

Covid-19 Response: AELP Requests for Action to DfE

The three big things that urgently need to happen now

The Association of Employment and Learning Providers has submitted to the DfE and Treasury a list of major actions and other flexibilities which need to be taken to safeguard apprenticeship and skills provision during the pandemic. The three most important measures needed without any further delay are:

1. Guaranteed programme income across all funding streams for all provider types (grant or contracted) until the crisis is over
2. Removal of all observations for the end point assessment (EPA) of apprentices and replace EPAs with professional judgement
3. Apply the same treatment to Functional Skills as is being applied to GCSEs and A levels, i.e. it should be left to the tutor as to when the learner has achieved competency

AELP is receiving hourly reports from member training providers of apprenticeship programmes being stopped by employers, no new apprentices being taken on and existing apprentices being made redundant. Learners on other skills programmes are also badly affected. All of this impacts on the funding which a provider receives from the government and providers are therefore having to make their own staff redundant. Without immediate support action from the government, many providers are in imminent danger of going out of business. The experience and expertise lost, particularly for apprenticeships, will not be easily restored to the sector once the pandemic is over, especially as the scientific experts are advising that the situation could last for many months.

The government must take action on our three most important requests now before a catastrophe unfolds across the sector and hundreds of thousands of young apprentices and learners on other training programmes have their livelihoods and prospects ended through no fault of their own. The wait for a proper response has gone on for too long.

The income and cashflow impact of this crisis is significant for providers and approaches to alleviate the financial pressure are suggested lower down in the paper. We are already seeing a loss of capacity with the reduction in the number of providers as well as the staff levels within providers.

TO BE CLEAR THIS IS ABOUT SUPPORTING THE APPRENTICE, LEARNER, EMPLOYER AND THEIR COMMUNITIES DURING CHALLENGING TIMES FOR EVERYONE.

Funding

The ask is simple:

- *Non levy contracts honoured whatever level of performance*
- *All other funding contracts including ESF (including honouring sub-contracts if college funding is guaranteed) honoured whatever level of performance*

- *For levy starts look at the average draw down for the past SIX months and guarantee that as a minimum funding level per month (three months includes December and January which normally are lower activity months).*
- *Devolved AEB – all combined authorities to adopt the same approach and to honour contracts no matter what performance as described above*
- *Temporary removal of the 5% employer contribution for non-levy employers*

With these rules in place it removes the need for more detailed funding rules such as funding breaks in learning or paying completion at gateway as listed below.

Delivery Rules and Regulations

We have already asked for and still await confirmation:

- *Change in break in learning increasing from 4 weeks to 3 months*
- *An acceptance that the period of training is likely to be extended*
- *Flexibility between on and off the job*
- *Confirmation that the gateway exercise can be done remotely*
- *Staffing - allow some flexibility on the qualification of staff doing training and assessment during this period.*

Financial Impacts and Vital Financial Support Required

The overarching requirement as detailed at the top of the paper is guaranteed programme income across all funding streams for all provider types (grant or contracted) until the crisis is over.

If the above is agreed, then there is no need to fund period of breaks in learning separately; without it, this would be an essential requirement.

Again early payment of completions at gateway is not required if the overarching guaranteed funding is provided. Without it, completions need to be paid at gateway to enable payment to the EPAO thus removing pressure on cashflow.

Key Workers

We do not understand why those training the 16-18 year old children of key workers or the vulnerable up to age 25 are not deemed to be key workers themselves.

We would urge the government to reconsider this position.

Looking forward and positive action

Adequately supporting apprentices made redundant

Currently the ESFA apprenticeship funding rules allow apprentices made redundant within 6 months of their planned end date to be centrally funded by government to continue their apprenticeship training, but only funded up to 12 weeks or less depending on finding an alternative place of employment or completing their apprenticeship. Due to the nature of some assessment plans, displaced apprentices who are made redundant will not be able to complete their full end point assessment (EPA).

In the current crisis to support the increased displacement of apprenticeships, AELP proposes that:

- *The eligibility criteria is extended to incorporate any apprentice made redundant who is 50% or more through their apprenticeship programme based on their actual starts date and planned end date. This would provide more much needed support to apprentices who are displaced through the crisis and provide apprentices on longer programmes fairer protection than is currently offered.*
- *To allow for a simulated environment to enable where necessary for apprentices to complete any knowledge, skills, behaviours (KSBs) “on the job” training and to complete off the job KSB remotely.*
- *For the end point assessment, to allow for an extended professional discussion with a witness testimony or a simulated environment. This would also apply to those that are unable to be in the workplace to complete EPA observations.*
- *Given the circumstances an observation may not be possible so the professional discussion could be used to cover the KSB that would have been covered though observation and is complimented by a discussion or testimony from the apprentice’s line manager confirming that all KSBs has been demonstrated.*
- *Multiple choice questions - if the apprentices are not in the workplace this is a challenge and might need further flexibility on who can invigilate if they are at home. Ideally, in redundancy situations, confirmation they are the apprentices then the trainer on the line throughout the MCQ should suffice.*

Supporting apprentices where still employed, but moved to zero-hours contracts

A developing pattern reported by providers is where employers are retaining their apprentices, but are slashing their contracted hours and in some cases reducing them down to zero-hour contracts. Technically these individuals are still employed and on an apprenticeship programme, but in reality are stuck in limbo, they cannot access benefits and cannot progress their apprenticeship due to having to current requirements in regards off-the-job training must take place in contracted time. It is critical to ensure these apprentices are not further disadvantaged and need some flexibility to ensure they can still work towards their apprenticeship as an interim solution.

In the current crisis, AELP proposes that where apprentices have their employment contracts temporarily reduced to zero-hours they should be given the flexibility and dispensation to continue to undertake their off-the-job training aspect of their apprenticeship.

Training and reskilling more key workers

Supporting the economy with crucial additional key workers or upskilling former key workers would be extremely beneficial in the current situation. Training providers can continue to support with a wide range of training programmes and short courses covering settings such as health, social care, logistics, warehousing, transport and childcare to name a few of the pertinent ones. Ensuring the capacity and expertise of these sectors will be vital to ensure the country and respond to the current crisis.

Harnessing the power of online delivery

Many providers have exhausted their allocation of adult funding. However, if further funding was to be released this could be utilised to further support the many thousands of adults now isolated at home through innovative remotely delivery short courses and training programme which providers have developed and can now offer. Despite the raft of mitigating support offered by the government, the retraining and employability support will still be needed by tens of thousands of people later in the year and next year to help the individuals find work and be productive.

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We have sent under separate cover the following requirements for End Point Assessment and functional skills assessment:

END POINT ASSESSMENT ACTIONS REQUIRED AT THE START OF THE WEEK COMMENCING 23 MARCH 2020

It has reached a point where there are now two options for Department to ensure the survival of the End Point Assessment system during the Covid-19 crisis

EITHER

Option One: Agree immediately ALL the flexibilities and adjustments listed below while still maintaining the integrity of the overarching EPA.

OR

Option Two: Guarantee a set level of funding for EPAOs at their current run rate no matter what level of performance and delivery takes place.

The preference for the whole apprenticeship sector is option one to allow apprentices still to achieve and progress in a timely manner and safeguard thousands of jobs at no additional cost, at the same time limiting the need to draw down on government's wider business support. Option one is adopting the same approach approved by the Secretary of State for those students who were expecting to take GCSEs and A levels over the next few months, where teacher assessment and professional judgement will be the primary form of assessment to determine success in a timely manner, rather than causing any delay as the traditional form of invigilated independent exam assessment is not practical. Alternative assessment methods will be used where possible (e.g. professional discussion instead of an observation), but where this is not feasible, then teacher/trainer/tutor assessment can be utilised.

These measures enable apprentices to continue to be assessed, whilst still affording social distancing, supporting self-isolation where required and in all cases ensuring safe working practices. These measures are critical in the protection of learners, and in supporting the viability of training providers and employers over the next few months.

The approaches outlined below have been developed with a commitment to rigorous and fair assessment at their heart and provide robust coverage of the current assessment criteria.

Observations

Where digital options can be undertaken:

Where possible EPAOs will introduce the following additional control measures for digital observations, to confirm:

- Consent from all individuals recorded
- That assessment is not simulated
- That assessment can be authenticated

Where digital options cannot be undertaken:

There may be some circumstances where digital assessments are not possible, for example where EPAOs would be unable to gain consent for all individuals likely to be included in a recording or the observation is just not practical given the demands it will place on the employer, isolations and a range of other factors relating to Covid-19

In these cases, the current observation will be replaced and instead the following assessment activities will be undertaken:

- Conduct a competency-based interview with the apprentice, lasting no longer than 60 minutes in duration.
- Conduct a confirmation interview with the line manager or an appropriate designated person from the employer to confirm that the examples used within the competency based interview are a true reflection of the work completed by the apprentice and their competency. Where the line manager or appropriate designated person is not available a witness testimony maybe used.

To alleviate concerns about the ability to grade through such an approach rather than just determine competency, the apprentice would only be able to achieve a pass grade (rather than merit or distinction) and at a later date would have the option to undertake the observation in an attempt to gain a high grade of pass i.e. merit or distinction.

Multiple Choice (MCQ) and Short Answer Questions (SAQ) where digital invigilation isn't possible

Where apprentices do not have the technology available to sit invigilated (proctoring) MCQs or SAQs at home, the EPAO will carry out a question and answer interview via video call (FaceTime, Teams, Zoom etc.) under exam conditions.

Where there are situations where none of the above offer viable alternatives, EPAOs (or groups of) would make their own professional judgment as to the best way forward and propose alternative suggestions to IfATE for each standard.

Functional Skills

- The legacy functional skills qualifications deadline for assessments and certification need to be extended by at least a further 6 months
- Where there are situation where not viable alternatives (as described above for MCQs) apply the same treatment to functional skills qualifications as is being applied to GCSEs and A levels, i.e. it should be left to the tutor/trainer/teacher as to when the learner has achieved competency.
- Currently there is still a requirement for a level 2 apprentice to pass level 1 functional skills, work towards and sit (but not pass) level 2 functional skills. The requirement to sit level 2 functional skills for these apprentices needs to be removed.

Previous flexibilities still awaiting approval

The following flexibilities have already been asked for which are vital for the smooth running of EPAs during this period:

- *Face-to-face assessment:* Some assessments are required to be face-to-face in the individual assessment plan, when they could be delivered remotely – there should be a rule change to allow remote where possible.
- *Assessment order:* There is often a requirement for a particular order of assessments – this should be relaxed to allow flexibility in the current crisis.
- *Staff present:* Some assessments require a manager to be present – again this needs to be dropped to allow assessments to be done at home/in isolation
- *Assessment windows:* there are fixed assessment windows post gateway, often 3 months – these rules need to be relaxed to allow a longer period to deliver all assessments.

Additional requirement

Mandatory Qualifications: There are a number of apprenticeship standards which require the completion of mandatory on-programme qualifications prior to apprentices being able to undertake end point assessment. We are aware that in some cases that examinations/testing for these on-programme qualifications are now being delayed under the autumn.

- Apprentices should be able to complete all parts of their EPA without the mandatory qualification. The provider and EPAO paid for completion, with the apprentice receiving their full apprenticeship completion certificate once the mandatory qualification has been retrospectively achieved.

