

## 25/26 Apprenticeship Agreement

<b>Apprentice Name:</b>			
Job role		Employer	
Type of funding	Choose an item.	Type of employer	Choose an item.
Apprenticeship Title	do not leave blank	Level	do not leave blank
Standard Reference Number	do not leave blank	Pathway	do not leave blank
Apprenticeship Start Date	Click or tap to enter a date.	Practical Period Planned End Date	Click or tap to enter a date.
Practical Period Start Date	Click or tap to enter a date.	Apprenticeship Planned End Date	Click or tap to enter a date.
Duration of practical period (Months)	do not leave blank	Planned off-the-job training Total Hours	do not leave blank

**1. The apprenticeship agreement**  
The apprenticeship agreement is a statutory requirement for the employment of an apprentice in connection with an approved apprenticeship standard. It 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.

**2. Why an apprenticeship agreement is required**  
The Apprenticeships, Skills, Children and Learning Act (ASCLA) 2009 and the Apprenticeships (Miscellaneous Provisions) Regulations 2017 (SI No. 2017/1310) require an apprenticeship agreement to be in place, for nearly all apprentices. This forms part of the employment arrangements between an apprentice and their employer; it is a contract of service (i.e. a contract of employment) and not a contract of apprenticeship. An apprenticeship agreement must be put in place when an individual starts an apprenticeship and should remain in place throughout (the agreement must be extended if the duration of the apprenticeship is extended).

**3. When the apprenticeship agreement must be in place**  
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.

**4. The 'practical period'**  
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. For the purpose of meeting the Department for Education funding requirements, 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.

**5. In certain circumstances, an apprenticeship can be completed without an apprenticeship agreement being in place**  
To commence a statutory apprenticeship (when an individual starts their apprenticeship programme) it is a legal requirement that an apprenticeship agreement be in place. The two circumstances in which an apprentice can complete a statutory apprenticeship without an apprenticeship agreement are where (i) they are holding office as an apprentice police constable, or as an apprentice minister of a religious organisation; or (ii) where they have 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).

**6. Who needs to sign the apprenticeship agreement?**  
The employer and the apprentice need to sign the agreement – it is an agreement between these two parties only. Training

providers sign a separate commitment statement which outlines the planned content and schedule for training, what is expected of and offered by the employer, provider and the apprentice, and how to resolve queries or complaints.

## **7. Information needed in an apprenticeship agreement**

The apprenticeship agreement must comply with the requirements as provided in ASCLA. It must:

- provide 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 and Technical Education;
- provide for the apprentice to receive training in order to assist the apprentice to achieve the standard in the work done under the agreement;
- specify the apprenticeship's practical period; and
- specify the amount of off-the-job training the apprentice is to receive.

## **8. Specifying the amount of off-the-job training**

This is a requirement of the Apprenticeships (Miscellaneous Provisions) Regulations 2017. Off-the-job training is a critical requirement of apprenticeships and in order to meet the Department for Education's funding rules, this must be at least the published volume of off-the-job training hours for the standard over the total duration of the apprenticeship (until gateway). Off-the-job training can only be received by an apprentice during their normal working hours. Maths and English, up to and including level 2, does not count towards the minimum off-the-job training requirement. The amount of off-the-job training should be agreed with the main provider. The provider must account for relevant prior learning the apprentice has received and reduce the content and duration of off-the-job training as necessary to achieve occupational competence.

## **9. Off-the-job training definition**

Off-the-job 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. It 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. More information, including examples of off-the-job training, can be found on gov.uk<sup>[1]</sup>.

## **10. Duration & Off-the-job Agreement**

The employer confirms that an appropriate and sufficient timeframe has been agreed upon which is stated in this agreement to ensure the apprentice is able to complete the required off-the-job (OTJ) training hours in accordance with apprenticeship funding rules and programme requirements. This timeframe has been established to support the apprentice's learning and development needs and will allow for the planned delivery of OTJ training throughout the duration of the apprenticeship.

The employer is committed to providing the apprentice with protected time during normal working hours to complete these OTJ training activities, ensuring that they are meaningful, relevant, and appropriately scheduled to support the successful achievement of the apprenticeship.

<b>Signatures</b>			
Learner Name	do not leave blank	Learner Signature	
Date	Click or tap to enter a date.		
Employer Name	do not leave blank	Employer Signature	
Date	Click or tap to enter a date.		



**Education & Skills  
Funding Agency**