

Employer Responsibilities – Apprenticeships Only

Tolley responsibilities

Introduction

Tolley recognises the importance of delivering a range of comprehensive services to employers in a way that meets your individual needs and provides consistent value for money. Tolley has been working with employers for many years by providing bespoke training and tax qualification programmes.

Working with employers, we continuously evolve our services to adapt to employer requirements. We strive to ensure our services are relevant, well delivered, and represent a good investment for our employers. Successful employer engagement means regular consultation and communication, and excellent support by all members of the team.

Since 2017, Tolley Learning has also been offering apprenticeships and is on the Register of Apprenticeship Training Providers (RoATP) as a Main Provider involved in the delivery of the following government approved standards:

- Level 4 Professional Accounting/Taxation Technician
- Level 7 Accountancy/Taxation Professional

These standards map to the ATT and CTA exams syllabuses respectively and are recognised as delivering the ‘knowledge’ module of an apprenticeship programme. As such, apprentices may attend any class and will learn alongside non-apprentices.

Tolley continues to engage with employers on a commercial basis (non-apprentices) but increasingly employers are employing more students as apprentices.

Culture, attitudes and behaviours

At Tolley we aim to create a professional and supportive environment and one which focuses on providing excellent service to employers. Tolley ensures that:

- Directors and managers are fully committed to delivering employer service excellence;
- All tutors and employer service staff are empowered to deliver service excellence;
- All tutors and staff understand and recognise who our employers are and put the needs of the employer at the heart of everything they do;
- We will involve ourselves in the communities that we support and engage ourselves in a range of non-work community initiatives.

Employer communications

Effective communication (both internal and external) is an essential element of employer service excellence. To this end we will:

- Provide information to you to support and develop your understanding of the services that are available to you;
- Adopt innovative techniques and new technologies to provide you and our staff with practical and modern solutions to service delivery;
- Ensure that we liaise with all members of the professional community, employers, and other stakeholders, and embed the principles of the equality and diversity in all our activities. In communicating and interacting with you we will consider a

range of different needs, including language, disability, and other considerations. We will ensure that our services are designed to respect cultural and community diversity and be anti-discriminatory;

- Ensure that you are given the opportunity to feel involved and listened to. We will actively listen to you, collect your feedback, and make changes to our programmes in response to your comments;
- Consider all forms of feedback such as complaints, comments, and compliments, and incorporate these into decision-making processes. Feedback will be passed to staff at all levels to ensure that they are employer-focused and constantly thinking about and anticipating your requirements;
- Measure and report on performance regularly based on what is important to you. We will use Tolley Academy to capture all information and provide access to you on a real-time basis.

Developing programmes with employers

Our business is secured through a combination of existing relationships and new enquiries. Existing relationships are managed by Clare Monteiro – Business Development Manager.

New enquiries will be received by the Client Service team and either dealt with by the team or passed to the appropriate senior

tutor, as listed above, depending upon size and nature of requirements.

Enquiries requiring escalation can be referred to Simon Groom, Director of Tolley Learning or Victoria Davies, Director of Tax Apprenticeships.

In all cases we will work with employers to develop the best programme to meet their training needs and those of their learners. This may be on a commercial basis or through an apprenticeship programme.

Where there is a need to deliver in partnership with another provider, for example where an employer wishes their apprentices to undertake both the accountancy and the tax pathways of the apprenticeship standards, then we are happy to do so and we have successful working relationships with all the other main training providers in the accountancy and tax market arena. We are flexible in discussions with employers and offer all alternatives.

Promotion of apprenticeship programme

We actively promote the apprenticeship programme alongside all other Tolley products. Information on the programme is included in our Tolley Learning brochure and on our website. First Intuition and BPP will also promote our services in discussions with employers where appropriate.

We promote our apprenticeship programme through the FATP website.

Delivering training to employers

All learners (apprentices and non-apprentices) will be managed through Tolley Academy and will largely follow the same procedure. For apprentices, there are additional administration

requirements together with the delivery of the Skills and Behaviour programme, and in some cases, functional skills.

The day-to-day responsibility for managing apprenticeship administration lies with the Apprenticeship Manager, who will liaise with the Employer Service Team, tutors, and coaches as appropriate. All other students will be managed by the Employer Service Team.

All activity will be recorded through Tolley Academy.

Employer account management

Account management is the responsibility of the Head of Employer Relations and team. National accounts will be managed by the Head of Employer Relations. In some cases, a dedicated senior tutor may also be allocated to you as additional support. Regional leaders will be responsible for managing regional accounts.

We adopt a variety of techniques to communicate with you. These will vary from employer to employer and will be designed to fit with the culture and techniques favoured by you. These will include:

- Consultation with employers and interested groups when designing our services at the outset of contracts;
- Frequent meetings with employers to ensure that we are meeting or exceeding expectations;
- Internal meetings with tutors and the employer service team to collate feedback, experience and anecdotal feedback;
- Surveys with students and employers. In addition, for apprentices the Apprenticeship Manager will

monitor their performance and flag any concerns directly as soon as they are identified.

All employer training managers will be given 'Training Manager' access to Tolley Academy so that they can also monitor their student progress on a real-time basis.

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At Tolley we believe that a training programme should be a tripartite agreement between the individual, the employer, and the training provider. Adopting this approach creates a supporting environment in the workplace and within the training delivery programme and provides a seamless experience for the learner who is more likely to then fulfil their potential.

Employers have an important role under the Government Apprenticeship programme as it is they who declare that the apprentice is ready to complete the programme and go through Government Gateway to End Point Assessment. Employers also have a number of formal requirements and as part of the initial exploratory discussions we ensure that they fully understand their role and the time commitment required.

We recognise that in some cases it may be more appropriate to work with you on a commercial basis and not through an apprenticeship programme.

The Apprenticeship Agreement

The Apprenticeship Agreement is an agreement between the employer and the apprentice. Tolley, as training provider, signs a separate *commitment statement* which outlines the planned content and schedule for training, what is expected and offered by the employer, provider, and the apprentice, and how to resolve queries and complaints. You must keep the agreement for the duration of the apprenticeship and give a copy to the apprentice and the training provider.

The Apprenticeship Agreement is a statutory requirement for the employment of an apprentice in connection with an approved apprenticeship standard. The Apprenticeship, Skills, Children

and Learning Act 2009 (ASCLA) introduced the requirement for an apprenticeship agreement to be in place when engaging an apprentice under a statutory apprenticeship. The requirements can be found in section A1 of ASCLA and the Apprenticeships (Miscellaneous Provisions) Regulations 2017. Any apprenticeship entered into after 15 January 2018 in connection with an apprenticeship standard must satisfy the requirements of the 2017 regulations. Any apprenticeship entered into before 15 January 2018 will not be affected by the additional requirements that must be set out in an apprenticeship agreement.

The Apprenticeship Agreement forms part of the individual employment arrangements between the apprentice and the employer; it is a contract of service (i.e. a contract of employment) and not a contract of apprenticeship. If all the requirements of Section 1 of the Employment Rights Act 1996 are complied with, the apprenticeship agreement can also serve as the written statement of particulars of employment but there are specific conditions and clauses that must be contained in an apprenticeship agreement. It must include the following:

- Provision for the apprentice to work for the employer for reward in an occupation for which a standard has been published by the Institute for Apprenticeships;
- Provision for the apprentice to receive training in order to assist the apprentice to achieve the standard in the work done under the agreement;
- Details of the apprenticeship's 'practical period';
- Details of the amount of the off-the-job training the apprentice is to receive.

The ‘practical period’ is the period for which an apprentice is expected to work and receive training under an approved English apprenticeship agreement. The practical period does not include the End-Point Assessment. The practical period start date set out in the apprenticeship agreement must match the practical period start date in the commitment statement and the start date in the Individual Learner Record.

It is a legal requirement that an apprenticeship agreement must be in place when an individual starts a statutory apprenticeship programme and should remain in place throughout the apprenticeship. The end date is when the End-Point Assessment is due to be completed.

The two circumstances in which an apprentice can complete a statutory apprenticeship without an apprenticeship agreement. Where:

- The apprentice is holding office as an apprentice police constable, or as an apprentice minister of a religious organisation;
- The apprentice has been made redundant with less than six months of their apprenticeship’s practical period left to run (see Regulation 6 of the Apprenticeships (Miscellaneous Provisions) Regulations 2017).

Tolley has a template available that is based on ESFA requirements which you may wish to adopt.

On-programme support

Employers play an invaluable role in supporting an apprentice whilst on programme. Apprenticeships by their very nature are based on what happens in the workplace and what level of competency in skills, knowledge, and behaviours is required to

perform their role effectively. Employers will observe first-hand how an apprentice is developing within the workplace and applying the knowledge, skills, and behaviours they are developing.

Employers should be familiar with the apprenticeship standard and end point assessment requirements. Employers are expected to know what knowledge, skills, and behaviours the apprentice will need to demonstrate and how courses and coaching sessions will be integrated into their work schedule.

Employers should also be aware of the apprentice's individual study plan and know what qualification they will be taking, and which papers they will be sitting as part of the apprenticeship. Finally, we expect employers to understand the role of British Values and safeguarding requirements play in the apprenticeship programme.

Tolley relies on the employer for the following:

- Ensuring the apprentice can learn, develop and ultimately perform skills and behaviours in the workplace;
- Challenging the apprentice to maximise opportunities and fulfil their potential;
- Ensuring that the apprentice is collating evidence of development and performance of skills and behaviours for training logs;
- Constructive feedback on progress and identification of areas for improvement;
- Ensuring there are sufficient opportunities for off-the-job and on-the-job training;

- Providing an encouraging and supportive environment;
- Ensuring that the apprentice's progress is included as part of your internal process;
- Encouraging your apprentice to complete their e-Assessor records throughout the duration of the programme;
- Helping the apprentice prepare for End-Point Assessment;
- Celebrating success and discussing options for after the apprenticeship. The employer is expected to attend all apprentice progress reviews.


Off-the-job training

Off-the-job (OTJ) training is a critical requirement of apprenticeships and part of the ESFA funding rules. OTJ must account for at least 20% of the apprentice's normal working hours over the total duration of the apprenticeship (until gateway).

OTJ training is defined as training, which is received by the apprentice, during the apprentice's normal working hours, for the purpose of achieving the standard connected to the apprenticeship.

OTJ is not *on the job* training received by the apprentice for the sole purpose of enabling the apprentice to perform the work to which the apprenticeship agreement relates. Maths and English, up to and including level 2, also does not count.

More information, including examples of off-the-job training, can be found on [gov.uk](https://www.gov.uk)



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