Modern Apprenticeship Conditions and Specification Frequently asked questions 2020/21

This document is solely for questions related to the published MA Programme Conditions and Specification 20/21. For further information on FAQs related to COVID 19 please refer to the COVID 19 MA FAQs on the SDS website.

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Introduction

This document should be read in conjunction with the MA Programme Conditions and the MA Programme Specification 2020-21. 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. MA Offer
2. Policies, procedures and systems
3. MA Eligibility
4. MA Programme entry
5. MA Apprentice Progress Reviews
6. MA Payment Plans
7. MA Programme Delivery - other
8. MA Conditions
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. **MA Offer**

**Q1.1 What are the different assignment types used on FIPS?**

A1.1 Paragraph 2.3 of the MA Programme Specification 2020/21 refers.

Examples of Assignment Type allocation and funding

<table>
<thead>
<tr>
<th>Example</th>
<th>Assignment Type</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apprentice has completed MA Digital Applications and then wishes to undertake MA Digital Marketing within 3 years</td>
<td>New Start</td>
<td>Full funding aligned to age group when starting the new MA framework</td>
</tr>
<tr>
<td>Apprentice has completed MA Construction Building and then wishes to undertake MA Construction Technical within 3 years</td>
<td>New Start</td>
<td>Full funding aligned to age group when starting the new MA framework</td>
</tr>
<tr>
<td>Apprentice has completed MA at SCQF 6+ and remains with same employer then wishes to undertake an SCQF level 5</td>
<td>Not eligible as Apprentice has achieved higher level MA</td>
<td>Not eligible as Apprentice has achieved higher level MA</td>
</tr>
<tr>
<td>Apprentice has completed SCQF L5 Administration prior to their 20th birthday and then wishes to start SCQF L6 Administration after their 20th birthday</td>
<td>Progression</td>
<td>Funding will be the progression funding of £350. (20-24 L6 £1,200 less 20-24 L5 £850)</td>
</tr>
<tr>
<td>Apprentice has completed SCQF L5 Hospitality and then wishes to start SCQF L7 Hospitality Supervision &amp; Leadership</td>
<td>New Start</td>
<td>Full funding</td>
</tr>
<tr>
<td>Apprentice has completed SCQF L7 Hospitality Supervision &amp; Leadership and then wishes to start SCQF L8 Hospitality Technical Apprenticeship</td>
<td>New Start</td>
<td>Full funding</td>
</tr>
<tr>
<td>Apprentice has completed SCQF L5 Construction Operations and then wishes to undertake SCQF L5 Plant Operations</td>
<td>Not eligible as only one pathway within a framework is fundable</td>
<td>Not eligible as only one pathway within a framework is fundable</td>
</tr>
<tr>
<td>Apprentice has partially completed SCQF L6 and is re-entered at SCQF L5 within 3 years</td>
<td>Re-entrant</td>
<td>No deduction to funding</td>
</tr>
<tr>
<td>Apprentice has completed Construction Management awards at SCQF levels 8 and/or 11 and then wishes to undertake Management Modern Apprenticeships at SCQF level 7, 9 or 11</td>
<td>Not eligible as Apprentice has gained the required qualifications to work within the construction industry</td>
<td>n/a</td>
</tr>
</tbody>
</table>
Apprentice re-enters the same MA framework, within 3 years of leaving the previous assignment, and has moved from 16-19 to 20-24 age category

<table>
<thead>
<tr>
<th>Re-entrant</th>
<th>The balance of funding from the previous age group will be applied</th>
</tr>
</thead>
</table>

Apprentice has partially completed Light Vehicle Maintenance pathway and re-enters within 3 years to Heavy Vehicle Maintenance.

<table>
<thead>
<tr>
<th>Re-entrant</th>
<th>Milestones and the value from the previous assignment will be removed.</th>
</tr>
</thead>
</table>

Apprentice achieved or partially achieved MA greater than 3 years from the start date of the new assignment

<table>
<thead>
<tr>
<th>New Start</th>
<th>Full Funding</th>
</tr>
</thead>
</table>

**Q1.2 What is the purpose of the assignment type on FIPS?**

**A1.2** 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.

**Q1.3 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?**

**A1.3** No. The 16 -19 contribution rate will not be back dated retrospectively to when the Apprentice started on their MA. Enhanced Funding rate will start from the date when the approved Appendix 4 is uploaded onto FIPS. That is what we mean by pro-rated.

Enhanced Funding will only apply to those apprentices that meet the eligibility criteria as set out in the MA Specification and appendix 4. The process on how to apply for Enhanced funding has changed for 20/21. It’s a new form and a new process.

Enhanced funding will now apply to;
New Starts;
Existing Apprentices (Apprentices who have started their MA see example below)
Progressions.

**Provider must complete the new Appendix 4 and follow the new process outlined in Appendix 4 and in the MA Specification.**

**Example:**
Existing trainees (Apprentices in training) -Where the apprentice self discloses to their provider that they have a disability and/or care experienced when they have started their MA (for example this could range from 1 month in to their apprenticeship or two years into the apprenticeship) The provider must ensure that the apprentice completes the self-disclosure part on appendix 4. The provider must identify and detail the type of support they will put in place to help the apprentice achieve and sustain their apprenticeship and complete Appendix 4.

The provider must follow the new process as detailed in Appendix 4 and in the MA Specification and once the form has been approved by the Equalities Team and the approved form has been uploaded to FIPS the contribution rate will change and start on the date that the approved form has been up loaded on to FIPS.
Enhanced funding is available across all MA frameworks. Where an Apprentice is progressing to the same higher-level framework, the funding shall only be available at SDS’s discretion. Further information is detailed in the MA Specification section 2.9 and in the Enhanced Funding Guidance.

Q1.4 What is the definition of care experienced for accessing the enhanced funding?

A1.4 The term care experienced refers to anyone who has been or is currently; in care or from a looked-after background at any stage in their life, no matter how short.

In care means you are or were 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).

Q1.5 Has there been a change to the process for claiming the enhanced funding?

A1.5 Yes. The process has changed for 20/21. This is outlined in the MA Specification section 2.9. There is a new form - Appendix 4 and the Apprentice must self disclose if they are disabled and/or care experienced. The Provider must provide evidence of the support such as adaptations or activities that they will put in place to help the Apprentice sustain and achieve their Apprenticeship. For details on how to complete the form please refer to the MA Specification, Appendix 4 and the Enhanced Funding Guidance.

Q1.6 Has there been a change to the travel and subsistence policy?

A1.6 Yes. The travel and subsistence policy is now contained within the MA Programme Specification. Providers must retain evidence of how journeys are costed and showing that the lower costed journey is being claimed. If an apprentice is reimbursed by cheque; the apprentice must sign a receipt to confirm the cheque has been received. Providers must make claims for reimbursement within two accounting periods of the actual journey or accommodation being taken. The travel and lodging claim form is available from macontracts@sds.co.uk as it is no longer an appendix within the MA Programme Specification.

2. Policies, procedures and systems

Q2.1 Do Providers still need to complete the Provider Certificate of Assurance?

A2.1 No, the requirement for Providers to complete the Provider Annual Certificate of Assurance has been removed for 2020/21.

Q2.2 Are there any resources we can access to help with the Apprentice Progress Review, Data management and carrying out Assessments?

A2.2 Yes, the SDS Quality Assurance team have produced a series of e – learning modules to support the Provider with self-assessment and the wider delivery of SDS contracted programmes. The team have updated and improved the Learning Management System.
The team have developed modules on Apprentice Progress Review, Data Management and a module ‘Assessment for learning in SDS work-based learning provision’ which is aimed at new assessors, and/or those wishing to update their practice. It may also be appropriate for general staff training or for staff wishing to become assessors. The team will also be adding additional new modules throughout the year.

The Provider must register on the system and create your own password. Please make sure you add your organisation name when registering. The Quality Assurance team have a limited number of licences so please restrict your usage to a maximum of 5 individuals per organisation. Registrations will be monitored, and extra names removed if necessary.

Please follow the link to access the LMS.
3. MA Eligibility

Q3.1 Can an Apprentice work outside Scotland during their MA programme?

A3.1 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 Apprentice. Paragraph 4.1.1 of the MA Programme Specification for 20/21 refers.

We understand there are instances where Apprentices occasionally work outside Scotland. For example;
- Modern Apprentices may work outside of Scotland as part of their programme for a period of time
- Oil and Gas Apprentices work offshore in international waters in their 3rd and 4th Years
- Modern Apprentices attend induction, training courses and work-based events outside of Scotland

These examples do not constitute a change to the Apprentices main employment and normal working premises.

Q3.2 I have received an application from a 15 year old and want to know if they are able to leave school. What is the statutory school leaving age that applies in Scotland?

A3.2 Further information on official school leaving dates can be found here: https://www.gov.uk/know-when-you-can-leave-school. Dependent on their birthday, it is possible that a 15 year old can officially leave school. Full eligibility criteria for the MA programme is available in paragraph 4.1 of the MA Programme Specification for 20/21.

4. MA Programme entry

Q4.1 I know that it is mandatory to enter the Apprentice’s email address in FIPS, what do Providers do if the Apprentice does not have an email address?

A4.1 If the Apprentice does not have a personal email address then the Provider must assist the Apprentice to set one up. The email address must be unique, current and active.

Q4.2 What do you mean by “unique” email address? Would the general employer information address be acceptable?

A4.2 A unique email address is a personal email address used and accessed only by the intended recipient. A general information address used and accessed by many would not be acceptable.

Q4.5 Have there been any changes to the Training Agreement (TA) for 20/21?

A4.5 Yes.

The declarations (Sections F, G and H) have been reviewed and updated in line with the MA Privacy Notice for 20/21. Providers must ensure Apprentices and employers reference the MA Privacy Statement prior to signing the Training Agreement. The declarations now include an eligibility declaration so the “Participant and Provider Declaration” form in use in previous years is no longer required.
The employer contact details in Section C must directly relate to the Apprentice’s main employment and normal working premises.

FIPS Assignment information regarding the Individual Payment Plan is no longer included in the TA.

Please note that the option of printing a Training Agreement from FIPS is no longer available. There is still a report available on FIPS called Assignment Summary which pulls through similar information from FIPS.

**Q4.6 Some of my Apprentices have received a letter from SDS. What is in the letter that SDS send to new Apprentices?**

A4.6 SDS send an automatically generated welcome letter to all confirmed MA Apprentices from 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). We would encourage Providers to inform Apprentices that they will receive this welcome letter as part of their induction.

**Q4.7 In some of the documentation you refer to the “Employer” and in others the “Employer representative”, what is the difference?**

A4.7 The “Employer” is the name of the organisation that employs the Apprentice. The “Employer representative” is the name of the person that is acting on behalf of the Employer. Best practice is that the “Employer representative” is someone who has a supervisory role with the MA e.g. line manager, buddy, mentor.

**Q4.8 If the Provider is also the employer do you require a signature in both places?**

A4.8 Where the Provider is also the employer, SDS require a signature in both places on the Training Agreement as there are different undertakings for each role. For apprentice progress reviews, SDS expect to see a signature in both places but in exceptional cases, if it is the same individual, only one signature would suffice for payment assurance purposes. Best practice is that the “employer representative” signature would be someone who has a supervisory role with the MA and the “Provider” signature would be someone involved in the training element of the MA.

### 5. MA Apprentice Progress Reviews

**Q5.1 Do all 3 parties (apprentice, employer and provider) have to be present at the APR meeting and do all APRs need to be carried out face to face?**

A5.1 For an effective high-quality review discussion to take place all 3 parties should have an opportunity to input. We understand that it is not always possible for all 3 parties to meet face to face at the same time in the required timescales.

If you are on a **SOAR Payment Plan** and the employer representative is unable to attend the review meeting, the employer representative can add their contribution and signature within 3 weeks following the review date.

If you are on a **QPR Payment Plan**, all signatures must be gained within the 6-week review window.
All APRs must be face to face, ideally with all 3 parties present. If you cannot carry out the APR face to face, then this must be agreed in writing, in advance by your SIA. In order to receive approval from your SIA, you must be able to provide a strong rationale of why you are requesting a non face to face meeting.

For more detailed information on the Apprentice Progress Review process please refer to the APR SDS Exemplar Guidance and the e-learning module. You can access this module by following the link the Quality Assurance Learning Management System LMS.

Q5.2 Has the Apprentice Progress Review process changed for 20/21?

A5.2 As in previous years, providers must carry out formal reviews with each Apprentice every 13 weeks, as a minimum, for the duration of their MA. There have been changes made to the process for 20/21: Providers can now use their own documents to record Apprentice Progress Review (APR)s, providing the documents meet the minimum requirements as outlined in the MA Specification and have been approved by their SIA; the employer must sign every Apprentice Progress Review; and if is there is a change of contact details such as email address, mobile number of the Apprentice these must be recorded on the APR. Please refer to the MA Programme Specification for more information about what changes can be recorded on the APR.

Q5.3 Has there been any change to the Participants Progress Review (Appendix 6) and the Quarterly Progress Review (Appendix 6a) documentation?

A5.3 These documents have been removed and have been replaced with SDS Apprentice Progress Review Exemplars. If Providers do not wish to use the SDS Exemplar, they now have the flexibility to use their own Apprentice Progress Review documentation, as long as the document meets the minimum requirements as outlined in the MA Specification and has been approved by the providers SIA.

Q5.4 Has there been any changes to the process for making a milestone claim based on a Quarterly Progress Review (QPR).

A5.4 No, there has been no change the process for making a milestone claim based on a QPR. The only change is to the documentation that is used, as referred to in Question 5.3. Providers are still required to follow the process outlined in the MA Specification and ensure all signatures are gained within the 6-week review window with the high-level discussion taking place within this time frame with all 3 parties.

Q5.5 What does SDS mean by “signature”?

A5.5 SDS has provided more detailed information on signatures in paragraph 3.9 of the MA Programme Specification.

Q5.6 Why have all the forms been changed?

A5.6 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, continuous improvement and ensuring a consistent approach to delivery and aligning the processes.
Q5.7 If I use an editable pdf form does this mean they can be filled in electronically rather than hand written?

A5.7 Yes, you can fill in the forms electronically. Dependent on the technology you use as part of your business, you may 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. Please see paragraph 3.9 of the MA Programme Specification further information on signatures.

Q5.8 Is there a facility to spell check editable pdf forms?

A5.8 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.

Q5.9 Why do some of the tick boxes not show up on the forms when I open them from the SDS website?

A5.9 If the forms are opened on an internet browser they do not always show the full functionality that is available. Providers should be accessing the forms using Adobe reader [https://get.adobe.com/uk/reader/] which can be downloaded for free from this link.

Q5.10 Why is there not an appendix number on the actual Equalities Monitoring form?

A5.10 The Equalities Monitoring form is a generic form to be used across all National Training Programmes (Employability Fund, Modern Apprenticeships) and Graduate Apprenticeships.

6. MA Payment Plans

Q6.1. Has there been any change to the SOAR Payment Plan process?

A6.1 No, the only change connected to SOAR payments is that Providers are now able to use their own documentation, providing the documentation meets the minimum requirements as outlined in the MA Specification, and is approved by your SIA.

Q6.2 What is the purpose of Appendix 3?

A6.2 Appendix 3 is to assist Providers in identifying the correct payment plan and associated documentation requirements for each MA framework.

7. MA Programme Delivery – other

Q7.1 What is the difference between mandatory and exemplar documents?

A7.1 All documents, forms and processes are mandatory unless they expressly state that they are exemplars. Any proposed changes to a mandatory document require official dispensation via the dispensation process, any changes to exemplar documents can be approved by the SIA with an accompanying email as long as the document meets the minimum requirements outlined in the MA Programme specification for 2020/21. For further clarification please refer to Condition 15.1 of the MA Programme Conditions.
Q7.2 Is there a time limit to an Apprentice’s absence?

A7.2 No. This is dependent on the Employer’s HR policies. Consideration of the Apprentice’s absence must on a case by case basis and discussed with SDS. For more detailed information please refer to the MA Programme Specification paragraph 4.6

Q7.4 If an Apprentice changes employer do they need to exit from the MA Programme?

A7.4 If an Apprentice changes employment and their new role and new employer supports the continuation of their MA Programme they are able to remain on the MA Programme if certain conditions are met. See paragraph 4.7.2 of the MA Specification for further details.

8. MA Conditions

Q8.1 Has there been any changes to the MA Performance Levels for 20/21?

A8.1 No, SDS introduced these changes in 19/20 and there is still a percentage delivery of volumes and values for 20/21. The % are set at key measurement periods set out below and there are different % for volumes and values please refer to the MA Conditions section10.5 for details.

- Active Financial Period 1-5 (inclusive of periods 1 to 5)
- Active Financial Period 1-7 (inclusive of periods 1 to 7)
- Active Financial Period 1-8 (inclusive of periods 1 to 8)
- Active Financial Period 1-10 (inclusive of periods 1 to 10)
- Active Financial Period 1-11 (inclusive of periods 1 to 11)
- Active Financial Period 1-12 (inclusive of periods 1 to 12)

- Volumes and Value have different percentage rates in line with the measurement periods as detailed on section 10.5.1 and 10.5 of the MA Conditions and 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.

Q8.2 Is there any changes to the Achievement rates KPL this year?

A8.2 Yes, providers must ensure that at the end of each of the Measurement Periods, the Achievement Rate of Apprentices who have left their Apprenticeship since the commencement of the MA Contract is not less than 75%. This applies to all age groups and MA frameworks levels.

Q8.3 Why have SDS added in 3 new KPLs for 20/21?

A8.3 These new KPLs have been introduced to encourage providers to improve on their data integrity and the management of their data with regards to claim dates and end dates.
From an SDS perspective good management of data is fundamental to provide assurance to Scottish Government and other stakeholders, of the integrity and robustness of the data that is held in our systems relating to our National Training Programmes and other work-based learning provision. The information that you put into FIPS is used for a variety of purposes to generate data for official statistics, which in turn is used by the government to formulate future policy on work-based learning funding and delivery. Therefore, it is vital that providers ensure that the information they input onto the FIPs system is current, reliable, accurate and kept up to date all times. For more detailed information on good data management please refer to the e-learning module developed by the SDS Quality Assurance team. – Learning Management system.

Q8.4 Have any of the MA Conditions changed for 20/21?

A8.4 Yes, we have reviewed and updated the MA Programme Conditions this year and included new information on Data Protection in line with current legislation – Appendix 2 and 3 of the MA Conditions. Please refer to the version history in the MA Conditions to see the updates.

Q8.5 Who will issue Provider passwords in line with the MA Conditions Appendix 4 SDS Information Security Policy for NTP Providers?

A8.5 Passwords have been generated for all MA Providers and will be issued via your SIA.

9. Miscellaneous enquiries

Q9.1 What is the HMRC definition of an apprentice in Scotland?

A9.1 HMRC have a data sharing agreement with SDS. For HMRC, with regard to national minimum wage, apprentices in Scotland are considered to be 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 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.

Q9.2 Is the ESF evidence included in Appendix 7 a new requirement?

A9.2 No, the evidence required for ESF purposes has not changed but it is now included in the MA Programme Specification 4.2.6. The ESF Audit requirements has been updated in year for 20/21. The SDS ESF team contact Providers directly that this applies to and your Skills Investment Adviser is also kept informed.

Q9.3 Where do I find the correct ESF Logos?

A9.3 When requested to use an ESF logo, you must visit the website using the link below to view the publicity guide which clarifies the rules around the use of the ESF logo - https://www.gov.scot/publications/esif-publicity-requirements-2014-2020/. The following link takes you directly to different formats of the ESF logo available for download - https://www.gov.scot/publications/esif-logos/. You must ensure you use the ESF Logo in English and NOT the ERDF or Gaelic logos. If you wish to use the Gaelic logo, then this must be added in addition to the English version.
Q9.4 Has there been a change to the Payment Plan for Automotive framework and what paperwork do I need to use if I am delivering this framework?

A9.4 Yes, there has been a change to the Payment Plan for 20/21 and associated paperwork. From 1st April 2020 new starts in the Automotive MA shall align to a Summary of Achievement Record (SOAR) Payment Plan. The evidence that will be completed for each payment will be a Summary of Achievement Record (SOAR). This document will set out what has been achieved and must be signed by the assessor and the apprentice and shall be supported by evidence of this.

The capturing of the evidence that determines that the Apprentice has achieved is for the Provider to determine and must be in line with the assessment strategy and portfolio building requirements of the Awarding Body, this may include Records of Progress (ROP). SDS have provided a word version of a ROP for Providers to use. For more detailed information please refer to the guidance on Payment Plans for Automotive and Bus Maintenance.

For existing trainees (Apprentices in training from previous years) Providers are to still follow the old ROP process.

Q9.5 Has there been a change to the FIPs Leaving Codes for 20/21?

A9.5 Yes there has been a review of the Leaving Codes in line with FIPs and SDS reporting. The Leaving Codes have changed in the MA Specification for 20/21. The categories have been revised and the numbering has been replaced in the MA Specification 4.8.1-. i.e. there is no longer a code and sub code this has been changed to main heading and sub heading in the Leaving Codes table. The process for entering the Leaving Codes onto FIPs remains the same. There is no change to the process for 20/21.