

Apprenticeship Levy Transfer Policy

Version 1.0

Purpose:	To advise and inform Trust staff of Apprenticeship Levy Transfer Procedure
For use by:	This document applies to Talent for Care Apprenticeship Steering Group Faculty of Education
This document supports compliance with:	Apprenticeship Funding Rules (Education and Skills Funding Agency)
This document supersedes:	NA
Approved by:	Apprenticeship Steering Group & Faculty of Education
Approval date:	08/09/2022
Implementation date:	09/09/2022
Review date	08/09/2025 (extended to 31 December 2026)
In case of queries contact Responsible Officer:	Talent for Care Clinical Lead
Division and Department	Corporate - Talent for Care
Archive Date i.e. date document no longer in force	<i>To be inserted by Information Governance Department when this document is superseded. This will be the same date as the implementation date of the new document.</i>
Date document to be destroyed:	<i>To be inserted Information Governance Department when this document superseded</i>

Version and document control:

Version number	Date of issue	Change Description*	Author
0.1		First Draft	
0.2		Second Draft – amendments from review by Apprenticeship Steering Group	
1	08/09/2022	First Approved Version	

This is a Controlled Document

Printed copies of this document may not be up to date. Please check the Trust intranet for the latest version and destroy all previous versions.

Trust documents may be disclosed as required by the Freedom of Information Act 2000.

Sharing this document with third parties

As part of the Trust's networking arrangements and sharing best practice, the Trust supports the practice of sharing documents with other organisations. However, where the Trust holds copyright to a document, the document or part thereof so shared must not be used by any third party for its own commercial gain unless this Trust has given its express permission and is entitled to charge a fee.

Release of any strategy, policy, procedure, guideline or other such material must be agreed with the Lead Director or Deputy/Associate Director (for Trust -wide issues) or Business Unit/ Departmental Management Team (for Business Unit or Departmental specific issues). Any requests to share this document must be directed in the first instance to Tracey Whale – Talent for Care Lead.

For further advice see the **Development and Management of Trust wide Procedural Documents Policy**

Contents

Section 1 – Introduction	4
1.1 Policy Statement and Rationale	4
1.2 Key Principles	4
1.3 Background Information	4
1.4 Definitions	4
Section 2 – Duties and Responsibilities	4
Section 3 – Policy	5
Section 4 - Training and Education	6
Section 5 – Development and Implementation including Dissemination	6
Section 6 – Monitoring Compliance and Effectiveness	6
Section 7 – Control of Document including Archiving Arrangements	6
Section 8 – Supporting Compliance and References	6

Section 1 – Introduction

1.1 Policy Statement and Rationale

East Suffolk and North Essex NHS Foundation Trust will ensure that the Apprenticeship Levy is invested in high-quality training and to develop the skilled workforce needed to provide care to our communities. The Apprenticeship Levy now enables engagement with other employers, supporting them to take on new apprentices and/or to support and develop existing employees through transfer of some of our Apprenticeship Levy.

1.2 Key Principles

As a large levy-paying employer we can now transfer up to 25% of our Apprenticeship Levy funds to other employers, helping to boost the number of high-quality apprenticeships across the ICS

More detailed guidance can be found on transferring unused apprenticeship funds to other employers on the government website - [Transferring your Apprenticeship Levy to another business - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/transferring-your-apprenticeship-levy-to-another-business)

1.3 Background Information

The Apprenticeship Levy is an amount paid at a rate of 0.5% of an employer's annual pay bill.

Employers have 24 months to use their funds once they enter their apprenticeship service account, after this point, their funds will expire. The funds are removed from the employers service account and returned to the Treasury.

1.4 Definitions

Term	Definition
ICS	Integrated Care System
HEE	Health Education England
ESFA	Education & Skills Funding Agency

Section 2 – Duties and Responsibilities

- 2.1 The Apprenticeship Steering Group has overall responsibility for this policy.
- 2.2 The Talent for Care Clinical Lead is the Responsible officer for this policy.
- 2.3 The Talent for Care Clinical lead is responsible for supporting and managing the process
- 2.4 The Talent for Care Clinical lead is responsible for monitoring and reporting to Apprenticeship Steering Group
- 2.5 The Apprenticeship Steering Group are responsible for approving or declining Levy Transfer requests

Section 3 - Policy

- 3.1 All Apprenticeship Levy transfer requests must be reviewed and decisions be recorded within Apprenticeship Steering Group meeting documentation
 - 3.1.1 The Talent for Care Clinical Lead will liaise with enquiring organisations
 - 3.1.2 All Apprenticeship Levy Transfer requests will only be considered once Talent for Care receive a completed ESNEFT request form or HEE request form
 - 3.1.3 Apprenticeship Levy Transfer requests are a financial commitment only. The individual apprentice is the responsibility of their employing organisation.
 - 3.1.4 Transfer funds have priority in account, allocated transfer funds will be taken from the account before ESNEFT apprentice allocated funds. The transfer maximum is 25% of total Apprenticeship Levy funds
 - 3.1.5 Each financial year the Apprenticeship Steering Group will recommend a maximum percentage for Transfer for approval by the Faculty of Education Steering Group. The recommendation will be in consideration of
 - Total PAYE payments to account
 - Expired funds at risk of return to Treasury
 - Provider allocated Payment
 - Planned apprentice pipeline for year
 - Current allocated transfer payments
- 3.1.3 The Talent for Care team will present completed requests to the Apprenticeship Steering Group for decision each month.
 - 3.1.3i Decision for requests should be made in the following order of priority
 1. Organisations delivering Health & Social Care within Suffolk & North East Essex ICS
 2. Voluntary, community and social enterprise organisations delivering services within Suffolk & North East Essex ICS Health & Social Care
 3. Organisations delivering Health & Social Care within neighbouring ICS
 - 3.1.3 The Apprenticeship Steering Group will report decisions to the Faculty of Education Management group
- 3.1.4 The Talent for Care Clinical Lead will
 - 3.1.4i Inform requesting organisations of decision.
 - 3.1.4ii Liaise with potential requesting organisations and receive requests
 - 3.1.4iii Coordinate and manage Transfer on the Apprenticeship Service Account when requests approved
 - 3.1.4iv Monitor Apprenticeship Service Account
- 3.1.5 The Talent for Care Clinical Lead will provide Apprenticeship Transfer financial report to Apprenticeship Steering Group each month

Section 4 - Training and Education

- 4.1 The Talent for Care leads will be responsible for training and education relating to compliance with this policy in the event that an individual need arises

Section 5 – Development and Implementation including Dissemination

- 5.1. This policy was developed by Talent for Care
- 5.2 This document was submitted to Associate Director of Innovation and Education and the Apprenticeship Steering group for approval prior to submission to the Faculty of Education Steering Group for ratification
- 5.3 Once ratified, this document will be made available on the Trust Intranet.

Section 6 – Monitoring Compliance and Effectiveness

- 6.1 Regular and ongoing monitoring of received Apprenticeship Levy transfer requests and Apprenticeship steering group documentation
- 6.2 Annual report to the Faculty of Education steering group

Section 7 – Control of Document including Archiving Arrangements

- 7.1 Once ratified by the Faculty of Education steering group, the Responsible Officer will forward this document to the Information Governance Department for a document index registration number to be assigned and for the document to be recorded onto the central hospital master index and central document library of current documentation.
- 7.2 In order that this document adheres to the Hospital's Records Management Policy, the Information Governance Department will:
- Ensure that the most up-to-date version of this document is stored on the documentation library.
 - Archive previous versions of this document.
 - Retain previous versions of this guideline for a period of time in accordance with the NHS Records Retention and Disposal Schedule.

Section 8 – Supporting Compliance and References

- 8.1 This document will support the Trust's compliance with
- Its legal obligations as set out in The Apprenticeships (Miscellaneous Provisions) Regulations 2017
 - The requirements of ESFA apprenticeship funding rules and guidance for employers

Appendix A - Equality Impact Assessment Form

The purpose of this Equality Impact Assessment form is to determine the extent to which policies, procedures and practices impact upon individuals and groups in relation to one or more of the equality categories.

If the policy, procedure or practice is found to have an adverse impact, the author/s must consider all other alternatives, which may more effectively achieve the promotion of equality of opportunity. This may include the development of specific measures to mitigate the adverse impact.

This Equality Impact Assessment form must be completed and forwarded to Human Resources Administration Office, Post Point N020 attached to the draft document prior to it being considered for approval. The Responsible Officer must retain the original. In the event that the document appears to be discriminatory, please refer to your Human Resources Manager/Adviser who will be able to advise you in accordance with employment legislation.

DOCUMENT TITLE:	Apprenticeship Levy Transfer Policy					
GROUP/DIVISION/DEPARTMENT:	Corporate- Talent for Care					
NAME AND JOB TITLE OF RESPONSIBLE OFFICER	Talent for Care Clinical Lead					
1. SERVICE USERS – Check for <u>DIRECT</u> discrimination against any minority group						
Does your document contain any statements which may exclude people from using services who otherwise meet the criteria under the grounds of:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
Age		X		X		
Gender		X		X		
Disability		X		X		
Race		X		X		
Religion or Belief		X		X		
Sexual Orientation		X		X		
If yes is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						
2. EMPLOYEES – Check for <u>DIRECT</u> discrimination against any minority group						
Does your document contain any statements which may exclude employees from operating under the grounds of:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
Age		X		X		
Gender		X		X		
Disability		X		X		
Race		X		X		
Religion or Belief		X		X		
Sexual Orientation		X		X		
If yes is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						

3. SERVICE USERS – Check for INDIRECT discrimination against any minority group

Does your document contain any conditions or requirements which are applied equally to everyone, but may disadvantage certain individuals or groups because they cannot comply due to:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
Age		X		X		
Gender		X		X		
Disability		X		X		
Race		X		X		
Religion or Belief		X		X		
Sexual Orientation		X		X		
If yes is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						
4. EMPLOYEES – Check for INDIRECT discrimination against any minority group						
Does your document contain any statements which may exclude employees from operating under the grounds of:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
Age		X		X		
Gender		X		X		
Disability		X		X		
Race		X		X		
Religion or Belief		X		X		
Sexual Orientation		X		X		
If yes is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						
5. Check for ACCESS Discrimination						
Is your document accessible:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
In a variety of languages		X		X		
To specific disabled service users/employees		X		X		
If no is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						

Name of group/s consulted with on document:	
Signature of Responsible Officer:	
Date:	06/08/2022