



**Isle of Man**  
Government

*Reiltus Ellan Vannin*

# Department of Education, Sport and Culture

## SKILLS DEVELOPMENT SCHEME 2007

### 1. INTERPRETATION

This Scheme may be cited as the “Skills Development Scheme 2007” and with the approval of the Department of Education, Sport and Culture, (hereinafter referred to as the “Department”) shall come into operation on the 1<sup>st</sup> day of September 2007 and remain in operation until such date as may be determined by the Department.

### 2. OBJECT OF THE SCHEME

The Scheme is designed to ensure the provision of systematic skills training and further education of an acceptable standard for both the present and future needs of the Island and to alleviate the financial burden placed upon employers engaged in the provision of systematic skills training.

### 3. SCOPE OF THE SCHEME

The Scheme shall be open to all employers on Isle of Man provided that they are able to offer suitable training for trainees to the satisfaction of the Department.

### 4. ADMINISTRATION OF THE SCHEME

The Scheme shall be administered and supervised by the Department’s Apprenticeship Team who shall:

- 4.1 assess the eligibility of the employer for new entrant training within the Scheme;
- 4.2 assess the eligibility of candidates to the Scheme and provide advice to employers in their assessment of the suitability of such candidates for training;
- 4.3 supervise trainees undertaking the programme of systemic training and further education and monitor performance against standards. Such standards will be determined by the relevant qualification authority or recognised industry body;
- 4.4 determine payment of financial assistance;
- 4.5 deal with the social and welfare matters affecting the trainee;
- 4.6 act as arbitrator to settle training disputes arising between employers and trainees.
- 4.7

## 5. TRAINING

The training shall normally consist of two main elements;

### 5.1 Systematic skills training

Including instruction in broad based skills, induction, safety and elements of work experience. The employer must agree to allow officers of the Department, or any person acting on the authority of the Department, access to the trainee and their workplace so as to monitor training progress and to fulfil its own obligations to monitor the health, safety and welfare of the trainee. Such visits will be made at reasonable times.

### 5.2 Further Educational Studies

Paid release for further education shall be granted by the employer, during the training, where a suitable course exists.

Wherever possible, successful completion of the training should lead to the attainment of industry accredited, nationally recognised qualifications. In exceptional circumstances, the Apprenticeship Team Manager may approve a programme of training that does not lead to formal qualifications.

Normally, all training and further educational studies will be undertaken in the Isle of Man. However, in exceptional circumstances, and with the approval of the Apprenticeship Team Manager, trainees may attend courses outside the Island.

### 5.3 Should a trainee not meet the necessary standards of competence at any stage of the training the Apprenticeship Team Manager shall have the right to withhold certification and any further registration.

## EMPLOYERS' ELIGIBILITY

### 6.1 For Registration

Any employer within the Scope of the Scheme as referred to in section 3.

All employers must also demonstrate, to the satisfaction of the Department, that they have sufficient staffing resources to provide the systematic skills training and that they are aware of their obligations under the Health and Safety at Work Act (1974) and any subsequent legislation in force during the period of the training agreement.

Employers must also provide evidence that they have sufficient insurances in place for their area of work and in particular that the trainee is covered under such insurances.

### 6.2 For Financial Assistance

Employers will be eligible to claim financial assistance through the Scheme, subject to their:

6.2.1 being registered under the Scheme.

6.2.2 paying a wage to the trainee of an amount which is not less than the minimum weekly wage acceptable to the Apprenticeship Team Manager, which, where appropriate will be in accordance with national agreements.

6.2.3 providing the apprentice with a contract of employment, based on full-time employment, which complies with current employment legislation.

6.2.4 employing a ratio of trainees to skilled workers of the same profession which is acceptable to the Apprenticeship Team Manager.

6.2.5 supplying to the Department, upon request, a report indicating the progress of the trainee.

## **7. PERSONS ELIGIBLE FOR TRAINING**

Applicants for registration as trainees shall be:

- 7.1 employed in the capacity of a trainee in an occupation approved by the Apprenticeship Team Manager;
- 7.2 an “Isle of Man Worker” as defined by the Control of Employment Act, 2017, (as amended) or have been granted a work permit under that Act;
- 7.3 ordinarily resident in the Island except in circumstances approved by the Apprenticeship Team Manager.

## **8. PERIOD OF TRAINING**

The date of commencement of training shall be the date agreed by the employer and the Apprenticeship Team Manager and specified as such on the training agreement. The term of training shall be for such a period that allows the trainee sufficient time to attain the relevant qualification or other acceptable industry standard and as such will typically be based on a minimum of a 35 hour week. The Department will monitor progress towards the agreed completion and should the period be deemed significantly in excess of normal industry standards, the Apprenticeship Team Manager has the right to withdraw further financial assistance.

## **9. THE TRAINING AGREEMENT**

A training agreement shall be entered into by the employer and the trainee and endorsed by the Department. This agreement shall be in a form approved by the Department. This agreement does not dissolve the employer from responsibility under any relevant employment law which may be in force during the agreed training period.

## **10. TRAINING RECORDS AND FURTHER EDUCATION**

Records and reports shall be required on the two aspects of the training; one dealing with the training carried out on-the-job and the other dealing with off-the-job training which may include both industrial training and further education.

### **10.1 Records (on-the-job)**

The trainee shall be responsible for keeping records of appropriate training in a form acceptable to the Department or training provider acting on behalf of the Department.

Employers shall undertake to check that records are maintained by the trainee and to verify that the entries are correct.

### **10.2 Records and Reports (off-the-job)**

The Department, the training employer and the trainee shall each receive records of attendance and progress from each educational or training establishment attended by the trainee.

## **11. TERMINATION OF AGREEMENT**

Any circumstance which leads to the termination of the contract of employment which exists between the training employer and the trainee shall automatically conclude the training agreement. In such cases, financial assistance may be paid on a pro-rata basis, according to the amount of training completed, subject to the following provisions:

- 11.1 if the termination is at the request of the trainee, minimum notice period required shall be five working days, and the Department shall be notified of the trainee’s intention by the employer within two working days of notice being given.
- 11.2 in the event of a dismissal, the employer shall follow the conditions outlined in Appendix I.

## **12. TRANSFER OF THE AGREEMENT TO ANOTHER EMPLOYER**

Should an employer suspend business he shall report the fact forthwith to the Department who, provided they are satisfied that the employer did discharge all his duties with regard to his trainee until the decision to suspend business, may authorise payment of that portion of financial assistance commensurate with the proportion of training completed.

A new agreement shall be created between the Department, apprentice and the new employer and any financial support will commence from the date of this new agreement.

## **13. RIGHT OF APPEAL**

Any person who feels aggrieved by a decision made under the Scheme, has the right to an appeal. Any such appeal should be made in writing within 10 working days of the original decision. The case will be referred to the Minister, or another person acting with their delegated authority, who will consider all of the information and make a final decision.

## **14. FINANCIAL ASSISTANCE FOR EMPLOYERS**

Financial assistance for apprenticeships in the following construction trades will be eligible for payments as specified within Appendix II.

- Plumbing & Heating
- Carpentry & Joinery
- Painting & Decorating
- Electrical Installation
- Brickwork

The rates for these trades are calculated using the recommended hourly rates of pay as issued by the Isle of Man Construction Federation or Joint Industry Board, with 8 hours being allowed for each off the job training day. The rates will be reviewed annually, in line with national agreements and will be fixed for each year commencing on the 1<sup>st</sup> September. The scales may be varied from time to time by the Department.

Employers of all other apprentices will be eligible for payments as specified within Appendix III.

The financial assistance paid in respect of all apprenticeships is intended to provide employers with a contribution towards the cost of training under the Scheme, on condition that the Department is satisfied with the progress of the trainee in respect of on and off the job training.

Please note that a registered apprentice may be exempt from being paid the minimum wage if they meet the following three items of criteria, taken from Part 11, section 12 of the 2001 Act:

- (a) Has not attained the age of 25
- (b) Is employed under a contract of apprenticeship
- (c) Is within the first 12 months after the commencement of employment or has not attained the age of 19

However, if your apprentice does not meet the above criteria you will be required to pay the minimum wage appropriate to their age.

## **15. TERMINATION**

The Craft and Technician Training Scheme (Manufacturing, Construction & Service Industries) (1995);  
The Agriculture and Horticulture Craft and Technician Training Scheme (1990);  
The Sea Fishing Training Scheme (1990);  
The Scheme of Training for Merchant Navy Officers (1990);  
are hereby terminated.

## **APPENDIX I**

### **DISMISSAL OF TRAINEES**

The trainee may at any time during the period of training be dismissed for any of the following reasons:

1. Gross misconduct;
2. Continual misconduct of a minor nature;
3. Inability to perform the job either by virtue of physical or mental incapacity;
4. Redundancy;
5. Where it would be in breach of statute to employ them;
6. Any other substantial reason.

### **PROCEDURE**

1. In the event of a trainee committing gross misconduct that person shall be immediately suspended from work with or without pay at the employer's discretion for a period not exceeding seven days and the Department notified within two working days of commencement of the suspension.
2. Following a minor misdemeanour, the trainee should, in the first instance, be cautioned by the employer or their agent. If such action is not effective, the trainee should be given a first and if necessary a second written warning containing measures required to improve their conduct, a copy of which should be sent to the Department on each occasion. Following two such written warnings further misconduct of any nature will render the trainee subject to dismissal.
3. Where the termination is due to redundancy, the Department should be notified in writing one month prior to the dismissal in order that alternative arrangements can be investigated to allow the continuation of training.

## APPENDIX II



### **Construction Trades (Excluding Electrical and Plumbing).**

Pay Rate

Monday 6<sup>th</sup> April 2021

#### **Apprentices**

	Per Hour £
Year 1	5.14
Year 2	6.40
Year 3 without NVQ/VRQ Level 2	7.48
Year 3 with NVQ/VRQ Level 2	9.53
Year 3 with NVQ/VRQ Level 3	11.93
On completion of apprenticeship with NVQ/VRQ Level 2	11.93

#### **Electrical**

	Per Hour £
Stage 1	5.45
Stage 2	7.70
Stage 3	11.03
Stage 4	11.85

#### **Plumbing**

	Per Hour £
1 <sup>st</sup> Year of Training	6.62
2 <sup>nd</sup> Year of Training	7.61
3 <sup>rd</sup> Year of Training	8.58
3 <sup>rd</sup> Year of Training with NVQ Level 2	10.42
4 <sup>th</sup> Year of Training	10.55
4 <sup>th</sup> Year of Training with NVQ Level 2	11.69
4 <sup>th</sup> Year of Training with NVQ Level 3	13.24

## APPENDIX III

### APPRENTICESHIPS NOT LISTED IN APPENDIX II

#### SCALE OF FINANCIAL ASSISTANCE

Assistance will be paid to the employer for each completed week of training whilst in paid employment, in accordance with the following schedule, which commences at week one of the training programme.

<b>1<sup>st</sup> Year Apprentice</b>	<b>£40 Per Week</b>
<b>2<sup>nd</sup> Year Apprentice</b>	<b>£30 Per Week</b>
<b>3<sup>rd</sup> Year Apprentice</b>	<b>£20 Per Week</b>
<b>4<sup>th</sup> Year Apprentice (Discretionary)*</b>	<b>£20 Per Week</b>

#### Notes

- Assistance will be paid bi-annually, six monthly in arrears following the completion of the necessary claim form, issued by the Department. Where a trainee is employed and attending full time off-the-job training for periods in excess of four consecutive weeks, the assistance may be claimed four weekly, subject to satisfactory evidence of the training being available for inspection.

\* Discretionary assistance is subject to approval by the Apprenticeship Team Manager.