
GUIDE FOR EMPLOYERS



WHAT YOU NEED TO
KNOW ABOUT TAKING ON
AN APPRENTICE OR WORK
EXPERIENCE LEARNER

Apprenticeships are an exciting option for both apprentice and employer.

You can employ apprentices at different levels, from school leavers and university graduates to people who want to further their careers or change career direction completely.

You can hire someone new or upskill an existing employee.

As an employer, you can get funding from the government to help pay for apprenticeship training.



The benefits for your business

Hiring an apprentice is a productive and effective way to grow talent and develop a motivated, skilled, and qualified workforce.

- 86% of employers said apprenticeships helped them develop skills relevant to their organisation
- 78% of employers said apprenticeships helped them improve productivity
- 74% of employers said apprenticeships helped them improve the quality of their product or service

Other benefits of working with apprentices include:

- You can adapt their training according to the needs of your business
- They're motivated to learn new skills
- You can expand and upskill your workforce

Incentive payments for hiring a new apprentice

The Government offers incentives for recruiting young Apprentices, these vary from time to time, and we would encourage employers to go to GOV.UK to check their current entitlement (at the time of writing the incentives are up to £1000 per Apprentice) please see the following link for details.

<https://www.gov.uk/guidance/incentive-payments-for-hiring-a-new-apprentice>

Employer Responsibilities

In taking on and supporting an apprentice or a traineeship/work experience learner there are certain obligations that you need to be aware of, many of which, as an employer, you will already be familiar with. A brief outline of these will be provided in this guide. However, we are always available to answer any questions you may have.



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 apprenticeship or work experience programme in the case of Traineeships. 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.

Apprenticeship learners and employers will find it helpful review the content of the apprenticeship standard together as part of the induction and MITSkills can help with this.

Traineeship and work experience learners should have a set of agreed work experience aims from their initial assessment, it may help for these to be reviewed as part of the induction by the learner and their workplace mentor.

An induction that all employees go through would not normally count as off the job training for the apprenticeship because it is not specifically related to the qualification.



Employment and Working Hours

As the employer it is your legal responsibility to check your apprentices have the right to work in the United Kingdom. For those with EEA/EU passports/citizenship this has changed, and employers are reminded that to continue as a funded apprentice or in employment, they will need to have Settled or Pre-Settled status with the right to work here. Settled or Pre-Settled status is only open to EEA citizens who were resident in the UK prior to 31st of December 2020. For employers the Government has provided a guide to employment checks see the link below.

<https://www.gov.uk/check-job-applicant-right-to-work>

The following link provides wider advice to employers on the settlement scheme, and we advise employers with EEA/EU Apprentices to read this.

<https://www.gov.uk/government/collections/eu-settlement-scheme-employer-toolkit>

Minimum wage

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/employing-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, training plan & commitment statement. These constitute the rules which you to agree to obtain funding, funding can be declined for non compliance;

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1092604/2223_Employer_Rules_Version_1_Final.pdf

As the employer you are responsible for checking and confirming the eligibility of your Apprentice prior to completing the signup and claiming funding. 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). The following links take you to further Government guidance on funding and apprentices. Extra funding can be available to Small employer employing 16 to 18 or 19 to 24 care leavers please consult the funding rules on the basis of evidencing eligibility

<https://www.gov.uk/employing-an-apprentice/apprenticeship-agreement>

<https://help.apprenticeships.education.gov.uk/hc/en-gb/articles/360006713099-Apprenticeship-funding>

To register for funding please use the following link

<https://www.gov.uk/guidance/manage-apprenticeship-funds>

On the Job Training/Work Experience

If you are unable to take personal responsibility, you must appoint an appropriately competent person authorised by the company to oversee and mentor 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. We will require regular three way reviews and this is an expectation of funding and the awarding bodies this will confirm as an employer you have released and the Apprentices have completed off the job training time withing their paid hours, their "Off- the- Job Hours". The ESFA requires that all Apprentices must complete Maths and English appropriate to their Apprenticeship these hours over and above the "Off the Job hours". It is the employers responsibility to support and release them within working hours or give paid leave for them to do so. This will assist in the development of the learner's portfolio of evidence, required for the award of a vocational qualification. Evidence should be documented using the MITSkills Off the Job Log/Work Experience paperwork.



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 our centre, as well as exams and assessments during working hours (you 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 MITSkills.

Most apprentices have online portfolios, and the Skills Coach will help the learner in completing this. MITSkills 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. We 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.

Further information on off the job training is available [here](#).



Mentoring

Learners will require access to a mentor whose responsibilities are:

- a) On the job training (and off the job training where agreed) - helping learners to acquire the skills and knowledge needed to meet the vocational qualification standards.
- b) Work supervision - to regularly discuss and review progress with the learner and his/her Skills Coach 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 learners 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 learner's performance and an awareness of the proposed company development of the learner.
- 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.



Health and Safety

The Health and Safety at Work Act 1974 made it an employer's responsibility to ensure the health, safety, and welfare of all their employees and to ensure the employees are not exposed to any risks to their health and safety. The Health and Safety (Training for Employment) Regulations 1990 gave 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, and you must provide your apprentice with the necessary PPE (where appropriate). MITSkills will ask you as the employer to complete a risk assessment for the learner in the context of your business. This includes identifying a single point of contact who you as the employer are happy to be contacted for issues related to learner welfare and support, and to receive updates from MITSkills. Further information is given under Safeguarding and Prevent.

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 cover for the learner 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 workplace. 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 Skills Coach responsible for his/her training. Areas where training has not been available or where the learner requires additional training can be identified. 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 to identify areas of personal effectiveness, which will require your support of the learner for improvement or reinforcement. MITSkills staff will carry out the review and assessment process during their scheduled visits in conjunction with the learner and mentor.

MITSkills' staff will review the learner at least every 8 weeks whilst on course or as agreed for work experience learners including traineeships. 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. (Contact 01932 341416)



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: <https://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>

Employers should ensure that as part of meeting their obligations and good practice to keep their apprentices or work experience learners safe, they understand both safeguarding and prevent requirements.

Employers need to have a named Single Point of Contact (SPOC) for apprentices and work-based learners. This can be a manager or lead mentor. The SPOC acts as a contact point for the learner and our safeguarding team or Skills Coach if there are concerns or support needs related to the learner. In turn your SPOC can contact MITSkills learner support if they identify concerns or need information, advice, or guidance in supporting the learner. The SPOC is the company's contact point for that learner. The single point of Contact (SPOC) should be named on the apprentice commitment statement and on the employer health and safety form for traineeships or work experience learners.



The expectation is that MITSkills can use their contact details and the SPOC is willing to be contacted. As an employer you should ensure your SPOC undergoes safeguarding and prevent awareness training as part of ensuring that your organisation meets your obligations to keep learners safe. There is approved free training for employers online and we are happy to discuss this with you and whoever you nominate. SPOC's will be able to evidence completing their training course via a printable certificate. MITSkills can also help with training to support employers. Follow the link for the online training.

<https://www.foundationonline.org.uk/enrol/index.php?id=224>

<https://www.foundationonline.org.uk/course/index.php?categoryid=34>

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 children and vulnerable adults. Protection and preventative approaches should be adopted to keep the learner 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 a learner, please contact our Safeguarding Officers on 01932 341416 – ask for Stuart Francis or Claire Clark.



GDPR and Data Protection

Employers, their staff, and learners are asked for permission by MITSkills to share and use data which includes data sharing with the ESFA, Department of Education and other bodies, including for research purposes. Most data will be stored for a period of 10 years as part of funding evidence requirements.

Contacting us: your data, your rights to access and confirm or amend your data, held by MITSkills.

Individuals can request a change to their own data or a copy of data on production of certified copies of two forms of ID (see LRS list below - one of which must be photographic). Certification of identity must be by a legal or medical professional or if a learner is studying, by a Skills Coach and sent to the address

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](#).

Health and Safety Risk Assessment

Prior to any learner coming on site, you will be asked to complete a health and safety risk assessment looking at what may need to be in place for your apprentice or work experience learner, it is your responsibility to ensure your site is safe with regards to the learner. We provide a standard form to help structure elements which should be considered, but you may have additional risks that you wish to consider especially for younger learners in terms of supervision. PPE (Personal protective equipment) may be needed and this is employer's responsibility for apprentices they cannot be asked to pay for PPE.

Covid 19 Employers must consider the restrictions current in national or in their areas we have provided a link to current HSE advice below point c.

Useful links to government policies on apprentices in the workplace

- a) For further information on apprenticeship levy, please visit.
<https://www.gov.uk/employing-an-apprentice/get-funding>
<https://www.gov.uk/guidance/manage-apprenticeship-funds>
- b) The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
<https://www.hse.gov.uk/toolbox/harmful/index.htm>
- c) Covid-19 HSE advice for employers
<https://www.hse.gov.uk/coronavirus/index.htm>
- d) The Control of Noise at Work Regulations 2005
<https://www.hse.gov.uk/pubns/indg362.htm>
- e) The Electricity at Work Regulations 1989 Third Edition 2015
<https://www.hse.gov.uk/pubns/priced/hsr25.pdf>
- f) The Management of Health and Safety at Work Regulations 1999 Guidance for Managing Health and Safety (free HSE online book)
<https://www.hse.gov.uk/managing/index.htm>

- g) The Provision and Use of Work Equipment Regulations 1998
<https://www.hse.gov.uk/work-equipment-machinery/power.htm>
- h) The Manual Handling Operations Regulations 1992 fourth ed. 2016
<https://www.hse.gov.uk/pubns/books/l23.htm>
- i) The Workplace (Health, Safety and Welfare) Regulations 1992
<https://www.hse.gov.uk/pubns/indg244.pdf>
<https://www.hse.gov.uk/pubns/indg449.pdf>
- j) The Personal Protective Equipment at Work Regulations Update April 2022
<https://www.hse.gov.uk/toolbox/ppe.htm>
- k) The Health and Safety (Display Screen Equipment) Regulations 1992 updated 2002
<https://www.hse.gov.uk/pubns/priced/l26.pdf>
- l) Fire Precautions (places of work) Regulations 1997 and Order 2006
<https://www.hse.gov.uk/toolbox/fire.htm>
- m) Construction Design Management Regulations 2015
<https://www.hse.gov.uk/construction/cdm/2015/index.htm>
- n) Working at Heights Regulations 2005
<https://www.hse.gov.uk/pubns/indg401.pdf>

This list is not necessarily exhaustive. Further advice can be found on the HSE [website](#).

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 recruit new apprentices to fill staff vacancies (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
MITSkills

Telephone: 0845 4309009

Email: hello@mitskills.com