

## APPRENTICESHIP GUIDE FOR EMPLOYERS

THE ONE STOP SHOP FOR ALL YOUR TRAINING NEEDS



WHAT YOU NEED TO KNOW  
ABOUT TAKING ON AN APPRENTICE

## **Employer's Responsibilities:**

In taking on and supporting an apprentice there are certain obligations that you need to be aware of, many of which, as an employer, you will already be familiar with:

### **Induction**

Learners should be made to feel welcome in their new surroundings as soon as possible. In addition, they need to understand your company and the aims of the training programme. Induction is not something which only takes place on the first day. The aims should be explained to the learner at the start of the programme, however, some will need to be reiterated or introduced in a structured manner once the learner has become familiar with the working environment. An induction that all employees go through would not normally count as off the job training for the apprenticeship as they are not specifically related to the qualification.



## **Employment and Working Hours**

You will need to pay the learner the national minimum wage for apprentices, which is dependent on age. Many employers choose to pay significantly above the minimum wage to secure and retain the best apprentices.

To check on how the National Minimum Wage applies to you (or your staff), please visit <https://www.gov.uk/national-minimum-wage-rates>

The apprentice must have a contract of employment with you and receive a pay slip. They must be employed for at least 30 hours a week up to a maximum of 40 hours a week (if under 18 years of age), all 'off the job training'\* is included within the contracted paid hours. There are exceptions to the 30-hour rule and we will advise you should this occur.

Apprentices are entitled to paid holidays from their first day of employment. The minimum statutory entitlement is currently 28 days annually, including bank holidays. Holiday pay must be accrued in accordance with the terms of contract with the apprentice.

\* <https://www.gov.uk/take-on-an-apprentice>

## **Apprenticeship Funding Rules for Employers:**

As an employer you are required to comply with the funding rules for employers. These should be read prior to or before finalising your apprenticeship sign up and commitment statement.

<https://www.gov.uk/guidance/apprenticeship-funding-rules-for-employers>

As the employer you are responsible for checking and confirming the eligibility of your Apprentice prior to completing the signup and claiming funding. From April 1, 2019 all employers are required to contribute 5% of the entire cost of the apprenticeship for learners over the age of 18 years (Non-Levy Employers). For apprenticeships starting prior to this date the contribution was 10%.

## **On the Job Training**

### **You must appoint a qualified responsible person.**

If you are unable to take personal responsibility, you must appoint an appropriately competent person authorised by the company to oversee the learner's training. This person should be given the responsibility for ensuring the programme is followed and being a mentor for the learner.

Your co-operation will be sought to provide evidence of the learners' knowledge, for tasks undertaken in the workplace. This will assist in the development of the learner's portfolio of evidence, required for the award of a vocational qualification. Evidence can be supplied by various means using either company documentation or that supplied by MITSkills or the 'off the job' training centre.

## **Off the Job Training**

As an employer you are legally obliged to allow the apprentice at least 20% of their paid hours as 'off the job' training. This may include day or block release to a training provider, as well as exams and assessments during working hours (the employer will be notified about these in advance, so you can plan accordingly).

As an employer you are required to evidence an agreed plan for how the 'off the job' training will be achieved, at the planning stage via a commitment statement between yourself, the learner and the training provider.

Most apprentices have online portfolios and the trainers will help the learner in completing this. The training provider will provide the necessary underpinning knowledge, (the theoretical knowledge an apprentice requires to complete tasks safely and competently) and will provide, if required the practical training in those areas not covered in the workplace.

MITSkills will make arrangements for learners to attend an appropriate

training centre or sessions where required. The training provider will provide you with reports on the learner's attendance and progress on request. You as the employer may have to provide hours in the workplace to ensure the 20% minimum is met. For example, to do online courses, assignments, project work and for some functional skills (time on functional skills is over and above the 20% and is a requirement for funding).

The current rules specify that an employer is responsible for providing regular evidence for off the job hours. These hours must be logged by the learner on a regular basis, as funding is dependent on this evidence. MITSkills as the provider makes this part of our contracted agreement with you as the employer.

If you need any more information then please visit,

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/621565/OTJ\\_training\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/621565/OTJ_training_guidance.pdf)

## **Mentoring**

Learners will require access to a mentor whose responsibilities are:

- a) On the job training - helping trainees to acquire the skills and knowledge needed to meet the vocational qualification standards.
- b) Work supervision - to regularly discuss and review progress with the trainee and his/her Work Based Trainer and arrange for agreed vocational qualification elements to be covered before the next assessment visit.
- c) Health & Safety - ensure that everybody maintains safe working practices and sets a good example. Make sure that trainees understand and follow safety rules.
- d) Mentors should provide input to reviews, where the direct employer is not available. We will require comments on the apprentice's performance and an awareness of the proposed in company development of the apprentice.



- e) Mentors with competence can train skills which are required to meet an apprenticeship, this can include the use of equipment and tools which may be specific to your business or a task to improve skills needed to succeed. We would encourage employers to have the learner and mentor log this time.



## **Health and Safety**

The Health and Safety at Work Act 1974 has made it an employer's responsibility to ensure the health, safety and welfare of all your employees and to ensure your employees are not exposed to any risks to their health and safety. The Health and Safety (Training for Employment) Regulations 1990 gives learners the same protection as your other employees.

You will be aware that learners may due to their lack of trade competence, require closer supervision than other employees. You must never leave learners unsupervised. You must provide your apprentice with the necessary PPE (where appropriate).

As part of your agreement with MITSkills you agree to comply with all relevant statutory duties with respect to Health, Safety and Welfare. You will also ensure the maintenance of cover for the Trainee under your

Employer's Liability Insurance, Public Liability Insurance and (as appropriate) any other relevant insurance.

Employers are required to maintain the work environment to legally acceptable standards and carry out risk assessments to ensure safety in the work place. Employers should also ensure that registrations have been made with the appropriate Enforcing Authorities where required.



### Reviewing, Assessment and Recording

The Learner's progress should be reviewed regularly. This should be a three-way discussion between the learner, employer and the person responsible for his/her training. Areas where training has not been available or where the learner requires additional training can be identified. The MITSkills staff are available to help you plan the learner's programme and will assist you in reviewing the learners progress during their scheduled visits.

To help young learners make the difficult transition from school to working life, a system of regular assessment has been incorporated into the programme to help learners to identify areas of personal effectiveness, which will require your support of the learner for improvement or reinforcement. MITSkills staff will carry out the

assessment process during their scheduled visits in conjunction with the learner and mentor.

MITSkills' staff will visit the learner at least every 8 weeks whilst on course. You should also allow Funding Body staff or OFSTED to talk to learners on request although, in normal circumstances, your permission will be sought before that event. If you are approached directly please contact MITSkills immediately.



### **Guidance and Counselling**

The learner will require continuous guidance not only in reviewing their progress through the programme but also to resolve day-to-day problems and receive assistance in their career development.

### **Mental Health Conditions, Work and the Workplace**

One in four people in the UK will have a mental health problem at some point. Mental health is about how we think, feel and behave. Whether work is causing the health issue or aggravating it, employers have a legal responsibility to help their employees.

Further information can be found at:

<http://www.hse.gov.uk/stress/mental-health.htm>



## **Safeguarding and Prevent**

For full details read <https://www.gov.uk/government/publications/work-based-learners-and-the-prevent-statutory-duty>

Safeguarding means:

- The promotion of the apprentice's health and development
- Ensuring their safety and care
- Protection for the apprentice against abuse and neglect
- Prevention from bullying and harassment
- Prevention from exposure to terrorism and extremist views

The term 'safeguarding' embraces both child and vulnerable adult. Protection and preventative approaches should be adopted to keep the apprentice safe. The prevention against exposure to terrorism and extremist views applies to all, regardless of age or background. MITSkills has a safeguarding policy to provide a secure environment for the learners and staff. As an employer if you believe that your learner is having issues including but not restricted to the below list, please raise it with MITSkills.

- Physical abuse
- Psychological abuse
- Sexual abuse
- Financial or material abuse
- Discriminatory abuse
- Neglect
- Radicalisation of a learner

If you have any concerns regarding the welfare of an apprentice, please contact our Safeguarding Officers on 01932 341416.

## **Complaints Procedure**

If you are dissatisfied with any aspect of your learner's course; in the first instance you should raise your complaint with the Tutor/Work based trainer.

If this is not possible, or they are unable to provide a satisfactory response, you should then put your complaint in writing, using the MIT Skills' Complaints Form (available on the website under Employer and Learner Documents), which should be sent to the Departmental Manager who will co-ordinate an investigation.

MITSkills will log your complaint and initiate a full investigation of the circumstances. We will provide a response within 10 working days of receipt. The final decision rests with Senior Management except where the complaint lies with the Awarding Body where the Awarding Body procedures will apply.

A full copy of our Formal Complaints Procedure is available on our Website. [https://mitskills.com/MIT\\_Skills\\_Site/Documents/Complaints%20PolicyV5ESFA%20261118.pdf](https://mitskills.com/MIT_Skills_Site/Documents/Complaints%20PolicyV5ESFA%20261118.pdf)

## **Useful links to government policies on apprentices in the workplace.**

- a) For further information on apprenticeship levy, please visit;  
<https://www.gov.uk/government/publications/apprenticeship-levy-how-it-will-work/apprenticeship-levy-how-it-will-work>
- b) The Control of Substances Hazardous to Health Regulations 2002 (COSHH) See  
<http://www.hse.gov.uk/toolbox/harmful/index.htm>
- c) The Control of Noise at Work Regulations 2005 See  
<http://www.hse.gov.uk/pubns/indg362.htm>
- d) The Electricity at Work Regulations 1989 Third Edition 2015  
See <http://www.hse.gov.uk/pUbns/priced/hsr25.pdf>
- e) The Management of Health and Safety at Work Regulations 1999  
Guidance for Managing Health and Safety (free HSE online book)  
See <http://www.hse.gov.uk/managing/index.htm>
- f) The Provision and Use of Work Equipment Regulations 1998  
See <http://www.hse.gov.uk/work-equipment-machinery/puwer.htm>
- g) The Manual Handling Operations Regulations 1992 fourth ed  
2016 See <http://www.hse.gov.uk/pubns/books/l23.htm>
- h) The Workplace (Health, Safety and Welfare) Regulations  
1992 See <http://www.hse.gov.uk/pubns/indg244.pdf>  
<http://www.hse.gov.uk/pubns/indg449.pdf>
- i) The Personal Protective Equipment at Work Regulations  
1992 See <http://www.hse.gov.uk/toolbox/ppe.htm>

- j) The Health and Safety (Display Screen Equipment) Regulations 1992  
See <http://www.hse.gov.uk/pubns/priced/l26.pdf>
- k) Fire Precautions (places of work) Regulations 1997  
See <http://www.hse.gov.uk/toolbox/fire.htm>
- l) Construction Design Management Regulations 2015  
See <http://www.hse.gov.uk/construction/cdm/2015/index.htm>
- m) Working at Heights Regulations 2005  
See <http://www.hse.gov.uk/pubns/indg401.pdf>

This list is not necessarily exhaustive.

Further advice can be found on the HSE website

<http://www.hse.gov.uk/index.htm>

Disclaimer – all information was correct at the time of going to print and is subject to changed according to government policy.

- Did you know you can upskill your existing staff through an apprenticeship?
- We can assist in recruiting new apprentices to fill your vacancies, through our free recruitment service.
- We are one of the leading providers for apprenticeship training delivery nationwide. Delivering over 500 qualifications, our clients include employers both large and small.

***To book training for your staff or for more information Contact M.I.T.***



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Email: [hello@mitskills.com](mailto:hello@mitskills.com)  
Website: [www.mitskills.com](http://www.mitskills.com)