

## **Explanatory Memorandum to the Apprenticeships (Specification of Apprenticeship Standards for Wales) Order 2013**

This Explanatory Memorandum has been prepared by the department of Education and Skills and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

### **Minister's Declaration**

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Apprenticeships (Specification of Apprenticeship Standards for Wales) Order 2013.

Deputy Minister for Skills and Technology

22 May 2013

## **1. Description**

This Order brings the Specification of Apprenticeship Standards for Wales (SASW) into effect, which specifies the content to be included in a recognised apprenticeship framework in accordance with the procedures in section 28 of the Apprenticeships, Skills, Children and Learning Act 2009 (“the 2009 Act”). The framework must meet the requirements specified in the SASW to be a recognised Welsh framework issued under section 19(1) of the 2009 Act. The SASW comes into effect on 23 June 2013.

## **2. Matters of special interest to the Constitutional and Legislative Affairs Committee**

There are no matters of special interest.

## **3. Legislative background**

The Order is made under section 28 (3) of the 2009 Act. In accordance with section 28(5) the Welsh Ministers declare that they are satisfied that the SASW complies with section 31 of the 2009 Act. Pursuant to section 262(9) of the 2009 Act the Order is subject to annulment (the negative procedure).

## **4. Purpose & intended effect of the legislation**

This Order brings into effect the Specification of Apprenticeship Standards for Wales (SASW).

It specifies that the document entitled “The Specification of Apprenticeship Standards for Wales” which has been published by the Welsh Ministers on 13 May 2013 on the Welsh Government website, has effect on 23 June 2013.

The SASW is a specification of requirements that must be met by an apprenticeship framework to be issued as a recognised Welsh framework. The SASW sets out the standards of attainment and qualifications that must be included in a framework. The standards of attainment include specifying the type of qualifications a framework must contain in both the relevant occupational competencies and the relevant technical knowledge for a skill, trade or occupational area. The specification also requires a framework to identify the on-the-job training and off-the-job training that must be undertaken.

The instrument is part of a suite of legislation that will place the existing apprenticeship programme onto a statutory footing.

## **5. Consultation**

The Welsh Government conducted a public consultation on a non-statutory version of the SASW during the passage of the Apprenticeships, Skills, Children and Learning Bill.

The consultation took place between 24 April and 7 August 2009. A summary of the consultation responses and the Welsh Government's response to the consultation was published on 26 April 2010, which is available at the link below.

There were 67 responses from a wide range of sources including FE colleges, awarding organisations, training providers, employers, Sector Skills Councils, unions and learners.

63% (37) of respondents agreed that the SASW should specify the minimum size of a framework in terms of credit value to ensure that it offers qualifications of a reasonable minimum size across occupational and transferable skill areas.

The main objection was that a minimum framework size would reduce the scope of employers to design frameworks to meet their needs.

35% (21) of respondents agreed that the SASW should specify a minimum number of off-the-job training hours as the general view was that greater flexibility was needed so that employers could balance the volume of on-the-job and off-the-job training to meet the specific needs of a job role.

The definition of off-the-job training subsequently included in the draft SASW guidance provides the degree of flexibility that was sought.

A copy of the consultation is available at:

<http://wales.gov.uk/consultations/education/specificationapprenticeshipwales/?status=closed&lang=en>

## **6. Regulatory Impact Assessment (RIA)**

A Regulatory Impact Assessment has **not been** conducted for this specific instrument as there is zero cost or change to businesses and apprentices.

The legislation has no impact on the statutory duties (sections 77 -79 GOWA 06) or statutory partners (sections 72-75 GOWA 06).

A full Impact Assessment was published for the Apprenticeships provisions in the ASCL Bill based on the recommendations of World Class Apprenticeships published in 2008.