



ESFA Investigation Outcome report

Provider: Michael D Akers Management Consulting

Background

In January 2024, the Education & Skills Funding Agency (ESFA) commenced an investigation into concerns relating to Apprenticeship funding claimed by and paid to Michael D Akers Management Consulting. The concerns involved:

- The authenticity of documentary evidence provided during an ESFA audit that preceded the investigation; and
- The accuracy of data submitted in support of Apprenticeship funding claims.

Outcomes of the investigation

The investigation found that:

- There was no evidence of documentary evidence being fabricated with the deliberate intent of deceiving ESFA Auditors.
- The investigation did find evidence that funding claimed did not meet the required standard set out in the Apprenticeship Funding Rules, or that inaccurate data had been submitted to the ESFA.

The following breaches of the funding rules were identified:

Framework	Breach	Issue
Apprenticeship funding rules 2020-21 and 2021-22	P30 for 20-21 rules P27.3 for 21-22 rules	Failure to keep a completed/signed apprenticeship agreement in the evidence pack.
Apprenticeship funding rules 2020-21 and 2021-22	P74 & P361 for 20-21 rules P65 & P367 for 21-22 rules	Failure to keep a current signed commitment statement in the evidence pack.
Apprenticeship funding rules 2020-21 and 2021-22	P29, P299 & P379 for 20-21 rules P31.1, P 298 & 385 for 21-22 rules	Inaccurate data submission in relation to start and end dates of learning for some apprentices.

Framework	Breach	Issue
Apprenticeship funding rules 2020-21 and 2021-22	P372 for 20-21 rules P378 for 21-22 rules	Evidence packs did not contain records and evidence of learner completion.
Apprenticeship funding rules 2020-21 and 2021-22	P186 for 20-21 rules P168 for 21-22 rules	Functional skills aims not being delivered by the single main training provider.
Apprenticeship funding rules 2020-21 and 2021-22	P361.2 & 364.4 for 20-21 rules P367.3 for 21-22 rules	Evidence packs did not include evidence of progress reviews.
Apprenticeship funding rules 2020-21 and 2021-22	P378-380 for 20-21 rules P384-386 for 21-22 rules	Inaccurate data submission in relation to start and end dates of learning for some apprentices.

Action

Corrective action has been taken by the training provider including:

- The ESFA identified an overpayment of funding of £14,826.66 that the training provider is repaying.
- The training provider has reviewed and implemented changes to its internal procedures. These include checks made on enrolment documentation and ensuring evidence is held to satisfy funding rule requirements.

Prevention

Upon the conclusion of the investigation, the ESFA undertook a prevention analysis exercise to establish what could have been done to prevent the breaches that were identified in the investigation.

Issue	Prevention
Failure to keep a completed/signed apprenticeship agreement in the evidence pack.	<ul style="list-style-type: none"> • Providers should have an internal audit / quality assurance function that can help identify omissions or administrative errors relating to apprenticeship agreements. • Providers need to be aware of the requirements contained within the Apprenticeship funding rules regarding apprenticeship agreements.

Issue	Prevention
	<ul style="list-style-type: none"> Providers should keep a completed/signed apprenticeship agreement in the evidence pack.
Failure to keep a current signed commitment statement in the evidence pack.	<ul style="list-style-type: none"> Providers should have an internal audit / quality assurance function that can help identify omissions and administrative errors relating to commitment statements / training plans. Providers need to be aware of the requirements contained within the Apprenticeship funding rules regarding commitment statements / training plans. Providers should keep a current signed commitment statement in the evidence pack.
Inaccurate data submission in relation to start and end dates of learning for some apprentices.	<ul style="list-style-type: none"> Providers should have an internal audit / quality assurance function to ensure the accuracy of data submitted in support of funding claims. It is recommended that providers should conduct detailed analysis of their Individualised Learner Record (ILR) submissions using Provider Data Self-Assessment Toolkit (PDSAT) and Funding Rules Monitoring (FRM) reports on a monthly basis to help them identify and correct any inaccurate data.
Evidence packs did not contain records and evidence of completion.	<ul style="list-style-type: none"> Providers should have an internal audit / quality assurance function that can help identify omissions and administrative errors in relation to evidence of completion. Providers need to be aware of the requirements contained within the Apprenticeship funding rules regarding the evidential requirements to support funding claims. Providers evidence packs should contain records and evidence of completion.
Functional skills aims not being delivered by the single main training provider.	<ul style="list-style-type: none"> Providers need to be aware of the requirements contained within the Apprenticeship funding rules regarding

Issue	Prevention
	the assessment and delivery of Functional skills aims.
Evidence packs did not include evidence of progress reviews.	<ul style="list-style-type: none"> • Providers should have an internal audit / quality assurance function that can help identify omissions and administrative errors relating to evidence of progress reviews. • Providers need to be aware of the requirements contained within the Apprenticeship funding rules regarding the recording of progress reviews. • Providers evidence packs should include evidence of progress reviews.