



Middlesex University Regulations for Apprenticeship Provision 2020/21

University Apprenticeship Provision Regulations 2020/21

1. Introduction and scope

- 1.1 The Regulations for Apprenticeship Provision are to be read in conjunction with the Middlesex University Regulations for undergraduate and postgraduate taught provision. <https://www.mdx.ac.uk/about-us/policies/university-regulations>
- 1.2 These regulations apply to higher and degree apprenticeships at levels 4 to 7.
- 1.3 An apprenticeship is a job that includes training to industry standards. An apprentice will gain the knowledge, skills and behaviours that they need for their immediate job and future career through a combination of off-the-job and on-the-job learning. The job must have a productive purpose and must provide the opportunity to carry out their job role and embed and consolidate the knowledge, skills and behaviours gained with the appropriate employer support and supervision.
- 1.4 Apprentices are employed throughout their entire apprenticeship and are entitled to a minimum of 20% of their normal contracted working time dedicated towards the development of new knowledge, skills and behaviours as off-the-job learning. However, the proportion of off-the-job learning hours is dependent upon the requirement to develop full occupational/professional competence and this may exceed 20%. Employment hours are inclusive of on and off-the-job learning and off-the-job learning hours may take place on an employer's premises, on-site at the University, online or a combination of these. Off-the-job learning hours must include an element of synchronous learning activity even where this is provided online.
- 1.5 Apprenticeships constitute a 'tri-partite' relationship between the employer, the apprentice and the University and compliance by all three parties is required for an apprenticeship to be funded to completion. An apprenticeship is made up of three elements: off-the-job learning including on-programme assessment; on-the-job learning; and end-point assessment. Employers, apprentices and the University each have responsibilities to ensure that all of these elements are appropriately provided, supported and engaged with. The specific responsibilities and entitlements for each apprentice will be set out in a Commitment Statement, which must be signed by the employer, the apprentice and the University.
- 1.6 All apprentices and their employers must follow the Education and Skills Funding Agency (ESFA) requirements for an apprenticeship as set out in the latest version of the Apprenticeship Funding Rules ("Funding Rules") throughout the apprenticeship. In the event of any conflict between these Regulations and the Funding Rules, the Funding Rules shall always prevail.
- 1.7 The ESFA requires the University to share details of an apprentice's attendance, progress and any issues with their employer. Furthermore, it is required to share certain information about the apprentice (including attendance, progress and any issues) and their employer with the ESFA via an Individualised Learner Record (ILR) as stated in the Funding Rules in order for the University to be eligible for funding and as requested for ESFA auditory purposes.

2. Nomenclature

- 2.1 All apprenticeship programmes shall include and prioritise the name of the apprenticeship standard and level on the programme specification and programme handbook, and include 'apprenticeship' in the award title which will be reflected on the certificate.

3. Higher and Degree apprenticeship awards

- 3.1 Higher and Degree apprenticeship awards are made to those apprentices:
 - who have been registered for, and who have satisfactorily followed, the prescribed programme linked to that award; and
 - who have successfully completed the programme associated with that award and met any other requirements as specified in the programme specification, and
 - who have been awarded the required credits, as specified in the programme specification; and
 - has successfully met 'gateway requirements' prior to end point assessment, which requires approval of both the employer and the University that the apprentice is ready for end point assessment; and
 - obtained a minimum of Level 2 in functional skills in English and mathematics or equivalent (either during the apprenticeship but prior to the end-point assessment gateway or prior to the apprenticeship)
 - has met the minimum duration for the apprenticeship programme; and

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- received as least 20% off the job hours at the point they are ready to take end point assessment; and
 - passed the requirements of end-point assessment as set out in the apprenticeship standard and assessment plan.
- 3.2 The degree (or other higher education qualification) certificate is issued by the University. The apprenticeship is confirmed as completed by an end-point assessment organisation (EPAO) once the end-point assessment (EPA) is successfully passed. EPAOs have the responsibility to apply for Apprenticeship Certificates through the Apprenticeship Assessment Service (<https://assessors.apprenticeships.education.gov.uk>) and subsequently to forward certificates to apprentice employers.
- 3.3 Where the University is registered on the Register of End-point Assessment Organisations (RoEPAO) for identified apprenticeship standards, the University is able to act as the EPAO for integrated Degree Apprenticeships. The University may also be able to act as EPAO for other apprenticeships where dispensations allow providers to conduct EPA for apprenticeships they have delivered, subject to also being registered on the RoEPAO for that apprenticeship. This may include apprenticeships for statutorily regulated professions.
- 4. Intermediate exit awards**
- 4.1 An intermediate exit award recognises the academic achievement of apprentices who are unable to meet the credit volume and/or credit level requirements for the award on which they are registered. Where an apprentice leaves the University before completing their apprenticeship programme, they will be classified as a withdrawal on the apprenticeship programme (on the ILR) and the university will recognise credits towards the academic qualification. The apprentice will be given the relevant intermediate exit award to which their accrued credits entitle them, as specified in the programme specification, provided that they are not in breach of the University regulations and that their employer has no tuition fee debts to the University. Note: employers are only liable to pay apprenticeship tuition fees up until the point of withdrawal (to the end of the month for data returns).
- 4.2 The title of an intermediate exit award should normally be the same as the main award unless there are discipline specific or PSRB requirements which would make this inappropriate. Titles of exit awards are confirmed at programme validation and listed in the programme specification.
- 5. Admissions**
- 5.1 Entry requirements**
- 5.1.1 Applicants are required to meet all ESFA requirements for an apprentice including: being in employment in a relevant job role (or is to be appointed to a relevant role) upon enrolment that allows the opportunity to embed and consolidate the knowledge, skills and behaviours gained through apprenticeship off-the-job training; meet residency requirements; to successfully meet any additional academic or other requirements for entry to specific programmes as specified in the Programme Specification; and to provide evidence of level 2 English and Mathematics or equivalent. Exceptionally, apprentices who cannot provide evidence of level 2 English and Mathematics may be permitted to register to the programme of study, in which case they should gain their level 2 English and Mathematics qualifications before the EPA Gateway progression stage and before the final award can be made.
- 5.1.2 All applicants to an apprenticeship programme must/will complete an Initial Assessment prior to starting their apprenticeship and prior to enrolment with the University via the University's apprenticeship management software, Aptem. The initial assessment is split into three core sections:
- 5.1.2.1 Eligibility: Apprentices will be asked to answer questions in coordination with the ESFA funding rules to confirm their eligibility for enrolment and highlight any areas for concern (e.g. underage applicants, applicants without rights to work in the UK, etc.)
- 5.1.2.2 Functional Skills: All apprentices regardless of prior attainment in functional skills in English and maths will be required to undertake an assessment of their current working level in English and maths. Information from this assessment will be used to tailor activities on programme which are inclusive of the cohort's skill level in these areas. For apprentices who have not yet obtained Level 2 functional skills qualifications, the results of this assessment should be used to determine whether an apprentice can feasibly enrol onto the programme at the

current working level while undergoing additional functional skills training in order to gain Level 2 qualification/s by the Gateway point of the programme.

- 5.1.2.3 Prior Learning: All programmes modules for apprenticeships are mapped against the Knowledge, Skills and Behaviours (KSBs) of the apprenticeship standard at the validation stage. Where there is individual evidence from initial assessment that KSBs have been fully achieved prior to undertaking an apprenticeship this will result in a funding adjustment in accordance with ESFA Funding Rules that an apprenticeship must develop new knowledge, skills and behaviours. Initial assessment of prior learning may also identify modules where the applicant can apply for recognition of prior learning in accordance with the University's Recognition of Prior Learning policies and procedures. Apprentices with overall competence regarding apprenticeship KSBs that leads to a negotiated programme duration of less than twelve months or less than a 20% off-the-job-learning requirement, will not be eligible to enrol onto the apprenticeship programme.
- 5.1.2.4 Following initial assessment for the Applicant to enrol the following must be in place:
- A valid Apprenticeship Agreement between apprentice and their employer (signed as agreed by both parties) that must be in place for the duration of their apprenticeship as defined in section A1 (3) of the Apprenticeships, Skills, Children and Learning Act 2009 (as amended by the Enterprise Act 2016) and the Apprenticeships (Miscellaneous Provisions) Regulations 2017).
 - A Commitment statement between employer, apprentice and the university (signed as agreed by all parties).
 - A legal agreement between the University and the employer regarding the funding and provisions for the programme including a breakdown of fees

5.2 Learning Support – Disability, Dyslexia Support (DDS)

- 5.2.1 During the initial assessment process, all apprentices are asked to declare any additional learning support needs they may need throughout the programme. Where apprentices make such declarations, under the DDS procedure, DDS staff work with the apprentice, their tutors and other professionals (as required), to assess the learning support needs of apprentices with impairments that can be funded by the ESFA. Following this assessment, the apprentice will be provided with, where appropriate, a written summary of the adjustments to their learning, teaching and assessment arrangements, in consultation with the Programme Leader, as reasonable adjustments and these will be additionally documented in the apprentice's Individualised Learning Plan (ILP) within the Commitment Statement. Adjustments suggested in a DDS statement are designed to provide the apprentice with an equal opportunity to participate in all educational activities: they are not intended to provide an unfair advantage. The ESFA Funding Rules set out in which circumstances additional support can be funded.

5.3 Re-admission to an apprenticeship programme

- 5.3.1 Where an apprentice has withdrawn from the University, they may apply to the University to be admitted to the same or another programme and to have the credits they formerly accrued exempt them from some part of the programme, subject to the ESFA Funding Rules. Where exemptions are granted the apprentice will be required to relinquish any intermediate exit awards they have taken before they register.

5.4 Exemptions

- 5.4.1 Where an apprentice is exempted from a part(s) of their programme of study based on prior study/experiential learning (as per 5.1.4.3), the content and duration of the apprentice's study will be reduced to reflect this. The new (reduced) duration should meet the minimum threshold of 12 months to comply with the ESFA Funding Rules.
- 5.4.2 The minimum number of credits that an apprentice must successfully complete at the University to achieve an award can be found in Table A2 of the taught programme regulations
- 5.4.3 Where an apprentice admitted to a degree apprenticeship programme has been exempted from parts of the programme based on previous study or experiential

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learning, their final degree class/grade is determined on the basis of the work they have undertaken at the University after entering the programme of study.

6. Registration

6.1 Registration for programmes

- 6.1.1 Apprentices and their employer must complete the registration process before the start of the first period of teaching so that the apprentice can commence learning and funding claimed from the ESFA.
- 6.1.2 Re-registration will normally be completed annually and will take place between August and mid-October; exceptions to this will require approval at the point of validation. When registering and re-registering, apprentices agree to comply with the University's Regulations, policies and procedures and these are included within the terms and conditions agreed to at enrolment. <https://www.mdx.ac.uk/about-us/policies>
- 6.1.3 Apprentices will remain registered with the University until the completion of the 'EPA phase'. For integrated degree apprenticeships, this is usually co-terminus with the completion of the relevant programme of study, as EPA is an integrated element of the apprenticeship within a module in the final stage of the programme. The end date of the registration period for the apprenticeship for non-integrated apprenticeships is not co-terminus with the end of the University programme or 'training phase', it is at the completion of the EPA phase. For non-integrated apprenticeships, this is likely to be several months after the end date of the programme or 'training phase' and the expected date of EPA will be determined by the expectations set in the approved apprenticeship assessment plan.

7. Communications between apprentices, the university and the employer

- 7.1 The University uses an apprentice's University email account to communicate important information about registration, module registrations, assessment, degree ceremonies and other matters. Once their University email account has been activated, apprentices should regularly check and use their account. Emails sent to the apprentice may copy in the employer
- 7.2 All apprentices are subject to regular tripartite progress reviews with a representative from both their employer and the programme team to discuss their development on the apprenticeship. Tri-partite progress reviews will normally be held every 12 weeks of the apprenticeship programme. Prior to the progress review, apprentices are expected to complete a pre-review questionnaire to evaluate on their performance and address objectives set at the previous review. The review features analysis of data taken from the apprentice's Aptem account, including off-the-job learning completed. Aptem data for every apprentice is also accessible by their employers to consult at any stage in their apprenticeship between tri-partite progress reviews.
- 7.3 Where the University (and employer) has agreed to the request of an apprentice to suspend their registration for a period of 4 weeks or more (classified as a 'break in learning'), the apprentice will retain their University email address which will be used by their Programme Leader in the first instance and other University officers to contact them.
- 7.4 The University will liaise with employers regarding fee amendments that may occur, for example, co-investment fluctuations linked to an employer's source of fees, exceeding their levy, non-payment of co-investment.

8. Extension of registration

- 8.1 In exceptional circumstances where there are confirmed extenuating circumstances, the Academic Registrar may extend the maximum period of registration for a given apprenticeship for an individual apprentice in accordance with ESFA funding rules, the apprenticeship assessment plan and programme specifications.
- 8.2 Where an apprentice has been either permitted or required by the University to suspend their registration, this will require a break in learning (see 9.1) as stipulated in the ESFA Funding Rules and will be recorded on the Individualised learner record (ILR). During a break in learning, apprenticeship levy funds must be paused by the employer. Where this is the case, they will resume once the apprentice re-commences training and re-registers with the University. This is subject to a maximum apprenticeship registration timeframe of six years including any such break. Should a break in learning and return episode require a cumulative duration exceeding six years the programme would be deemed a withdrawal and registration end.

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- 8.3 The arrangements and opportunity to re-sit EPA will be confirmed within apprenticeship training agreements with employers. Normally, apprentices will have the opportunity for one re-sit of EPA, additional EPA re-sit opportunities will be exceptional and agreed in advance with employers, including any arrangements for additional fees, if applicable. EPA re-sits may also extend the University registration period.
- 8.4 Where an apprentice has not completed their studies within the maximum period and has not met criteria set out in Regulations 8.2 and 8.3 above, their registration will be terminated (classified as a 'withdrawal'). In such a case, the Academic Registrar will offer an apprentice who has accrued the necessary credits with the intermediate exit award to which they are entitled if they are not otherwise in breach of University regulations.

9. Suspension of registration

- 9.1 An apprentice who is in difficulties, with their studies or through personal circumstances, may apply to the Academic Registrar for the temporary suspension of their registration. With agreement of their employer to extend their apprenticeship agreement, this can be recorded as a 'break in learning' (otherwise this will be deemed as a withdrawal by the ESFA). A break in learning will only be applied where learning has paused for a period of at least 4 weeks. The University will not normally suspend apprentice registration for longer than one year. It is expected that during a break in learning, the University still maintains communication with the apprentice on when they can expect to re-register to their programme. During a break in learning, apprenticeship levy funds may be paused by the employer. Where this is the case, they will resume once the apprentice re-commences training and re-registers with the University.
- 9.2 Where an apprentice is unable to return to their studies at the end of a period of temporary suspension and has not applied to the Academic Registrar for an extension to that period, their registration will be terminated at this stage, employers will be removed from the University's levy account and will not be liable to pay any funds following the commencement of the temporary suspension.
- 9.3 Where an apprentice's request for the suspension of their registration has been accepted by the Academic Registrar, their access to University email systems will be maintained to assist contacts between the apprentice, their Programme Leader and personal tutor and Academic Registry.
- 9.4 A decision to temporarily suspend the registration of an apprentice on health grounds may be taken by the Academic Registrar on the recommendation of a Care and Concern Panel convened in accordance with the *Procedure for Care and Concern*. The University may suspend the registration of an apprentice for a defined period where they are alleged to have acted in a manner that contravenes the University's *Student disciplinary regulations*.
- 9.5 Suspension of registration will be kept under review by the Programme Leader in consultation with the apprentice and the Academic Registrar. This will normally be through the University's email facilities and by post. Where an apprentice's registration has been suspended, they are not eligible to participate in their programme (including assessments and reassessments) before resuming their registration or re-registering.
- 9.6 Upon re-registration, apprentices' individualised learning plan, commitment statement and apprenticeship agreement will need to be revisited with new programme and apprenticeship dates set. For apprentices who have undertaken a break in learning due to medical conditions, any additional learning support needs should be addressed as per 5.2.

10. Withdrawal from registration

- 10.1 If an apprentice loses their employment through termination, in effect the employer will be deemed to have initiated a withdrawal from their apprenticeship and this will be recorded on the ILR. In this circumstance, the University may assist the apprentice in finding a relevant employer to enable them to progress their apprenticeship. However, this will require a new apprenticeship training agreement, apprenticeship agreement and commitment statement to be signed. Only once these new agreements are in place will re-registration be considered.
- 10.2 Alternatively, opportunities to continue study through a non-apprenticeship programme may be identified.
- 10.3 Where an apprentice is made redundant by their employer, the University has an obligation, where it serves as the main provider for the apprenticeship to assist the apprentice in sourcing a new employer for them to complete their programme with. The apprentice is expected to additionally make their own efforts to find a new employer. Once a new employer has been sourced with a suitable vacancy for the apprentice to complete

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their programme, the new employer must undergo the same rigorous screening process as an employer enrolling an apprentice from the beginning of their programme and any contracts/commitment statements must be revisited and re-signed by the appropriate parties.

- 10.4 The University has a responsibility to obtain evidence of an apprentice's notice of redundancy from their employer, clearly stating their last date in employment. It is important that this be a redundancy and not a dismissal/resignation in order for an apprentice to be applicable for the flexibility to their programme as stated below.
- 10.5 Where an apprentice has completed 75% or more of their apprenticeship, they may complete their apprenticeship without employment (following guidance in 10.4) providing the University has all necessary facilities to develop the knowledge, skills and behaviours required in order to pass end-point assessment.
- 10.6 Where an apprentice has completed less than 75% of their apprenticeship, they are eligible to continue their programme for 12 weeks without employment (following guidance in 10.4) before they will need to withdraw from their programme.
- 10.7 Apprentices who wish to withdraw from the University before they have completed their apprenticeship and programme of study are required to notify the Academic Registrar and their employer of their intention by email and in writing. The official end date for the apprenticeship must be agreed with the employer and evidenced with assistance from the University (e.g. register marks, Aptem entries, etc.).
- 10.8 Apprentices who have withdrawn from a programme and have accrued the necessary credits will be offered the intermediate exit award to which they are entitled if they are not otherwise in breach of University regulations.
- 10.9 An apprentice whose studies have been terminated by the University for academic reasons may not reapply to the University to register for the same programme but may apply for another programme of studies as a new entrant.

11. Academic study and progression

- 11.1 The University requires that apprentices participate fully in the work of their programme and complete the required assessments as set out in the programme specification, the programme handbook, the apprenticeship standard and the assessment plan. For apprentices learning at a distance, participation involves availing themselves of the virtual and other learning opportunities provided for them by the University and completing the required assessments.
- 11.2 The University requires that apprentices and employer abide by the terms agreed in the relevant commitment statement including the requirements for off-the-job and on-the-job learning to support the development of occupational/professional competence within working hours.
- 11.3 Engagement in learning is monitored through a range of methods including: online or physical attendance synchronous learning activities; records of participation on asynchronous online learning activities; evidence of submission of formative and summative assessments; records of progress of learning; records of off-the-job learning through learning logs; regular tripartite progress reviews. This evidence of engagement in learning will be documented in the Aptem apprenticeship management system and other University systems, such as myUnihub and Tableau.
- 11.4 The University's arrangements for defining and dealing with academic misconduct are set out in the Regulations and policy and procedures for academic integrity and misconduct.
- 11.5 The University will work constructively with employers where it is identified that employers are in breach of the terms agreed in commitment statements, for example, the requirement to provide paid time for off-the-job learning, not providing the appropriate opportunities for apprentices to develop the required KSBs or not providing appropriate support for on-the-job learning. However, if agreement cannot be reached, the University reserves the right to withdraw the apprentice and terminate the apprenticeship training agreement with the employer in accordance with the terms of the agreement.

12. Requirements for progression

- 12.1 Continued engagement in learning/training is a requirement for apprenticeship funding as described in 11.3 above.
- 12.2 Progression is defined as taking place when an apprentice meets the University's requirements to move from one level or formal stage of their programme to the next level or formal stage; when an apprentice terminates their programme and takes an intermediate exit award (having met the University's requirements for that award); and

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- when an apprentice finishes their programme and, having met the University's requirements, takes the final award for their programme of studies.
- 12.3 The EPA Gateway constitutes a formal progression stage for all apprenticeship programmes and all EPA Gateway requirements must be met before an apprentice can progress to undertake EPA. For integrated degree apprenticeships this will typically be prior to the final module of the programme which includes EPA.
 - 12.4 All apprentices must demonstrate the achievement of functional skills to progress to EPA at the point of the EPA gateway, the latest point in the apprenticeship for resits to take place must be clearly communicated to the apprentice and met by the apprentice.
 - 12.5 An apprentice's employer must confirm that they have met all EPA Gateway requirements, as specified in the Apprenticeship Assessment Plan, prior to an apprentice progressing to undertake EPA.
 - 12.6 For integrated degree apprenticeships, which include EPA as part of the degree or for statutorily regulated apprenticeships, successful completion of the programme, including all modules and levels, will also constitute successful completion of the apprenticeship.
 - 12.7 For non-integrated apprenticeships, apprentices must successfully complete all required programmes modules and levels to progress to their award. To be awarded the apprenticeship certificate, apprentices will also need to successfully complete EPA, which may be conducted by a separate EPA Organisation, with the exceptions identified in 3.2 and 3.3 above.
 - 12.8 For an apprentice to progress to their award they must satisfactorily complete each level or formal stage of their apprenticeship programme. Satisfactory completion of a level is demonstrated by achieving the required credits (normally, 120 credits at each level for undergraduate programmes)
- 13. Failure to make progress: termination of registration**
- 13.1 Where an apprentice proves unable to make progress with their studies through failing assessments and/or ceasing to participate in their programme it is not normally in their interest, their employer's interest or that of the programme that they should continue. In such circumstances (and following the offer of academic advice) if there are no confirmed extenuating circumstances the Academic Registrar writes to the apprentice and their employer stating that unless there is an improvement in their engagement within two weeks their registration will be terminated for lack of academic progress. The ESFA will also be informed.
- 14. Assessment and Reassessment**
- 14.1 The assessment requirements of an apprenticeship are set out in the Approved Assessment Plan. Approved Assessment Plans are approved and published by the Institute for Apprenticeships and Technical Education.
(<https://www.instituteforapprenticeships.org/apprenticeship-standards/>)
 - 14.2 Evidence of submitted and verified summative assessment work is recoded in Aptem and contributes to reporting on apprentice learning progression and informs tripartite progress review meetings.
 - 14.3 Where reassessment extends the registration period of the apprenticeship, section 8.3 above applies
- 15. Approval, dissemination and publication of results**
- 15.1 Assessment Boards confirm module grades, and Awards. Publication of results is via myUnihub. Qualification Certificates are normally sent within 2 months of publication of results.
 - 15.2 The apprenticeship certificates are issued by the Institute for Apprenticeships and Technical Education (IfATE) for Apprenticeship Standards once the EPAO confirms that the end-point assessment has been successfully completed.
- 16. Academic appeals and Complaints and Grievances.**
- The grounds for and procedures for academic appeals and complaints and grievances are set out in the University's Regulations