type of change	Details of change
Learner	Removal	The Off-the-job training field has been removed.
Learner Funding and Monitoring (FAM)	New	The Learner funding and monitoring code list has been updated to include: MCF 5 'Learner holds a pass grade for functional skills level 2 in mathematics' ECF 5 'Learner holds a pass grade for functional skills level 2 in English'
Learning Delivery	New field	Planned hours For apprenticeships this field collects the Planned off-the-job training hours (as defined in the funding rules) for the individual apprentice in the academic year by the training provider, sub-contracted training providers and the employer.
Learning Delivery	Revision	Revision to Notes section of the Learning actual end date field Change from: For apprenticeship standards, for continuing learners with a Learning Actual End date on or before 31 July 2019 this date must continue to include the training and end point assessment period. For continuing learners where all learning activity has ended on or after 1 August 2019, the learning actual end date must be the end of learning only and must not include the end point assessment period. Change to: For apprenticeship standards on a programme aim, where the learner has completed all learning activities and begun the End point assessment period prior to 1st August 2019, the Learning Actual End date in the 19/20 ILR will continue to include the end point assessment (as per the 18/19 ILR specification). For apprenticeship standards on a programme aim, where the learner has not completed all learning activities by 1st August 2019, the Learning Actual End Date will be completed after all learning has taken place and does NOT include the end point assessment period.

Education & Skills Funding Agency

Specification of the Individualised Learner Record for 2019 to 2020

From: Education and Skills Funding Agency
Published: 3rd May 2019
Updated: 2019 (*see all updates*)

Version 2
May 2019

https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2019-to-2020

New off-the-job planned hours field

This comes as a last minute change after the NAO criticised the ESFA for not knowing enough about whether providers were actually delivering off-the-job hours (i.e. doing what they are paid to do)

Planned hours – PHours			
Definition	For apprenticeships this field collects the Planned off-the-job training hours (as defined in the funding rules) for the individual apprentice in the academic year by the training provider, sub-contracted training providers and the employer.		
Reason required	To provide information about the quantum of off-the-job training delivered. To help demonstrate compliance with the funding rules.		
Schema definitions			
XML Element Name	PHours		
Field length	4	**Data type**	xs:int
Minimum occurrences	0	**Maximum occurrences**	1
Part of	LearningDelivery		
Collection requirements			
Collected for Apprenticeships (Funding Model 36)			
Valid entries			
Must contain a value in the range of 0 to 9999			
Pattern			
Notes			
• This field is mandatory for Apprenticeships (Funding model 36). • To be recorded against the programme aim of the apprenticeship programme. • To be recorded to the nearest whole hour. • Planned off-the-job training hours for the individual apprentice over the full apprenticeship (excluding the end point assessment period) by the training provider, sub-contracted training providers and the employer. • The information in the ILR may be subject to compliance checks during the academic year and must therefore be supported by the evidence requirements set out in the funding rules for off the job training. • It is important that this field should accurately reflect the planned amount of off-the-job training undertaken by the apprentice. Any changes to the values entered in this field during the apprenticeship may be subject to further compliance checks.			
Change Management Notes			
v2: new for 2019 to 2020			

https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2019-to-2020

Change to definition of planned end date

For new starts from 1 August this should not include the EPA period (so date should be the last day of the practical period / training / last hour of off-the-job time)

Learning planned end date - LearnPlanEndDate			
Definition	The date by which the provider and learner plan to complete the learning related to this learning aim.		
Reason required	To calculate expected learning delivery periods and to calculate funding.		
Schema definitions			
XML Element Name	LearnPlanEndDate		
Field length	10	**Data type**	xs:date
Minimum occurrences	1	**Maximum occurrences**	1
Part of	LearningDelivery		
Collection requirements			
Collected for all aims			
Valid entries			
A valid date, using the date pattern YYYY-MM-DD			
Pattern			
Notes			
• The planned end date of the learning aim must be entered in this field at the start of the learning aim. This should remain constant and must not be changed. It is not expected to be a rolling date subject to changes. • The planned end date must remain the same between teaching years as it is used in success rates to match data from one year to the next. • If a learner continues their study beyond the date planned at the start of the learning aim, this should be reflected in the learning actual end date field and the learning planned end date must remain unchanged. • It is important that this date is set realistically based on historic performance, published average lengths of stay and a thorough assessment of the learner at initial assessment. See the funding documentation for further information. • For apprenticeship standards, the Learning planned end date must include both the training and end point assessment period for continuing learners. For new starts on or after August 2019, the planned end date must only include the learning related to the learning aim and not include the end point assessment period.			
Change Management Notes			
v1: amendment to Notes section for 2019 to 2020			

https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2019-to-2020

Change to definition of actual end date

For end-point-assessments taking place after 1 August 2019 the actual end date should be the last day of learning (practical period) – so exclude the EPA time

Learning Actual End Date - LearnActEndDate			
Definition	The date that the learner completed the learning activities necessary to achieve the learning aim or the date the learner withdrew from the learning activities, accurate to within a week.		
Reason required	To monitor the time taken to complete the learning activities making up the learning aim compared to the expected time. To inform funding calculations, including framework achievements.		
Schema definitions			
XML Element Name	LearnActEndDate		
Field length	10	**Data type**	xs:date
Minimum occurrences	0	**Maximum occurrences**	1
Part of	LearningDelivery		
Collection requirements			
Collected for all aims			
Valid entries			
A valid date, using the date pattern YYYY-MM-DD			
Pattern			
Notes			

- This field must be completed for all learning and programme aims once the completion status has been changed from continuing.
- It is sufficient for the date held in this field to be accurate to within a week, providing that any approximation does not result in a learner being wrongly included or excluded in the funding calculations.
- For programme aims, the Learning actual end date of the whole programme must be recorded in this field
- ~~For apprenticeship standards, for continuing learners with a Learning Actual End date on or before 31 July 2019 this date must continue to include the training and end point assessment period. For continuing learners where all learning activity has ended on or after 1 August 2019, the learning actual end date must be the end of learning only and must not include the end point assessment period.~~
- For apprenticeship standards on a programme aim, where the learner has completed all learning activities and begun the End point assessment period prior to 1st August 2019, the Learning Actual End date in the 19/20 ILR will continue to include the end point assessment (as per the 18/19 ILR specification). For apprenticeship standards on a programme aim, where the learner has not completed all learning activities by 1st August 2019, the Learning Actual End Date will be completed after all learning has taken place and does NOT include the end point assessment period.

https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2019-to-2020

Achievement date now needed

"For continuing learners where all learning activities have ended and the end point assessment has taken place on or after 1 August 2019. This field will be used to record the end of the apprenticeship standard. This date concludes the End point assessment period that has taken place on or after 1 August 2019. Once this date is returned the Completion status and associated Outcome must be updated accordingly."

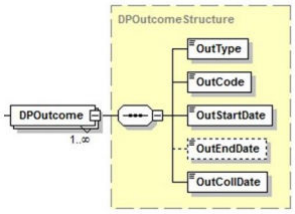
Achievement date - AchDate			
Definition	The date the learning aim or programme aim was achieved by the learner.		
Reason required	Payment of Adult Skills achievement payments for traineeships and apprenticeship funded through the trailblazer funding model.		
Schema definitions			
XML Element Name	AchDate		
Field length	10	**Data type**	xs:date
Minimum occurrences	0	**Maximum occurrences**	1
Part of	LearningDelivery		
Collection requirements			
Aim Type 1	Trailblazer apprenticeships (FundModel 81, ProgType 25), Traineeships (ProgType 24), Apprenticeship Standards (FundModel 36, ProgType 25)		
Valid entries			
A valid date, using the date pattern YYYY-MM-DD			
Pattern			
Notes			

Collected for Apprenticeship Standards (FundModel 36, ProgType 25)

- For continuing learners where all learning activities have ended and the end point assessment has taken place on or after 1 August 2019.
- This field will be used to record the end of the apprenticeship standard. This date concludes the End point assessment period that has taken place on or after 1 August 2019. Once this date is returned the Completion status and associated Outcome must be updated accordingly.

https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2019-to-2020

Complex fields for outcomes now needed for non-levy



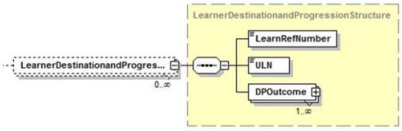
I presume this is for ESF match funding purposes…

https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2019-to-2020

Learner Destination and Progression

back to field listing

Learner Destination and Progression Entity Definition - LearnerDestinationandProgression			
Definition	The destination of the learner when they have completed or withdrawn from the activities on their original learning agreement or plan.		
Reason required	- To demonstrate how the FE sector is contributing to the future success of learners - Minimum standards and publishing provider level outcomes for traineeships - ESF funding - DfE completion and attainment measure		
Schema definitions			
XML Entity Name	LearnerDestinationandProgression		
Minimum occurrences	0	**Maximum occurrences**	Unbounded
Part of	Message		
Collection Requirements			
16-19 excluding Apprenticeships (FundModel 25), ESF (FundModel 70), Other Adult (FundModel 81), Adult Skills (FundModel 35), Non-levy funded apprenticeships (FundModel 36, ACT2)			
XML Elements	**Schema mandation**		
LearnRefNumber	Y		
ULN	Y		
Child Entities	**Schema mandation**		
DPOutcome	Y		



Notes
Collected for Non-levy funded apprenticeships that started on or after 1 August 2018 where the ACT record has remained non-levy. This data is not collected where a levy funded apprenticeship (ACT1) changes employer to become non-levy funded (ACT2).

‘Clarification’ from funding rules

“Where you and the employer do not know the details of the end-point assessment organisation at the start of the apprenticeship, you must enter the price for end-point assessment once this has been confirmed. This field in the ILR should be left blank until the price of the end-point assessment has been confirmed”

https://www.gov.uk/guidance/apprenticeship-funding-rules

Apprenticeship Service developments

Managing quality apprenticeships
Service Roadmap

Up to Apr 19

- Employers can see **projections** of their levy spend and **model** against it
- Employers can **post and manage vacancies**
- Employers can **transfer apprenticeship funds** to other employers
- EPAOs can apply to **join the register** to deliver apprenticeship standards
- Employers can agree to providers **managing** more of their **apprenticeship activity**
- Employers can see when **funds are due to expire**
- Employers can **leave feedback** on their training provider
- The **funding rules** are easier to use

Apr - Jun 19

- First pilot phase begins with training providers and **non-levy paying employers**
- The **co-investment rate** for non-levy paying employers is reduced to **5%**
- Employers **can transfer up to 25%** of their apprenticeship funds to other employers
- The **first funds will expire** from levy paying accounts
- The **registration process** is simplified
- Employers can **see feedback on training providers** in Find Apprenticeship Training
- Public sector employers can **amend reports** after they have been submitted to improve accuracy
- EPAOs can record successful and unsuccessful outcomes

Jul- Sept 19

- The first **non-levy paying employers** can use the apprenticeship service
- The process of **approving apprentice details** is simplified and streamlined
- Employers can **save standards and training providers** to their accounts
- Training providers can **add and manage vacancies** from their apprenticeship service account
- **Apprentices can leave feedback** on their training provider by text
- EPAOs can see data about current and future apprenticeships through the **opportunity finder**.
- **Pausing and stopping apprentices** is easier

Oct – Dec 19

- Employers can **collaborate** with their training provider on vacancies
- Apprentices recruited through the service can be approved quickly and easily
- Training providers can help employers to **set up their accounts**
- **Improved support service,** including self-service functionality
- The employer **account home page** and **finance pages** are re-designed for a better experience

Jan 20 onwards

- Training providers can **bulk upload** apprentice data across multiple employers
- Payments for end-point assessments and training are separated out
- Content for teachers included on campaign plan

Managing quality apprenticeships
Transformation timeline

Apprenticeships

- **Spring 2017:** Levy introduced, Institute for Apprenticeships established, Apprenticeship Service launched. Register of Apprenticeship Training Providers opens
- **April 2018:** Transfers introduced
- **May 2019**: Announced SMEs to come on board Apprenticeship Service
- **June 2019**: Expression of interest applications invited to test Apprenticeship Service for SMEs
- **April - December 2019**: Successful applicants test Apprenticeship Service with apprenticeships starts
- **2020:** Apprenticeship Service to fully launch – all employers to control the recruitment, training and assessment of their apprentices with access to a larger pool of training providers

ESFA Update further education:

www.gov.uk/government/publications/esfa-update-30-october-2019/esfa-update-further-education-30-oct...

5. Information: ESFA confirms SMEs can access the apprenticeship service from January 2020

Earlier this year, ESFA confirmed that SMEs (small and medium enterprises, those that do not pay the apprenticeship levy), would soon be able to access the benefits of using the award-winning apprenticeship service. The service, already in use by large employers, will give SMEs greater control over choosing their apprenticeships and training provider, and on access to apprenticeship funding.

We have been testing the service with a small number of employers and providers over the summer and are now ready, as announced in Keith Smith's AELP speech yesterday (Wednesday 29 October), to embark on a managed transition from early 2020.

To support this transition additional funding will be made available for up to 5,000 new starts through the service per month between January and March 2020. Access to the additional funding will be open to all main providers that remain listed on the register of apprenticeship training providers (RoATP), not just those with an existing procured non-levy contract.

At the same time employers will still be able to access training via existing procured non-levy contracts, and we will extend these contracts beyond March 2020 to help facilitate a managed transition during the year as we bring all small employers onto the apprenticeship service.

In this first phase of transition we will continue to test all aspects of the new arrangements and consider whether any changes are needed. We will be issuing more detail on the transition arrangements from November and throughout 2020.

In early November we plan to write to existing providers, employers and intermediaries with details of initial transition arrangements and inviting them to participate in webinars that will provide a more detailed explanation of the plans in place.

↑ Contents

https://www.gov.uk/government/publications/esfa-update-30-october-2019/esfa-update-further-education-30-october-2019

Key tips for Ofsted inspection and ESFA audit in 2019/20

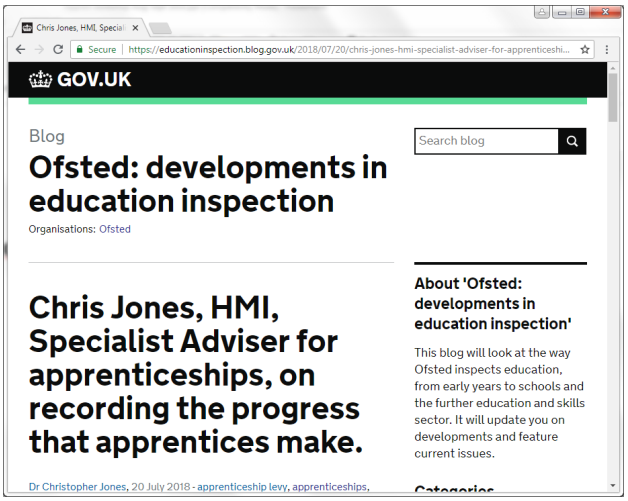
Both agencies are beefing up their apprenticeship oversight

LSECT
LEARNING & SKILLS
EVENTS, CONSULTANCY & TRAINING

Ofsted blog (1 of 3)

"Because most apprenticeship standards have no qualifications, inspectors and providers must be clear about the different ways of measuring achievement. As inspectors, we need to consider what these changes mean for inspection practice."

- Set a baseline
- Record progress



https://educationinspection.blog.gov.uk/2018/07/20/chris-jones-hmi-specialist-adviser-for-apprenticeships-on-recording-the-progress-that-apprentices-make/

Ofsted blog (2 of 3)

"Providers need to evaluate what apprentices know about, and can do, when they start their apprenticeship. They need to measure the apprentice's progress against the knowledge, skills and behaviours set out in the standard and assessment plan. We see providers asking apprentices to note their occupational knowledge, experience and their level of confidence as they start their apprenticeship, followed by a skills test in English and mathematics.

This approach sets a **'baseline'** for providers, employers and apprentices. How well apprentices gain knowledge and develop and improve skills all indicates progress. This helps to show that apprentices improve over time."

https://educationinspection.blog.gov.uk/2018/07/20/chris-jones-hmi-specialist-adviser-for-apprenticeships-on-recording-the-progress-that-apprentices-make/

Ofsted blog (3 of 3)

"For example, what should an apprentice know about or do by their first progress review? What differences do we expect to see at the second review? What skills must apprentices show by the last review and before the end-point assessment?

"Providers will need to check how they **record progress**. If the tools and software they use only focus on qualifications, they may need to find other methods to measure evidence of the standard specific knowledge, skills and behaviours."

https://educationinspection.blog.gov.uk/2018/07/20/chris-jones-hmi-specialist-adviser-for-apprenticeships-on-recording-the-progress-that-apprentices-make/

New inspection framework (EIF) from September 2019

What aspects do we consider?

Ofsted

- We are clear that we need to take a rounded view of the **quality of education** offered by providers.
- The **curriculum** is at the core, recognising the close connection between curricular content and the way this content is sequenced, taught and assessed to support students to build their knowledge and to apply that knowledge.
- We remain very interested in learners' **wider development** including the attitudes and behaviours they bring to the classroom and the workplace.
- Providers' **leadership and management** remain key areas of consideration.

Education Inspection Framework 2019 Slide 36

ESFA Update further education:

https://www.gov.uk/government/publications/esfa-update-26-june-2019/esfa-update-further-education-26-june-2019#information-developing-a-new-transparency-t...

6. Information: developing a new transparency table for apprenticeship standards qualification achievement rates (QARs)

During the transition period to apprenticeship standards, where new relationships between training providers and end point assessment organisations are being built and consolidated, we recognise that some apprentices are unable to complete their apprenticeship standard at the time it was initially recorded on the ILR.

Where apprentices are planned to complete between May and July 2019, and will not be able to complete until after July 2019, this will impact on provider Qualification achievement rates (QARs).

To account for these delays, we will publish a new transparency table in March 2020. This builds upon the apprenticeship standards explanatory paper we published alongside the official National Achievement Rate tables (NARTs) last year, giving the sector more information about standards as the programme develops.

The official QAR will be published through the National Achievement Rate tables in March 2020, and the new table will be published alongside NARTs transparency tables at the same time.

We will provide more information about this new table in due course, however it will contain as a minimum:

- the key figures from the QAR calculations (the volumes of leavers, achievers and the QAR)
- the apprentices who were excluded from this year's QAR because of delays, meaning that they did not achieve or withdraw by their planned end date
- a subset of the apprentices above who subsequently achieved between August to

↑ Contents

https://www.gov.uk/government/publications/esfa-update-26-june-2019/esfa-update-further-education-26-june-2019#information-developing-a-new-transparency-table-for-apprenticeship-standards-qualification-achievement-rates-qars

Minimum standards

Education & Skills Funding Agency

Minimum Standards for 2018 to 2019

For all age apprenticeships

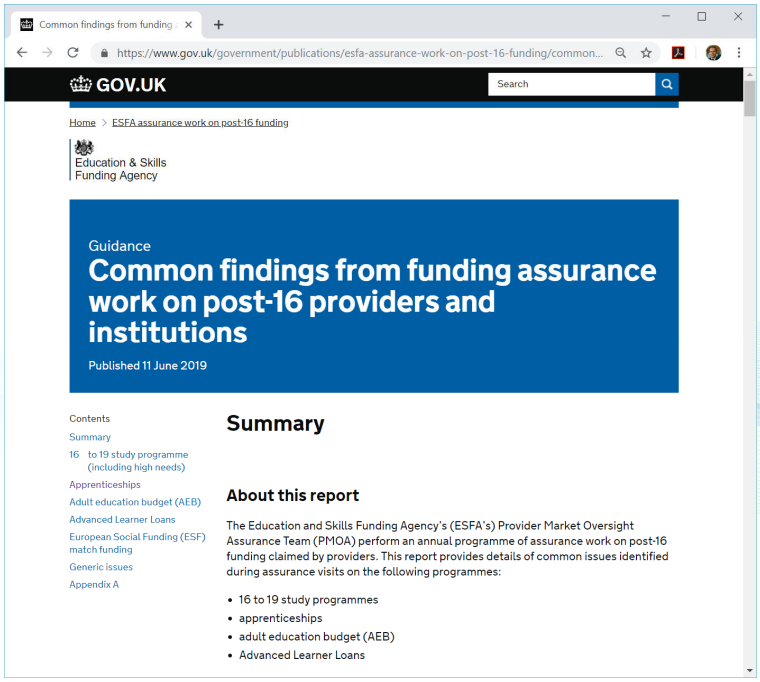
Includes references to changes in Minimum Standards policy for 19+ education and training

June 2019

"We will continue to apply Minimum Standards to apprenticeships in 2018 to 2019 as a trigger for intervention. The position after this is under review. For 2018 to 2019 for apprenticeships is:

- the threshold remains at 62%
- the tolerance level remains at 40%

https://www.gov.uk/government/publications/minimum-standards-2018-to-2019



ESFA Audit

"The main issue causing funding errors in this area for both carry-in apprenticeships and new starts relates to providers claiming funding without taking into account the learners' prior learning including prior qualifications for apprenticeships.

For new starts, this would require a reduction to the total negotiated price recorded on the ILR."

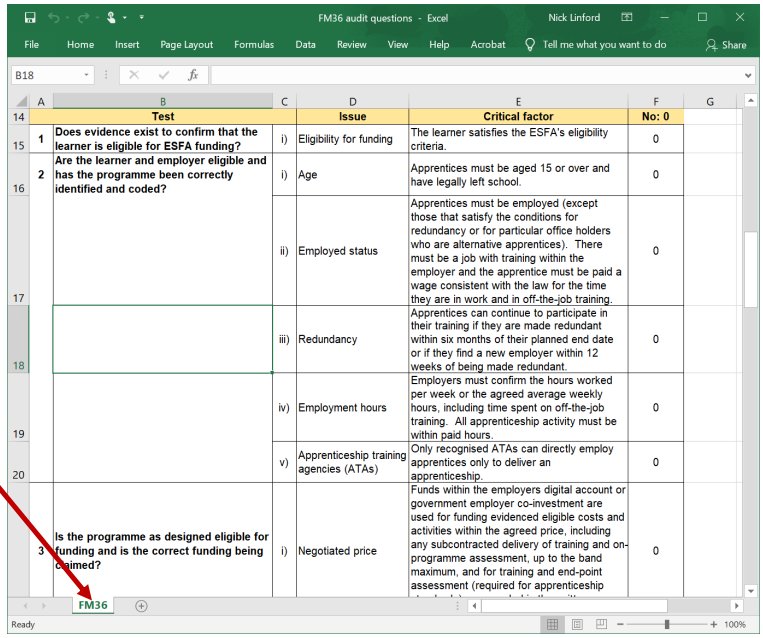
https://www.gov.uk/government/publications/esfa-assurance-work-on-post-16-funding/common-findings-from-funding-assurance-work-on-post-16-providers-and-institutions#apprenticeships

ESFA audit docs

FM36 (New Apps) references Key areas:

> Price and payment

> Off-the-job training



	Test		Issue	Critical factor	No: 0
1	Does evidence exist to confirm that the learner is eligible for ESFA funding?	i)	Eligibility for funding	The learner satisfies the ESFA's eligibility criteria.	0
2	Are the learner and employer eligible and has the programme been correctly identified and coded?	i)	Age	Apprentices must be aged 15 or over and have legally left school.	0
		ii)	Employed status	Apprentices must be employed (except those that satisfy the conditions for redundancy or for particular office holders who are alternative apprentices). There must be a job with training within the employer and the apprentice must be paid a wage consistent with the law for the time they are in work and in off-the-job training.	0
		iii)	Redundancy	Apprentices can continue to participate in their training if they are made redundant within six months of their planned end date or if they find a new employer within 12 weeks of being made redundant.	0
		iv)	Employment hours	Employers must confirm the hours worked per week or the agreed average weekly hours, including time spent on off-the-job training. All apprenticeship activity must be within paid hours.	0
		v)	Apprenticeship training agencies (ATAs)	Only recognised ATAs can directly employ apprentices only to deliver an apprenticeship.	0
3	Is the programme as designed eligible for funding and is the correct funding being claimed?	i)	Negotiated price	Funds within the employers digital account or government employer co-investment are used for funding evidenced eligible costs and activities within the agreed price, including any subcontracted delivery of training and on-programme assessment, up to the band maximum, and for training and end-point assessment (required for apprenticeship	0

https://www.gov.uk/government/publications/sfa-financial-assurance-funding-assurance-review-programmes FM36

ESFA audit Price and payment

3i) Negotiated price

"Funds within the employers digital account or government employer co-investment are used for funding evidenced eligible costs and activities within the agreed price, including any subcontracted delivery of training and on-programme assessment, up to the band maximum, and for training and end-point assessment (required for apprenticeship standards) as recorded in the written agreement."

8i) Payment of employer co-investment

"The employer co-investment recorded in the ILR is evidenced by a transfer of funding visible in the provider's (or subcontractor's) financial systems; this will typically be in the form of a provider invoice and corresponding employer payment for a provider. For an employer-providers, they must evidence how the costs are calculated."

https://www.gov.uk/government/publications/sfa-financial-assurance-funding-assurance-review-programmes FM36

ESFA audit Off-the-job training

2iii) Employment hours

Employers must confirm the hours worked per week or the agreed average weekly hours, including time spent on off-the-job training. All apprenticeship activity must be within paid hours.

3xi) Off-the-job training

"The evidence pack must contain details of how the 20% off the job training will be quantified and delivered."

Four strands to evidence requirement:

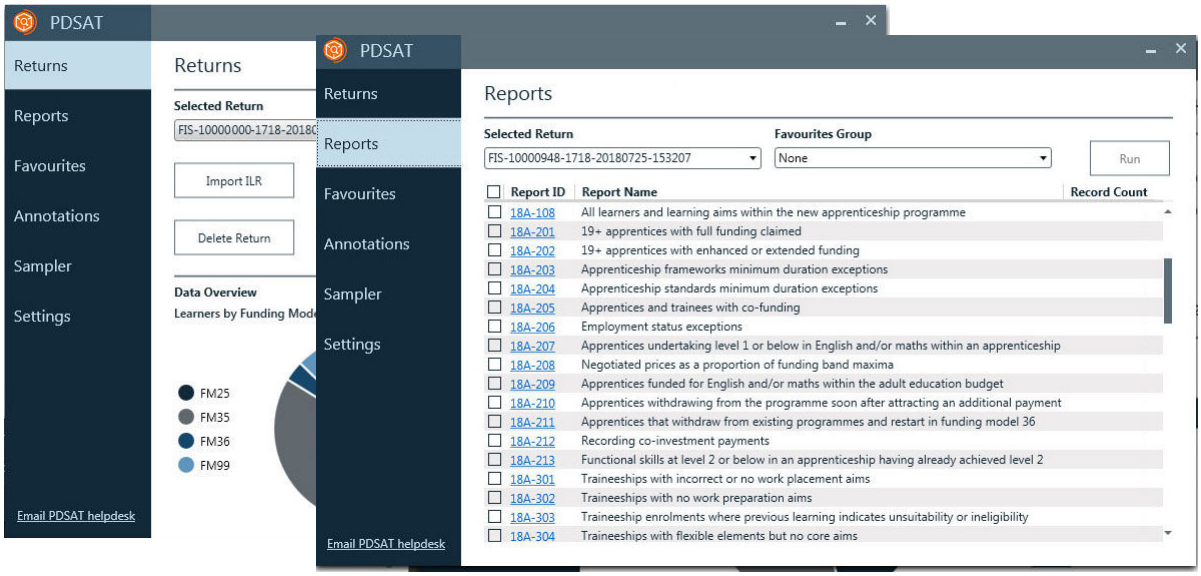
1. Calculated
2. Timetabled
3. Monitoring delivery of timetable
4. Was 20% threshold met at point of entry into Gateway or end of framework

6ii) Learning activity

"The learner's continued participation in learning (including English and maths) is confirmed by evidence of learning activity from the start date of each aim up to the learning actual end date or to date, as applicable."

https://www.gov.uk/government/publications/sfa-financial-assurance-funding-assurance-review-programmes FM36

Provider Self-Assessment Toolkit



https://www.gov.uk/government/publications/ilr-data-check-that-it-meets-standards-and-quality-requirements

Use the ESFA audit software (PDSAT) before an auditor

PDSAT Report 19A-210 Negotiated prices as a proportion of funding band maxima : "Allows analysis of negotiated prices to check for disproportionately high numbers of apprenticeships at or above their respective funding band maximum. Use in conjunction with 20A-103 where a detailed list of apprentices is required."

Total negotiated price as proportion of funding band maximum (%)	Count of learners	Count of learners (16 to 18)	Count of learners (19 and over)	Count of learners (level 2)	Count of learners (level 3)	Count of learners (level 4)	Count of learners (level 5)	Count of learners (level 6)	Count of learners (level 7+)
> 150%	2	0	2	0	2	0	0	0	0
141% to 150%	0	0	0	0	0	0	0	0	0
131% to 140%	15	11	4	0	15	0	0	0	0
121% to 130%	3	3	0	3	0	0	0	0	0
111% to 120%	12	10	2	2	10	0	0	0	0
101% to 110%	3	0	3	0	3	0	0	0	0
100%	582	291	291	306	232	12	32	0	0
90% to 99%	15	5	10	6	9	0	0	0	0
80% to 89%	5	2	3	2	3	0	0	0	0
70% to 79%	7	0	7	0	1	0	6	0	0
60% to 69%	5	4	1	0	5	0	0	0	0
50% to 59%	3	2	1	1	2	0	0	0	0
40% to 49%	1	1	0	0	1	0	0	0	0
30% to 39%	3	2	1	0	3	0	0	0	0
20% to 29%	0	0	0	0	0	0	0	0	0
10% to 19%	1	0	1	1	0	0	0	0	0
0% to 9%	0	0	0	0	0	0	0	0	0

Use the ESFA audit software (PDSAT) before an auditor

PDSAT Report 19A-211 Negotiated prices and actual cost

"Where providers deliver apprenticeship training to their own employees, the recorded price must reflect the actual cost of delivery, meaning that there should be a differential between this and the negotiated training price for delivering apprenticeship training to employees of other businesses."

Apprenticeship name	Programme type	Framework code	Apprenticeship pathway	Apprenticeship standard code	Total training price (TNP1)	Count of learners (own employees)	Count of learners (other employers)
Accounting	3	454	1		£2,000.00	4	16
Business Administrator	25			196	£4,000.00	5	46

Use the ESFA audit software (PDSAT) before an auditor

PDSAT Report 19A-212 Apprenticeship planned durations

"Where providers deliver the same apprenticeship programme at the same price, similar planned durations would be expected. Providers should be able to justify any wide variations in planned durations for delivery of the same apprenticeship programmes."

Apprenticeship name	Programme type	Framework code	Apprenticeship pathway	Apprenticeship standard code	Total negotiated price	Up to 372 days	Greater than 372 days and up to 18	Greater than 18 months and up to 24	Greater than 24 months and up to 30	Greater than 30 months and up to 36	Greater than 36 months
Children and Young People's Workforce	3	445	1		£2,000.00	10	8	5	17	0	0

New tougher approach to ESFA audit

"We plan to give providers between two and four weeks' notice of the assurance review visit"

"We are adapting our approach and wish to inform you that our assurance visits may take place at any point during the relevant funding year, as well as after the funding year and / or submission of the final ILR return"

Education & Skills Funding Agency

Education and Skills Funding Agency
4th Floor, Sanctuary Buildings
London
SW1P 3BT

26 July 2019

ESFA Funding Assurance Review Visits

Dear colleague

ESFA's Provider Market Oversight Assurance Team is performing its current round of funding assurance review visits to assess the Individualised Learner Records (ILR) returns and associated funding for the 2018/19 funding year. This letter explains the arrangements for those assurance review visits.

We wish to remind you that any provider can be selected for an assurance review and it is your responsibility to ensure that ILR returns are complete, accurate, up-to-date and are consistent with the information contained in the individualised learner records/files.

Notification of assurance review visit

We plan to give providers between two and four weeks' notice of the assurance review visit. It is important that providers make arrangements to facilitate the visits in this period to ensure that the Assurance Team is given access to individuals, who have knowledge of ILR and learner records. To facilitate the assurance visits, we will normally send you the sample of learner files, that we will need to see, 3 to 5 working days before the visit date, so that you can collate the individual learner files and associated evidence including any information required from subcontractors. This will enable our Assurance Team to complete the assurance checks efficiently and effectively. The records must be available on the first day of the visit.

Timing of assurance review visits

We are adapting our approach and wish to inform you that our assurance visits may take place at any point during the relevant funding year, as well as after the funding year and / or submission of the final ILR return.

Access to ILR and learner records

The Assurance Team will require direct access to the learner records and files. Where you hold digital records, you must make arrangements for the Assurance Team to be granted read only access to your learner records when the visit is arranged, so that we can perform our tests effectively and efficiently. The Assurance Team will need access to learner files and associated documents.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/821538/PMOA_Assurance_Review_Visits_letter_26.07.19.pdf

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Fraser Whieldon
Reporter

Mon 29th Jul 2019, 16.17

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New FAM reports

Breaks in learning where the closed episode is reopened upon the learner's return

Continuing learners who are now reported as withdrawing on or before 31 July of the previous funding year

Changes to funding model between years

ESFA also checking for:

Policy area	Policy rules	Specific concern
All	Providers with high numbers of learners who are withdrawn on a census date for funding.	Incorrect recording of data, funding over claim.
Apprenticeships	Providers with high numbers of learners who are withdrawn on or just after qualifying for additional payments	Incorrect recording of data, funding over claim.
Apprenticeships (employers)	We will monitor to ensure that the apprentice's employer is the legal entity for the commitment, or a company that is connected to the legal entity, for the purposes of declaring and spending levy funds.	Potential gaming or pooling of levy funds.
Apprenticeships (employers)	Employees with high numbers of apprentices compared to their overall number of declared employees.	Potential gaming or misuse of funds.
Apprenticeships (transfers)	Main providers who are also a levy-paying employer, must not deliver training to apprentices that are funded through a transfer.	Monetising levy funds

Education & Skills Funding Agency

Financial Assurance: Monitoring the funding rules for post-16 funding for 2019 to 2020

Version 1: July 2019

https://www.gov.uk/guidance/esfa-financial-assurance-monitoring-the-funding-rules

Final Q&A

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