



## **APPRENTICESHIP GRANT FOR EMPLOYERS OF 16 TO 24 YEAR OLDS**

### **(AGE 16 TO 24)**

THIS AGREEMENT is made the 7<sup>th</sup> day of August 2015

BETWEEN:

(1) ASSET TRAINING & CONSULTANCY LIMITED, 1<sup>st</sup> Floor, St Hugh's House, Trinity Road, Bootle Merseyside, L20 3QQ ("the Provider").

(2) THE SUB-CONTRACTOR:

### **BACKGROUND**

A The SFA provides apprenticeship grants to Employers of 16 to 24 year olds to encourage employers to take on new 16 - 24 year old apprentices. Eligible employers can receive up to 5 Grants with an individual value of £1,500 for apprentices with start dates from 1 January 2015 to 31 December 2015.

### **1 Definitions**

"AGE 16 to 24" means the grant provided to an Employer to encourage it to take on new Apprentices aged between 16 and 24

"Apprentice" means an individual aged between 16 and 24 following an Apprenticeship

"Apprenticeship" means a framework recognised by the SFA

"Employer" means an individual or organisation who employs an Apprentice

“Funding Agreement” means the agreement between the Provider and the SFA under which the Provider is funded to deliver education and training.

“ILR” means Individualised Learner Record ASSET TRAINING & CONSULTANCY LIMITED  
AGE 16 to 24 - (Facility) 1 January 2015 to 31 December 2015

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## **2 Funding**

- 2.1 The Provider will administer and pay AGE 16 to 24 to Employers who meet the conditions set out in this Agreement on behalf of the SFA. The total amount of AGE 16 to 24 funding available to the Provider is detailed in Schedule 1.
- 2.2 The Provider may request a change to the maximum value of funding for AGE 16 to 18-year-olds and AGE for 19 to 24-year-olds by sending an AGE Facility Adjustment Request Form to [providerAGEfacilitymanagement@sfa.bis.gov.uk](mailto:providerAGEfacilitymanagement@sfa.bis.gov.uk).
- 2.3 The SFA will review the AGE 16 to 24 Facility Adjustment Request in line with the SFA's published Performance Management Rules as amended from time to time by the SFA and which form part of this Appendix  
<https://www.gov.uk/government/publications/sfa-performance-management-rules>
- 2.4 The SFA will review delivery against the national AGE budget and reserves the right to reduce funding where there is a risk that the demand for AGE 16 to 24 may go over the national budget.
- 2.5 Allocations for the financial year 2015 to 2016 do not include any allocation for AGE 16 to 24 relating to apprenticeship starts for Employers based in Greater Manchester or Sheffield City Region from 1 April 2015 or for West Yorkshire Combined Authority from 1 August 2015 who are now responsible for administering AGE 16 to 24 in these areas.

## **3 Eligibility**

- 3.1 An eligible Apprentice meets all of the following criteria:
  - 3.1.1 Is a new recruit
  - 3.1.2 Is enrolled on an Apprenticeship framework recognised by the SFA
  - 3.1.3 Lives in England
  - 3.1.4 Is eligible to participate in an Apprenticeship
  - 3.1.5 Has an Apprenticeship start date between 1 January 2015 and 31 December 2015, as recorded on the ILR
  - 3.1.6 Is employed by an eligible Employer
  - 3.1.7 Has been in learning for 13 weeks as recorded on the ILR

- 3.1.8 Is aged 16 – 24 on the date the Apprenticeship started as recorded on the ILR ASSET TRAINING & CONSULTANCY LIMITED AGE 16 to 24 - (Facility) 1 January 2015 to 31 December 2015
- 3.1.9 Is not following a Trailblazer Apprenticeship
- 3.1.10 Is not taking part in full time education; and
- 3.1.11 Their workplace is not in an area set out in clause 2.5 of this Agreement.
- 3.2 An eligible Employer meets all of the following criteria and this must be confirmed by the signed Employer Declaration:  
<https://www.gov.uk/government/collections/apprenticeship-grant-for-employers-of-16-to-24-year-olds>
- 3.2.1 Confirms that they are not able to recruit an Apprentice without the AGE 16-24
- 3.2.2 Has fewer than 50 employees in the United Kingdom, as recorded by the Employer Data Service (EDS)
- 3.2.3 Has not had an employee start an Apprenticeship in the 12-month period before the start date of the **first** Apprentice for whom they apply for the AGE 16-24 (excluding progressions/restarts with the same employer after 1 August 2013)
- 3.2.4 Commits to employ the Apprentice(s) for a minimum of 12 months on the Apprenticeship programme or the time it takes them to complete their Apprenticeship, whichever is the greater
- 3.2.5 Confirms they are aware of and do not breach any State Aid rules by receiving AGE 16 to 24; and
- 3.2.6 Agrees to pay the Apprentice in line with legal minimum requirements or more.
- 3.3 The Provider must assist the Employer to understand the AGE 16 to 24 criteria and to correctly complete the required AGE 16 to 24 Declaration.

#### **4 Specific Conditions of Funding**

- 4.1 The Provider will be informed of their AGE 16 to 24 Facility at the beginning of each financial year and following any variation.
- 4.2 If funding is requested for an Apprentice after all budget has been allocated, the SFA reserves the right to reject the claim and not make a payment. To allow the Provider and employers to plan their engagement effectively, the SFA will regularly publish data on the uptake of AGE 16 to 24 via the Statistical First Release.

- 4.3 Any new Apprenticeship in respect of which the AGE 16 to 24 is claimed should normally be advertised on Apprenticeship Vacancies (Av) – the on line vacancy service that matches candidates interested in an Apprenticeship with ASSET TRAINING & CONSULTANCY LIMITED AGE 16 to 24 - (Facility) 1 January 2015 to 31 December 2015 Employers offering them. The Provider will be responsible for encouraging and assisting employers to use Av to recruit their Apprentice. The Provider must ensure the correct 'tick box' is checked for vacancies linked to AGE 16 to 24.
- 4.4 The Provider will be responsible for making accurate claims for AGE 16 to 24 from the SFA and processing the payments to the Employer. The SFA will not pay any fees or meet any administrative costs incurred by the Provider in administering the AGE 16 to 24.
- 4.5 The SFA reserves the right to reduce and/or remove AGE facilities from the Provider if it does not manage the AGE 16 to 24 programme effectively. The Provider must take all steps and make all the necessary eligibility checks required to ensure that the majority of employer claims can be processed on the first submission. The Provider is accountable for the accuracy of AGE claims and for the quality of data submitted. Checks must take place before the claim is submitted.
- 4.6 Once a candidate is recruited by the Employer, and a contract of employment, and the Employer Declaration has been completed and returned by the Employer, the Provider should claim for AGE 16 to 24 by submitting an ILR coded with the correct LDM code for AGE to the SFA as part of their next available claim upload. The correct LDM codes are listed on the current AGE Fact Sheet for Training Organisations.
- 4.7 The ILR must be updated within 13 weeks of the Apprentice's start date at the latest. AGE payments will only be made for starts in the 2015 to 2016 funding year that are recorded in the final ILR submission (R14) for that year. This includes starts in July 2015 where the Apprentice may have started less than 13 weeks before the R14 submission date. 13 weeks is the point at which the payment of AGE 16 to 24 is triggered. Where possible the ILR should be updated earlier to ensure eligibility is checked at the earliest opportunity.
- 4.8 The Provider will make one payment to the Employer for each Apprentice, after the completion of 13 weeks in-learning on the Apprenticeship programme.

- 4.9 The full value of the AGE 16 to 24 must be passed to the Employer within 30 days of the receipt of the AGE 16 to 24 from the SFA. The SFA reserves the right to require the Provider to provide evidence that payment has been made in accordance with this clause. If the SFA is satisfied that any AGE 16 to 24 have not been paid to the Employer in accordance with this clause they reserve the right to recover the full amount of any unpaid AGE 16 to 24 from payments due the Provider under this or any other agreement with the SFA.
- 4.10 Should the Apprentice leave or be dismissed, the AGE 16 to 24 will be withheld from the Employer at the following levels:
- i) If the Apprentice leaves or is dismissed during the first 13 weeks in-learning the Employer will not receive any element of the AGE 16 to 24 payment ASSET TRAINING & CONSULTANCY LIMITED AGE 16 to 24 - (Facility) 1 January 2015 to 31 December 2015
  - ii) If the Apprentice leaves after completing the first thirteen weeks in-learning the AGE 16 to 24 will not be recovered.
- 4.11 Each Employer may receive a maximum of 5 AGE 16 to 24.
- 4.12 Where the Provider fails to comply with the requirements of this clause 4 resulting in the Employer not receiving AGE 16 to 24 to which it is entitled, the SFA reserves the right to pay the AGE 16 to 24 direct to the Employer and recover the funding from the Provider which may be recovered from deducting the amount from any sums due to the Provider under this or any other agreement with the SFA.

## **5 Payment and Evidence Requirements**

- 5.1 The SFA will pay up to a maximum of £1,500 per Apprentice for each eligible employer.
- 5.2 A single payment of £1,500 will be made for each Apprentice after the completion of 13 weeks in-learning, subject to a correctly completed and submitted ILR. Claim codes are detailed in the AGE 16 to 24 Training Organisation fact sheet. Payment will be made in the month after the 13 weeks in-learning have been completed and reported to the SFA.

- 5.3 The Provider is responsible for recovering any payments from the Employer where the conditions of AGE 16 to 24 have not been met and for re-paying these sums promptly to the SFA.

## **6 Evidence and Audit Requirements**

- 6.1 The Provider must retain documentary evidence of the payments made to and any recoveries from employers, and re-payments made to the SFA, these will be auditable records.
- 6.2 The Provider is responsible for checking the Employer's eligibility as above, including ensuring that the employer has not received the AGE 16-24 for more than 5 Apprentices.
- 6.3 The Provider is required to obtain a declaration signed by the Employer in the standard form that confirms the Employer's eligibility and that they understand the conditions under which the AGE 16 to 24 is being paid before a claim for AGE 16 to 24 is made.
- 6.4 The Provider must retain the following evidence (this can be in electronic format):
- 6.4.1 A copy of the signed Employer Declaration providing evidence of employer eligibility which must be countersigned by the Provider.
  - 6.4.2 Evidence of the payment of the AGE 16 to 24 to the Employer. ASSET TRAINING & CONSULTANCY LIMITED AGE 16 to 24 - (Facility) 1 January 2015 to 31 December 2015
  - 6.4.3 Evidence that any required recovery of the AGE 16 to 24 from the Employer has taken place and that this has been repaid to the SFA
  - 6.4.4 An Employer declaration that State Aid rules have not been breached.

## **7 Fraud and Irregularity**

- 7.1 The Provider shall notify the SFA immediately where it becomes aware of any instance of suspected fraud or financial irregularity in relation to AGE 16 to 24 including, but not limited to the submission by an Employer of inaccurate, incomplete, misleading or falsified information for the purpose of a claim for AGE 16 to 24.
- 7.2 Where the SFA has reasonable cause to suspect that fraud or irregularity has occurred in relation to AGE 16 to 24, the SFA shall have the right of access to the Provider's premises at any reasonable time with or without notice to examine and

remove or copy all relevant documents and records including electronic records and to interview the Provider's servants or agents.

- 7.3 Where the SFA has reasonable cause to suspect that fraud or irregularity has occurred in relation to AGE 16 to 24 it shall have the right to suspend the Facility and require the Provider to suspend the approval of any further AGE 16 to 24.

## **8 Sub contracting**

- 8.1 The Provider may not assign any right, duties or obligation under this Agreement.

## **9 Termination**

- 9.1 The SFA can terminate this Agreement with immediate effect where the Provider is in breach of this Agreement.
- 9.2 The SFA can terminate this Agreement with immediate effect where a Provider's 16- 18 Apprenticeship or Adult Skills Budget Allocation is removed or its Funding Agreement is terminated.
- 9.3 The SFA may terminate this Agreement with immediate effect where the Provider exceeds its AGE 16 to 24 Facility.
- 9.4 Either Party shall be entitled to terminate this Agreement by giving to the other not less than three months' notice in writing.

## **10 The Agreement**

- 10.1 This Agreement constitutes the entire agreement between the Parties in relation to its subject matter and supersedes all previous understandings, commitments, representations, agreements, draft agreements, arrangements, or prior undertakings of any nature made by the Parties, whether written or oral, relating to its subject matter.
- 10.2 This Agreement shall not be varied except by an instrument recorded in writing as detailed in clause 2 of this Agreement.



**Authorised Signatory for and on behalf of THE SUB-CONTRACTOR**

Signature ..... Position .....

Print Name ..... Date.....

**Authorised signatory with the delegated authority on behalf of ASSET TRAINING & CONSULTANCY LTD**

Signature ..... Position .....

Print Name ..... Date .....

Asset Training & Consultancy Ltd Copy