

# Modern Apprenticeship Frequently asked questions 2019/20

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## Introduction

This document should be read in conjunction with the MA Programme Conditions and the MA Programme Specification 2019-20. The MA Programme Conditions and Specifications are published on the Training Provider area of the [Skills Development Scotland website](#) and on [Apprenticeships.Scot](#) together with supporting documentation:

Questions have been clustered under the following sections:

1. Eligibility
2. Programme Entry
3. Programme Delivery
4. Evidence requirements
5. Performance and Award
6. Completion/exit from the Programme
7. Enhanced payments
8. Travel and subsistence
9. Miscellaneous enquiries

Each updated version will show latest additions in **green**.

If you have any further questions, please direct them via your Skills Investment Adviser in the first instance.

## 1. Eligibility

### Q1.1 Why is Participant domicile no longer a criterion for eligibility?

A1.1 Modern Apprenticeships have been developed by Scottish Government to support and enhance the Scottish labour market. To this end it is the location of employment that is the essential criteria for eligibility rather than the domicile of the Participant. Paragraph 1.2.1 of Part 1 of the MA Programme Specification refers:

1.2.1 Each Participant's main employment and normal working premises must at all times during the period of his or her MA be located in Scotland.

## 2. Programme Entry

### Q2.1 Now that it is mandatory to enter the Participant's email address in FIPS, what do Providers do if the Participant does not have an email address?

A2.1 If the Participant does not have a personal email address then the Provider must assist the Participant to set one up.

### Q2.2 Does the Individual Training Plan need to be signed before a milestone claim is made?

A2.2 Yes, Paragraph 2.2.4 of Part 1 of the MA Programme Specification clearly states that the ITP must be agreed and signed by the provider, the proposed participant and the employer no later than the date on which the provider submit a claim for the first milestone payment (following the claim for the start payment) or if the payment plan does not include milestone (for example Outcome Based Funding Only) then no later than 13 weeks from the Start date. The provider must retain the ITP.

### Q2.3 What are the different definitions used for Participants with previous MA experience?

A2.3 Paragraph 2.3.8 of Part 1 of the MA Programme Specification refers:

#### 2.3.8 Participants with previous MA experience

2.3.8.1 Participants are treated as a **new Start** from Provider contracted volumes where they are:

- Starting a different MA framework within 3 years of leaving their previous MA assignment
- Progressing from a MA framework to a higher level but in a different MA framework
- Starting the same MA framework at any level with more than 3 years since previous MA assignment

2.3.8.2 Participants are treated as a **re-entrant** and will not be treated as a new Start from Provider contracted volumes where they are:

- Re-entrants to the same MA framework at any level within 3 years of previous MA assignment

2.3.8.3 Participants are treated as a **progression** and will not be treated as a new Start from Provider contracted volumes where they are:

- Progressing to the same MA framework at a higher level

## **Q2.4 Why have SDS used these definitions?**

A2.4 To enable Providers to use FIPS using the MA forecasting and actual function to manage their contracted volume. This will allow a full read across between SDS management information and FIPS on-line activity removing the need for manual compilation of reports for distribution to Training Providers and internal SDS staff which would mean NTP basic reporting would be readily available at any point. Please note that from 1 April 2019, the 56 day rule no longer applies.

## **Q2.5 Have there been any changes to the Training Agreement for 19/20?**

A2.5 Yes. The declarations have been reviewed and updated in line with the MA [Privacy Notice](#) for 19/20. Providers must ensure Participants and employers reference the MA Privacy Statement prior to signing the Training Agreement. Please note that the employer contact details must directly relate to the Participant's main employment and normal working premises.

## **Q2.6 Some of my Participants have received a letter from SDS. What is in the letter that SDS send to new MAs?**

A2.6 SDS send an automatically generated welcome letter to all confirmed MA Participants. In 2018/19 the letters were manually generated and now this process is automated in FIPS. The letter welcomes them to the MA Programme, emphasises the importance of the validation process, signposts them to apprenticeships.scot for further information on fair work practices ([e.g. wage rates for apprentices and the national minimum wage](#)).

## **3. Programme Delivery**

### **Q3.1 What is the difference between mandatory and best practice documents?**

A3.1 All documents, forms and processes are mandatory unless they expressly state that they are Best Practice. Any proposed changes to a mandatory document require official dispensation via the dispensation process, any changes to Best Practice documents can be approved by the SIA with an accompanying email as long as the minimum info on the document is retained. For further clarification please refer to Condition 11.1 of the MA Programme Conditions.

### **Q3.2 Has the Participants Progress Review process changed for 19/20?**

A3.2 No the Participants Progress Review process has not changed. The Paragraph 3.1.2 of Part 1 of the MA Programme Specification clearly outlines that the provider must carry out formal reviews every 13 weeks as a minimum for the duration of the MA and the expectation is that the reviews will be carried out face to face with the Participant.

### **Q3.3 Has there been any change to the Participants Progress Review (Appendix 6) and the Quarterly Progress Review (Appendix 6a) documentation?**

A3.3 Both the Participants Progress Review (appendix 6) and the Quarterly Progress Review for milestones (Appendix 6a) have been published in editable pdf format and both now include a section to capture any additional information discussed that doesn't fit in any other section of the form (e.g. any change of personal contact details: email address; mobile number). Please note the explanation of what is meant by a best practice document and a mandatory document is contained in Condition 11.1 of the MA Programme Conditions.

### **Q3.4 Has there been any changes to the process for making a milestone claim based on a Quarterly Progress Review.**

A3.4 No, there has been no change. Paragraph 3.2.7 of Part 1 of the MA Programme Specification outlines the process and there is a document offering [Guidance for payment plans based on Participant Quarterly Progress Reviews \(QPR\)](#) which clearly explains the process more detail.

**Q3.5 Do Training Providers still require ‘Wet’ signatures on SDS forms and documentation?**

A3.5 The Provider must ensure that all required signatures are hand written and are on all SDS forms and documentation, unless otherwise agreed in writing by SDS. The Provider must also ensure that all systems and processes are robust with key controls in place to ensure that all signatures on all forms and documentation are genuine.

The documents and forms can be filled in electronically, but the signatures must still be hand written. Scanned copies of the original document or form (including editable pdfs) with the required hand written signatures are acceptable for audit purposes. A scanned or electronic signature cannot be used as an alternative to a hand written signature.

Any irregularity in required signatures may be deemed a breach of the MA Provider Contract.

SDS is currently investigating efficiencies with information and communication technology and how this links to Develop Your Digital Workforce and the Scottish Government digital inclusion agenda. SDS shall keep Providers informed of our recommendations.

**Q3.6 Why have all the forms been changed to editable pdfs?**

A3.6 SDS is working towards aligning all Programme documents, forms and processes. The introduction of editable pdfs is a move towards enabling technology, standardising the documentation, ensuring a consistent approach to delivery and aligning the processes.

**Q3.7 If the forms are now editable pdfs does this mean they can be filled in electronically rather than hand written?**

A3.7 Yes, you can fill in the forms electronically, but you do need to print them off to obtain the relevant signatures required as part of the MA Programme Contract. You also have the option of printing a blank form for filling in by hand. All the SDS documents and forms need to be signed as applicable.

**Q3.8 What is the process if you want to add in additional information to an editable pdf form?**

A3.8 We have introduced a separate text box to add additional information where applicable at the end of some of the pdfs also you can attach a separate sheet to the pdfs if you want to add more relevant information.

**4. Evidence requirements**

**Q4.1 Is the additional ESF evidence included in Appendix 15 a new requirement?**

A4.1 No, the evidence required for ESF purposes has not changed but it is now included in the MA Programme Specification Part 1 - 2.3.12 and Part 2 - 3.7.

**Q4.2 What is the purpose of Appendix 7?**

A4.2 Appendix 7 has been introduced to assist Providers in identifying the correct documentation and forms required for each MA framework.

**Q4.3 What happened to the Summary of Evidence requirements that was previously included in the guidance section of the MA Programme Specification?**

A4.3 This information is now available as Paragraph 3.7 of Part 2 of the MA Programme Specification

**5. Performance and Award**

**Q5.1 Has there been any changes to the MA Performance Levels for 19/20?**

A5.1 Yes, SDS has introduced percentage delivery of volumes and values for 2019-20.

- The percentages are set at key stages 3, 5, 7, 8, 10, 11 and 12.
- Volumes and Value have different percentage rates that must be adhered to.
- Failure to adhere to, without prior approval from SDS, will lead to volume and/or value being removed from the contract for example:
  - Volume expected delivery 50; Actual Delivery 20 and no rationale to justify under delivery – 30 starts will be removed from contract. For more detailed information please refer to the MA Programme Specification part 1, paragraph 6.7.1 to 6.7.3

**6. Completion/exit from the Programme**

**Q6.1 Is there a time limit to a Participant's absence?**

A6.1 No. This is dependent on the Employer's HR policies. Consideration of the Participant's absence must on a case by case basis and discussed with SDS. For more detailed information please refer to the MA Programme Specification part 1, paragraph 5.1.2 to 5.1.3

**7. Enhanced payments**

**Q7.1 If a Participant discloses a disability or care experience after they have started on the MA Programme can a Provider claim the enhanced funding retrospectively?**

A7.1 No. The enhanced funding is to support Providers with costs associated with attracting **first time entrants to the MA Programme** from these underrepresented groups. It cannot be claimed after the Participant has started on the MA Programme.

**Q7.2 What is the definition of care experienced for accessing the enhanced funding?**

A7.2 In care means you are or were in the past formally looked after by a local authority, in the family home (with support from social services or a social worker) or elsewhere, for example in foster care, residential/ secure care, or kinship care (with family friends or relatives). Appendix 13 clearly outlines all the eligibility criteria for enhanced funding.

**Q7.3 Has there been a change to the process for claiming the enhanced funding?**

A7.3 Yes. The completed Appendix 13 must now be uploaded onto FIPS at the time of registering the Participant as a start on FIPS. There is an **Enhanced Funding for MA - Guidance** document available in the "MA Participant Recruitment" checklist (10<sup>th</sup> bullet point) on the Learning Provider area of apprenticeships.scot.

**8. Travel and subsistence**

**Q8.1 Has there been a change to the travel and subsistence policy?**

A8.1 Yes. Participants and or employers must be reimbursed by the provider prior to a claim being made to SDS. Providers must retain evidence of expenditure (tickets, invoices, receipts) for

each journey/ transaction. For full details please refer to Appendix 9 & 9a of the MA Programme Specification.

## **9. Miscellaneous enquiries**

### **Q9.1 Will Providers be required to get a copy of their employers/sub contractors public liability insurance?**

A 9.1 Due to changes in Procurement Rules, SDS have introduced a new process for dealing with Training Provider and Employer subcontractors as part of the 2019-20 bidding process. All subcontractors (excluding Colleges) must complete a Subcontractor ITT Response document which contains a series of legal, policy, approval and financial questions. This means that SDS can assess subcontractors in a similar way to contracted Providers. Public liability insurance is a declaration within the Subcontractor ITT Response document so there is no need for a Provider to obtain copies of documentation, unless requested at a later date.

### **Q9.3 Why is there not an appendix number on the actual Equalities Monitoring form?**

A9.3 The Equalities Monitoring form is a generic form to be used across all National Training Programmes (Employability Fund, Modern Apprenticeships) and Graduate Apprenticeships.

### **Q9.4 Have any of the MA statutory requirements changed for 19/20?**

A9.4 Yes, we have updated the MA Programme Conditions this year and included legislation for providers working with Vulnerable groups. Condition 23, paragraph 23.4 to 23.7 clearly outlines the providers responsibilities.

### **Q9.5 Who will issue Provider passwords in line with Appendix 8 SDS Information Security Policy for NTP Providers?**

A9.5 Passwords have been generated for all MA Providers and will be issued via your SIA.

### **Q9.6 What are the arrangements for Providers submitting the completed Provider Annual Certificate of Assurance?**

A9.6 As soon as the arrangements and date for submission of the PACA have been agreed an email will be issued to Providers.

### **Q9.7 Is there a facility to spell check forms?**

A9.7 Yes. There is a spell check function accessed through “check spelling” in the “Edit” option on the tool bar at the top of the screen. Providers should be accessing the forms using Adobe reader <https://get.adobe.com/uk/reader/> which can be downloaded for free from this link.

### **Q9.8 What is the HMRC definition of an apprentice in Scotland?**

A9.8 Please note that apprentices in Scotland are only considered to be Modern Apprentices with effect from the date their full details are registered on SDS's Funding Information and Processing System (FIPS). Your attention is drawn to [Guidance on calculating the minimum wage for employers from HMRC](#). Please note that this guidance may be updated by HMRC from time to time, and you should periodically check the webpage for any updated information.