



HOUSE OF COMMONS
LONDON SW1A 0AA

Rt Hon Gavin Williamson MP, Secretary of state for Education
Hon Gillian Keegan MP, Undersecretary of state for Apprenticeships and Skills
Department for Education
20 Great Smith St,
Westminster,
London SW1P 3BT

27 May 2020

Dear Gavin & Gillian,

Supplier Relief in response to Covid-19

The Association of Employment and Learning Providers (AELP) have sent me a copy of the Government Legal Department's letter dated 14 May 2020 to their lawyers, VWV LLP, in respect of Supplier Relief for apprenticeships in response to Covid-19.

I understand that AELP are now consulting VWV on whether there is scope to pursue legal action, but notwithstanding what AELP's lawyers may say, I wanted to say how disappointed I was that a letter sent to your department has had no substantive reply to many of the issues raised.

Neither the GLD nor the DfE have made any serious attempt at all to answer the case that it is a misinterpretation of the Cabinet Office guidance to suppose that levy funded apprenticeships are excluded by the guidance. It is simply wrong for the GLD to claim that no contract exists between the ESFA and the provider for levy funded apprenticeships when in fact there is what the Education and Skills Funding Agency calls a 'legal agreement' between them.

Labour support the DfE adopting the Supplier Relief Guidance for apprenticeship providers providing education to apprentices outside of the levy. But we don't accept that there is any justification for the department to not extend that arrangement to those who supply to apprenticeship levy funded apprentices too.

The fact that around a quarter of what the DfE term 'quality providers' have applied for the original supplier relief scheme should be irrelevant to whether the government extends that scheme to cover those apprenticeships covered by the levy.

The government should recognise that many providers heeded the advice of the ESFA's leadership when the levy was introduced that they should concentrate on building up

business among levy payers and understand that this explains why only a limited number applied for non-levy relief and why levy funded apprenticeships now account for two-thirds of the market. Why should they be 'punished' for heeding official advice and being prudent about their finances?

What matters is that our apprenticeship landscape should be there to support apprentices and employers in the crucial months that follow, and quality providers collapsing due to lack of support will hinder that task. Training providers are also needed to facilitate the wider drive to get the rapidly growing number of unemployed people back to work by providing them with the necessary skills.

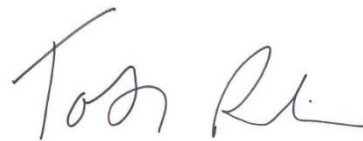
As the DfE recognises that it has 'a legal agreement' with apprenticeship providers, and as those apprenticeship providers that are providing levy funded apprenticeships are doing precisely what the government requested of them, there seems to be an economic, moral and legal case for the government to provide this support, and we call on you to provide it forthwith.

Therefore we urge you to abandon what appears to be a very flimsy case for excluding levy funded apprenticeships from the DfE's relief scheme, extend the scheme more widely and get behind the independent training providers and colleges wanting to continue to deliver apprenticeships and skills for people who are going to desperately need them in the coming months.

Yours sincerely,



Rebecca Long Bailey MP
Shadow Secretary of State for Education



Toby Perkins MP
**Shadow Minister for Apprenticeships
and Lifelong Learning**