

# Apprentices

## 1 . Employment rights

Apprenticeships are a way to get experience at work while training and studying for qualifications.

Apprentices have the same rights as those [legally classed as employees](#). However, there is a separate National Minimum Wage rate for apprentices.

In Scotland, apprentices have extra rights around dismissal and redundancy.

## Pay

Apprentices must be paid at least the National Minimum Wage.

There is a minimum wage rate that applies only for apprentices. Employers can pay this rate to all apprentices who are under 19.

Employers can also pay this rate to apprentices aged 19 or over during the first year of their apprenticeship. This includes:

- during the first year after they change employer, even if this is part of the same apprenticeship
- during the first year of a new apprenticeship agreement, even if this is with the same employer

Employers can choose to pay apprentices more than the apprentice rate.

Find out about:

- [the current minimum wage rate for apprentices](#)
- [what to do if an employer pays less](#)

## Example of changing employer

Mo is 19 and is doing an apprenticeship that lasts for 2 years. After 6 months, they move to a different part of the country. They complete the final 18 months of their apprenticeship with a different employer.

The new employer can pay Mo the apprentice rate for 12 months. They should pay Mo at least the National Minimum Wage for the final 6 months.

## Example of starting a new agreement

Ali is 19 and is doing a 2 year apprenticeship. The employer can pay Ali the apprentice rate during the first year of this apprenticeship. They must pay Ali at least the National Minimum Wage for their age during the second year.

At the end of this apprenticeship, Ali starts a higher level apprenticeship with the same employer. This lasts 2 years.

The employer can pay Ali the apprentice rate again during the first year of the higher level apprenticeship. They must pay Ali at least the National Minimum Wage for their age during the second year.

## Working hours

Apprentices have the same rights as those legally classed as employees around [working hours and rest](#). These include:

- working a maximum of 48 hours a week on average, unless they choose to opt out
- the right to rest, including breaks
- [the right to holiday](#) and to build up holiday from the day they start working

[People under 18](#) have additional rights around working hours. This includes not working more than:

- 8 hours a day
- 40 hours a week

## Written statements

Like other employees, apprentices have the right to a 'written statement of employment particulars'. A [written statement](#) summarises the main terms of employment, such as pay and working hours.

## Continuous employment

If an apprentice continues working for the same employer after their apprenticeship ends, this must count towards 'continuous employment'. Continuous employment is when an employee has worked for one employer without a break.

Apprentices should get the same benefits as other employees for continuous employment.

For example, Charlie works as an apprentice for 2 years. They continue to work for the same employer for 3 years after their apprenticeship finishes. At the end of the 3 years, the employer makes Charlie redundant. The employer should calculate Charlie's redundancy pay based on 5 years of service.

## After the apprenticeship ends

Apprentices are not guaranteed a job after their apprenticeship ends.

Some employers might choose to offer apprentices a job at the end of their apprenticeships. However, they do not have to.

## If an apprentice is not happy with how their apprenticeship is handled

If someone has a problem with their apprenticeship, it's a good idea to raise this informally first. They can do this by [talking to their employer](#).

The employer should take the apprentice seriously, and take steps to [deal with the problem](#).

If raising it informally does not resolve the problem, the apprentice can [raise a grievance](#). This is where they make a formal complaint to their employer.

## Contact the Acas helpline

If you have any questions about the rights of apprentices, you can [contact the Acas helpline](#).

## 2. Dismissal and redundancy

The law on dismissal and redundancy for apprentices depends on whether they're in:

- England and Wales
- Scotland

### England and Wales

In England and Wales, employers must follow the same procedure for dismissal or redundancy for apprentices as for other employees.

#### Dismissals

Employers must follow a fair and reasonable procedure to decide whether to dismiss someone. This includes:

- having a valid reason
- following a full and fair procedure, usually in line with the Acas Code of Practice on disciplinary and grievance procedures
- making a decision that's balanced, consistent and as fair as possible

[Find out more about dismissals](#)

#### Redundancy

Employers must follow a fair redundancy process, including consulting with staff.

[Find out more about redundancy](#)

### More advice about apprenticeships in England and Wales

Find out more about apprenticeships in:

- England – [apprenticeships guidance on GOV.UK](#)
- Wales – [Welsh Government apprenticeships guidance](#)

### Scotland

In Scotland, employers can only dismiss or make apprentices redundant in very limited circumstances.

[Find out more about apprenticeships on the Scottish government website](#)

### Contact the Acas helpline

If you have any questions about dismissal and redundancy for apprentices, you can [contact the Acas helpline](#).

## 3. Training

Employers must give apprentices time to do training or studying. They should be training or studying for at least 20% of their normal working hours.

The employer can provide training, or a separate training organisation might provide it. For example, a college.

## Pay

Employers must pay apprentices for any time they spend doing work-related training. This includes training outside their normal working hours or away from their usual workplace. For example, online training at home.

### If an employer does not pay for training

An apprentice should speak to their employer if they have not been paid for training. If this does not resolve the problem, the apprentice can start a formal process for non-payment of minimum wage.

[Find out more about what to do if an employer pays less than minimum wage](#)

## Holiday

Apprentices must continue to 'accrue' (build up) holiday for any days or hours they spend training.

### If an apprentice is not happy with their training

Apprentices should [speak to their employer](#) if they are not happy with their training.

For example, if their employer:

- does not offer any training
- does not give them enough time for training

Apprentices could also speak to their apprenticeship provider or college.

The employer should take the apprentice seriously, and take steps to [deal with the problem](#).

If raising it informally does not resolve the problem, the apprentice can [raise a grievance](#). This is where they make a formal complaint to their employer.