

Summary of changes to English and maths requirements for apprenticeships – supporting notes

September 2017

Summary of changes

We are adjusting the minimum English and maths requirements to Entry Level 3 Functional Skills for a defined group of people with learning difficulties and disabilities who are able to meet the occupational standard of their apprenticeship but will struggle to achieve the regular English and maths minimum requirements.

This is part of our work to ensure that people with learning difficulties and disabilities have an equal opportunity to gain the skills and experiences offered through apprenticeships. This was one of 14 recommendations made by the taskforce chaired by Paul Maynard MP.

Timing

For apprenticeships under a Framework, these changes came into effect on 22 August 2017 when the relevant modifications to the Specification of Apprenticeship Standards for England (SASE) became effective.

For apprenticeships under a Standard, these changes came into effect on 29 September 2017, when an addendum to the Funding Rules was published and the changes will be applied to current Standards by the Institute for Apprenticeships.

These changes apply to both new apprenticeship starts from the dates indicated above and all apprenticeships commenced before but not completed by the dates indicated above.

Changes to the regular minimum English and maths requirements for people with a learning difficulty or disability

Eligibility

Adjustment of the regular minimum English and/or maths requirements to Entry Level 3 Functional Skills can be considered by the provider on an individual, case-by-case basis where **all** of the following conditions have been satisfied:

- The apprentice has either an existing or previously issued Education, Health and Care (EHC) Plan, a Statement of Special Educational Needs (SEN) or a Learning Difficulty Assessment (LDA).
- The provider holds or has conducted an evidenced assessment demonstrating that even with support, reasonable adjustments and stepping stone qualifications the apprentice is not able to achieve English or maths to the minimum level as a result of their learning difficulty or disability.
- The employer and provider must reasonably expect that the apprentice will be able to successfully achieve all other aspects of the apprenticeship requirements, become occupationally competent and achieve Entry Level 3 in the adjusted subject(s) before the end of their apprenticeship.
- There are no industry-specific minimum requirements.

This change applies to the regular minimum requirements for English and maths. Where an apprenticeship framework or standard mandates English and maths requirements that are higher than the minimum requirements, for example for industry specific reasons or professional body requirements, then the change does not apply.

This change applies to apprentices of all ages who meet the criteria indicated above.

Continuing English and maths when the adjustment is granted

Apprentices granted the adjustment in one or both subjects:

- who have not already achieved an Entry Level 3 Functional Skills qualification in English and/or maths, must achieve this before they can complete their apprenticeship under Frameworks or be considered ready to undertake their EPA under Standards
- who already hold an approved qualification at or above Entry Level 3 must continue with these subjects and providers must plan and evidence how the apprentice will access further literacy and numeracy development as part of their overall training provision, including level 1 and level 2 courses, if appropriate

Every effort should be made to enable apprentices to achieve the regular minimum English and maths requirements of the specific apprenticeship, including appropriate use of access arrangements, reasonable adjustments and stepping stone

qualifications. Apprentices who are capable of achieving level 1 or 2 in English and/or maths should be encouraged to do so.

Process

Collection of a copy of the Education, Health and Care (EHC) Plan, Statement of Special Educational Needs or Learning Difficulty Assessment is required to access the adjustment process. Apprentices can approach their assessing local authority or previous education institution for a copy of their plan, statement or assessment, if they no longer have their own copy.

“an existing Education, Health and Care (EHC) Plan” applies to anyone:

- who has a current Education, Health and Care (EHC) Plan that was operating in a previous study programme undertaken within 12 months of the date of application for the apprenticeship, **or**;
- to whom a local authority has confirmed an Education, Health and Care (EHC) Plan is going to be issued but the final signed Education, Health and Care (EHC) Plan is pending because it has not yet been finalised and signed, **or**;
- who has been issued with a final Education, Health and Care (EHC) Plan but the content of that plan is subject to an on-going appeal and their appeal rights are not exhausted

a previously issued Education, Health and Care (EHC) Plan, Statement of Special Educational Needs or Learning Difficulty Assessment” applies to anyone who had a final signed Education, Health and Care (EHC) Plan or Statement of Special Educational Needs or Learning Difficulty Assessment that was operating in a previous study programme more than 12 months before the date of application for the apprenticeship.

“an evidenced assessment” must be formal, structured, and authorised by an appropriate professional associated with the training provider, such as the Head of SEN or student support. It should demonstrate that even with support, reasonable adjustments and stepping stone qualifications, the apprentice is not able to achieve English and/or maths at the regular minimum level as a result of their learning difficulty or disability.

Details of what the assessment must include are given in sections 15-23 and 34-42 of SASE and Rule 15 of the addendum to the Funding Rules.

No separate funding is available for this assessment, however, see ‘Support available for apprentices with a disability’ below for further information.

For new apprenticeship starts after 29 September 2017 the assessment must be conducted within eight weeks of an apprentice beginning their apprenticeship. Existing apprentices on this date who may benefit from the adjusted minimum requirements must be reassessed by 31 December 2017.

Confidentiality

Education, Health and Care (EHC) plans are confidential documents that may hold sensitive information about the apprentice, including information beyond their learning difficulty or disability. The confidential nature of the Education, Health and Care (EHC) plan should always be respected. It may be helpful to share information about an apprentice's learning difficulties and disabilities with an employer to ensure the apprentice receives the support and reasonable adjustments to which they are entitled in the workplace, but information should only be shared with the apprentice's permission. Employer-providers may need to put in place measures to ensure training and employer functions are able to ensure the same levels of confidentiality.

Monitoring

The Individual Learner Record (ILR) will be used to monitor the application of this adjustment. Where this adjustment is applied, providers are required to retain evidence to support their decision which must be available to ESFA auditors and Ofsted inspectors.

Documents

Specification of Apprenticeship Standards for England (SASE) (July 2017):

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/630068/Specification_of_Apprenticeship_Standards_for_England_.pdf

The apprenticeship funding and performance management rules 2017 to 2018

(September 2017): <https://www.gov.uk/government/publications/apprenticeship-funding-and-performance-management-rules-2017-to-2018>

Support available for apprentices with a disability

Additional payments of £1000 are available for providers and employers with apprentices aged 19-24 who have an Education, Health and Care (EHC) Plan or were previously in care. See: [Apprenticeship Funding from May 2017](#) and rules E71-E77 in [Apprenticeship Funding: rules and guidance for employers](#); also rules P86-P94 in [Apprenticeship funding and performance-management rules for training providers](#)

The new funding model maintains existing financial support to providers for apprentices with learning difficulties and/or disabilities. Providers can claim learning support of up to £150 per month (up to £1,800 per year) to support reasonable adjustments under the Equality Act for an apprentice's additional costs, and excess learning support up to £19,000. In cases that require exceptional learning support over

£19,000 this can be claimed through the earnings adjustment statement (EAS). See: rules P66-P72 in [Apprenticeship funding and performance-management rules for training providers](#)