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OFFERYNNAU STATUDOL  
CYMRU

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**2016 Rhif 930 (Cy. 229)**

**CYFLOGAETH A  
HYFFORDDIANT, CYMRU**

**Gorchymyn Prentisiaethau  
(Manyleb Safonau Prentisiaethau  
Cymru) (Addasu) 2016**

**NODYN ESBONIADOL**

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

Mae'r Gorchymyn hwn wedi ei wneud o dan adran 29(1) o Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 ("Deddf 2009"). Mae'r Gorchymyn hwn yn addasu Manyleb Safonau Prentisiaethau Cymru (y 'SASW') y rhoddwyd effaith iddi yn wreiddiol ym mis Mai 2013 gan Orchymyn Prentisiaethau (Manyleb Safonau Prentisiaethau Cymru) 2013.

Mae'r SASW yn pennu'r gofynion y mae rhaid eu bodloni er mwyn i fframweithiau prentisiaethau Cymreig cydnabyddedig gael eu dyroddi o dan adran 19(1) o Ddeddf 2009.

Effaith y Gorchymyn hwn yw addasu'r SASW yn y modd a nodir yn yr Atodlen i'r Gorchymyn hwn.

Er mwyn helpu'r darlennydd mae Gweinidogion Cymru wedi cyhoeddi fersiwn wedi ei chydgrynhoi o'r SASW sy'n ymgorffori'r addasiadau a ddangosir yn yr Atodlen i'r Gorchymyn hwn.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn.

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Cymru) (Addasu) 2016**

*Gwnaed* 13 Medi 2016

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 15 Medi 2016

*Yn dod i rym* 14 Hydref 2016

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pŵer a roddir gan adran 29(1) o Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009(1).

Yn unol ag adran 29(2) o'r Ddeddf honno, mae Gweinidogion Cymru wedi eu bodloni bod Manyleb Safonau Prentisiaethau Cymru fel y'i haddaswyd gan y Gorchymyn hwn yn cydymffurfio ag adran 31.

**Enwi, cychwyn a chymhwyso**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Prentisiaethau (Manyleb Safonau Prentisiaethau Cymru) (Addasu) 2016 a daw i rym ar 14 Hydref 2016.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

**Dehongli**

2. Yn y Gorchymyn hwn ystyr "Manyleb Safonau Prentisiaethau Cymru" (*"the Specification of Apprenticeship Standards for Wales"*) yw'r ddogfen y rhoddir effaith iddi gan erthygl 2 o Orchymyn

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(1) 2009 p. 22.

Prentisiaethau (Manyleb Safonau Prentisiaethau Cymru) 2013(1).

**Addasu**

3. Mae Manyleb Safonau Prentisiaethau Cymru yn cael effaith yn ddarostyngedig i'r addasiadau a bennir yn yr Atodlen i'r Gorchymyn hwn.

*Julie James*

Y Gweinidog Sgiliau a Gwyddoniaeth o dan awdurdod Ysgrifennydd y Cabinet dros Addysg, un o Weinidogion Cymru

13 Medi 2016

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(1) O.S. 2013/1192 (Cy. 128).

YR ATODLEN Erthygl 3

Addasiadau i Fanyleb Safonau  
Prentisiaethau Cymru

1. Yn lle'r rhagarweiniad i Fanyleb Safonau Prentisiaethau Cymru rhodder y testun a ganlyn:

“1. The Specification of Apprenticeship Standards for Wales (SASW) sets out the minimum requirements to be included in a recognised Welsh apprenticeship framework. Compliance with the SASW is a statutory requirement of the Apprenticeships, Skills, Children and Learning Act 2009, this version incorporates modifications made to the original SASW published in May 2013.

It incorporates modifications to allow “proxy” qualifications as a recognised alternative to Essential Skills as detailed under each apprenticeship framework level. SASW has also been modified to allow a greater flexibility in obtaining occupational competence by allowing learning to be underpinned by National Occupational Standards (NOS) where they exist, or industry-wide standards or professional standards where they do not. The final modification to SASW is to Employer Rights and Responsibilities (ERR) which are no longer compulsory in SASW frameworks. Other consequential changes have also been made as well as some reordering.

Updated guidance for Welsh issuing authorities is also being issued in a separate document. Welsh issuing authorities must have regard to this updated guidance in reaching a decision on whether a framework submission complies with SASW.

The modifications to SASW have been made by order by the Welsh Ministers.”

2. Yn lle paragraffau 2 i 42 o Fanyleb Safonau Prentisiaethau Cymru rhodder y testun a ganlyn:

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*“All apprenticeship Section reference  
frameworks*

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2. An apprenticeship Section 31(2)(a)  
framework must  
specify its level using  
the national level  
descriptors described

in the Credit and Qualifications Framework for Wales ('CQFW'). A framework must be at Level 2 to qualify as a Foundation Apprenticeship, be at Level 3 to qualify as an Apprenticeship and be at a Level between 4 and 7 to qualify as a Higher Apprenticeship.

3. An apprenticeship framework must include a two digit Standard Occupational Code (SOC) to identify the sector to which it relates. Frameworks identified by the same two digit SOC code ('duplicate frameworks') are not permitted.

Section 31(2)(a)

4. A framework level must specify as a Welsh certificate requirement the total volume of learning in the form of CQFW credits. The number of credits must reflect the learning required to achieve full competency in the skill, trade or occupation to which it relates.

Section 31(2)(a)

5. The calculation of credit should be derived from the definition contained in the CQFW and be consistent with the sum of published learning hours given for each qualification by the relevant awarding bodies or organisation(s).

Section 31(2)(a)

6. A framework must be at a minimum of 37 credits but may where

Section 31(2)(a)

appropriate exceed this; in many cases frameworks will significantly exceed 37 credits. A framework must not be so narrow that it is only relevant to a specific workplace where the apprenticeship was attained.

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<i>Qualifications competence and knowledge</i>	– and	<i>Section reference</i>
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7. The framework must identify the qualification(s) that demonstrate(s) the relevant occupational competencies as the ‘occupational competencies qualification’ and the occupational knowledge as the ‘technical knowledge qualification’ in relation to the framework.	Section 31(2)(c)(ii) and (iii)
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8. The occupational competencies and technical knowledge qualification(s) must be either:	Section 31(2)(a) Section 31(2)(c)(ii)
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a. one offered by an awarding body or awarding organisation that is recognised by a UK qualifications regulator or by a Further Education Institution or Higher Education Institution regulated by QAA (or any successor); or

b. one offered by a recognised professional body provided its achievement confers eligibility for professional

recognition.

Both the occupational competencies and technical knowledge qualification must be achieved by the apprentice to qualify for a Welsh apprenticeship certificate.

9. An apprenticeship framework must include:

Section 31(2)(c)(ii)

a. an integrated competencies qualification that also contains the relevant technical knowledge within it; or

b. an occupational competencies qualification and relevant technical knowledge qualifications which taken together, demonstrate the relevant occupational competencies and the relevant technical knowledge.

10. The framework developer will decide the balance of credits between occupational competencies and relevant technical knowledge qualifications. However the framework must specify:

Section 31(2)(a)

a. a minimum of ten credits achieved from an occupational competence based qualification or the competence element of an integrated qualification, which

specifically relates to the skill, trade or occupation and is based on the National Occupational Standards (NOS) where they exist, or industry-wide standards or professional standards where they do not for the employment sector for which the framework is designed and be at a level which reflects the job role; and

b. a minimum of ten credits from a technical knowledge qualification or knowledge element of an integrated qualification, which provides the technical knowledge and understanding of the theoretical concepts specifically relating to the skill, trade or occupation to underpin occupational competence. The knowledge qualification element must equip the apprentice with the knowledge and understanding of the industry and its market; or

c. a minimum of ten credits from an equivalent competencies qualification (non-CQFW) recognised by a professional body for a Higher Apprenticeship at Levels 4 -7 where the successful completion of such an apprenticeship is a recognised pathway



to professional registration.

11. The majority of the content of the occupational competencies qualification must be capable of being assessed from evidence gained through on-the job training in a workplace. This requirement applies at all framework levels, including any Higher Education qualifications specified either as the occupational competencies qualification or the integrated competencies qualification;

Section 31(2)(b)  
Section 31(2)(c)(ii)

the learning content must be achieved through:

a. an occupational competence based qualification or competence element of an integrated qualification, must be based on the National Occupational Standards (NOS) where they exist, or industry-wide standards or professional standards where they do not, for the employment sector to which the framework relates, specifically relating to the skill, trade or occupation of the framework and be at a level which reflects the job role; and

a technical knowledge qualification or the knowledge element of

an integrated qualification, must provide the technical knowledge and understanding of the theoretical concepts specifically relating to the skill, trade or occupation to underpin occupational competence. The knowledge qualification/element must equip the apprentice with the knowledge and understanding of the industry and its market; or,

b. the learning content from an equivalent competencies qualification recognised by a professional body for a Higher Apprenticeship where the successful completion of such an apprenticeship is a recognised pathway to professional registration.

12. Where the knowledge and competence elements are combined and recognised as a single integrated qualification, the two elements must be separately identified and separately assessed.

Section 31(2)(a)  
Section 31(2)(c)(ii)  
and (iii)

13. Where a qualification contained in an apprenticeship framework refers to a national framework (such as the CQFW, RQF or SCQF), it must be identified by Title, Level and where applicable the Qualification Reference Code.

Section 31(2)(a)

14. A framework must be reviewed periodically to ensure it is current and continues to meet the needs of the sector. Section 31(2)(a)

15. A framework must carry both the date of its issue and the date by which it will be formally reviewed. Section 31(2)(a)

16. A qualification for occupational competence must test the ability to carry out activities to the standards required for that occupation. Section 31(2)(a)

<i>Additional occupational requirements</i>	<i>Section reference</i>
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17. A framework may specify additional programmes of learning to meet specific occupational requirements. The framework developer must consult with the issuing authority for that sector before any additional occupational requirement is included in a framework. Section 31(2)(a)

18. Where additional occupational standards are included in a framework the framework must specify the learning outcomes to be attained. The learning outcomes may be specified as a formal qualification or be capable of independent assessment where attainment is not measured by means of a qualification. Section 31(2)(a)

19. A higher Section 31(2)(a)

apprenticeship  
 framework at Levels 4  
 - 7 may specify  
 additional professional  
 qualification(s) as  
 recognised by the  
 sector if they confer  
 eligibility for  
 professional status.

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<i>Foundation          apprenticeship          frameworks          (Level 2) -          qualifications related          to the sector</i>	<i>Section reference</i>
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20. A foundation apprenticeship framework must identify the occupational competencies qualification which must be achieved by the apprentice to qualify for a Welsh apprenticeship certificate, and which is the qualification required to demonstrate competence in performing the skill, trade or occupation to which the framework relates. The competencies qualification must be at Level 2 and be underpinned by National Occupational Standards (NOS) where they exist, or industry-wide standards or professional standards where they do not.	Section 31(2)(c)(iii)
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21. A foundation apprenticeship must identify a technical knowledge qualification which must be achieved by the apprentice to qualify for a Welsh apprenticeship certificate. A technical	Section 31(2)(c)(ii)
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knowledge  
 qualification is the  
 qualification required  
 to demonstrate  
 achievement of the  
 technical skills,  
 knowledge and  
 understanding of the  
 theoretical concepts  
 and knowledge and  
 understanding of the  
 industry and its market  
 relevant to the skill,  
 trade or occupation to  
 which the framework  
 relates.

22. A foundation  
 apprenticeship  
 framework must  
 identify either:

Section 31(2)(a)  
 Section 31(2)(c)(iii)

a. an  
 occupational  
 competencies  
 qualification  
 at Level 2 and  
 a separate  
 technical  
 knowledge  
 qualification:  
 or

b. an integrated  
 qualification at Level  
 2 which combines  
 occupational  
 competencies and  
 technical knowledge  
 elements in which  
 each element is  
 separately assessed.

<i>Essential Skills</i>	<i>Section reference</i>
23. A foundation apprenticeship framework must specify as a Welsh certificate requirement the expected achievement levels of Essential Communications Skills and the Essential Application of Number Skills, these qualifications will be at least Level 1 or the relevant level	Section 31(2)(c)(i)

determined by the industry.

24. Where Essential Skills qualifications are specified in a foundation apprenticeship framework, the apprenticeship framework must specify as a Welsh certificate requirement, the acceptance of one of the following recognised proxy qualifications for Communication:

Section 31(2)(c)(i)

apprenticeship framework, the apprenticeship framework must specify as a Welsh certificate requirement, the acceptance of one of the following recognised proxy qualifications for Communication:

a. GCSE or iGCSE qualification in English language or literature to at least grade G (Level 1 equivalent); or

b. O Level qualification in English language or literature to at least grade E; or

c. A/AS Level qualification in English language or literature to at least grade E; or

d. SCQF Level 4 – Communication Core Skills (oral communication and written communication); or

e. SQA National 4 English; or

f. Functional Skills or Key Skills literacy qualifications in English provided the proxy qualification(s) attained are at Level 1 or above.

And for Application of Number:

a. GCSE or iGCSE qualification in

Mathematics to at least grade G (Level 1 equivalent); or  
 b. O Level qualification in Mathematics to at least grade E; or  
 c. A/AS Level qualification in Mathematics to at least grade E; or  
 d. SCQF Level 4 – Numeracy Core Skill (Graphical Information and Using Number); or  
 e. SQA National 4 Mathematics; or  
 f. Functional Skills or Key Skills numeracy qualifications in Mathematics provided the proxy qualification(s) attained are at Level 1 or above.

25. A foundation apprenticeship framework may specify as a Welsh certificate requirement a qualification in Essential Digital Literacy Skills to at least Level 1, unless Digital Literacy is not relevant to effective performance in the skill, trade or occupation to which the framework relates.

Section 31(2)(c)(i)

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*On-the-job and off-the-job training*      *Section reference*

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26. A foundation apprenticeship framework must specify the total number of learning hours that an apprentice must receive to complete the framework. Learning hours relates to training which is designed to achieve clear and specific

Section 31(2)(b)

outcomes which contribute directly to the successful achievement of the apprenticeship framework.

27. A foundation apprenticeship framework must specify the total number of off-the-job learning hours that an apprentice must receive to complete the framework. Section 31(2)(b)

28. A foundation apprenticeship framework must specify the total number of on-the-job learning hours that an apprentice must receive to complete the framework. Section 31(2)(b)

29. The balance of hours between on-the-job and off-the job training must relate to the proportion of workplace-based assessment required for the achievement of the competencies qualification. Section 31(2)(b)

30. A foundation apprenticeship framework must specify that on-and off-the-job training must either have been received: Section 31(2)(b)

a. whilst working under an apprenticeship agreement; or

b. during a qualifying period prior to working under an apprenticeship agreement ending on the date of application for an apprenticeship certificate.

A qualifying period of five years is

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recommended, but to meet the needs of their sector, frameworks may set a shorter or longer timescale than five years as the qualifying period.

<i>Apprenticeship frameworks (Level 3) – qualifications related to the sector</i>	<i>Section reference</i>
31. An Apprenticeship Framework at Level 3 must identify the occupational competencies qualification which must be achieved by the apprentice to qualify for a Welsh apprenticeship certificate, and which is the qualification required to demonstrate competence in performing the skill, trade or occupation to which the framework relates. The competencies qualification must be at Level 3; underpinned by National Occupational Standards (NOS) where they exist, or industry-wide Standards or professional standards where they do not.	Section 31(2)(c)(iii)
32. An apprenticeship framework at Level 3 must identify a technical knowledge qualification which must be achieved by the apprentice to qualify for a Welsh apprenticeship certificate. A technical knowledge qualification is the qualification required to demonstrate achievement of the technical skills,	Section 31(2)(c)(ii)

knowledge and understanding of the theoretical concepts and knowledge and understanding of the industry and its market relevant to the skill, trade or occupation to which the framework relates.

33. An apprenticeship framework must identify either:

Section 31(2)(a)  
Section 31(2)(c)(iii)

a. an occupational competencies qualification at Level 3 and a separate technical knowledge qualification; or

b. an integrated qualification at Level 3 which combines occupational competencies and technical knowledge elements in which each element is separately assessed.

<i>Essential Skills</i>	<i>Section reference</i>
34. An apprenticeship framework must specify as a Welsh certificate requirement the expected achievement levels of Essential Communications Skills and the Essential Application of Number Skills, these qualifications will be at least Level 2 or the relevant level determined by the industry.	Section 31(2)(c)(i)
35. Where Essential Skills qualifications are specified in an apprenticeship framework, the apprenticeship framework must specify as a Welsh certificate requirement, the	Section 31(2)(c)(i)

acceptance of one of the following recognised proxy qualifications for Communication:

- a. GCSE or iGCSE qualification in English language or literature to at least grade C (Level 2 equivalent); or
- b. O Level qualification in English language or literature to at least grade C; or
- c. A/AS Level qualification in English language or literature to at least grade E; or
- d. SCQF Level 5 – Communication Core Skills (Oral Communication and Written Communication); or
- e. SQA National 5 English; or
- f. Functional Skills or Key Skills literacy qualifications in English provided the proxy qualification(s) attained are at Level 2 or above.

And for Application of Number:

- a. GCSE or iGCSE qualification in Mathematics to at least grade C (Level 2 equivalent); or
- b. O Level qualification in Mathematics to at least grade C; or
- c. A/AS Level qualification in Mathematics to at least grade E; or
- d. SCQF Level 5- Numeracy Core Skill

(Graphical Information and Using Number); or  
 e. SQA National 5 Mathematics; or  
 f. Functional Skills or Key Skills numeracy qualifications in Mathematics provided the proxy qualification(s) attained are at Level 2 or above.

36. An apprenticeship framework may specify as a Welsh certificate requirement a qualification in Essential Digital Literacy Skills to at least Level 2, unless Digital Literacy is not relevant to effective performance in the skill, trade or occupation to which the framework relates.

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*On-the-job training and off-the-job training*      *Section reference*

37. Requirements are as for a foundation apprenticeship framework at Level 2.

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*Higher apprenticeship frameworks (Levels 4 – 7) - qualifications related to the sector*      *Section reference*

38. A higher apprenticeship framework must identify the occupational competencies qualification which must be achieved by the apprentice to qualify for a Welsh apprenticeship certificate, and which is the qualification required to demonstrate competence in performing the skill,

trade or occupation to which the framework relates. The competencies qualification must be at the level of the framework specified and be underpinned by National Occupational Standards (NOS) where they exist, or industry-wide standards or professional standards where they do not.

Section 31(2)(c)(ii)

39. A higher apprenticeship framework must identify a technical knowledge qualification which must be achieved by the apprentice to qualify for a Welsh apprenticeship certificate. A technical knowledge qualification is the qualification required to demonstrate achievement of the technical skills, knowledge and understanding of the theoretical concepts and knowledge and understanding of the industry and its market relevant to the skill, trade or occupation to which the framework relates.

40. A higher apprenticeship framework must identify either:

Section 31(2)(a)  
Section 31(2)(c)(iii)

a. an occupational competencies qualification and a separate technical knowledge qualification at a minimum of Level 4;  
or

b. an integrated qualification at a minimum of Level 4 which combines occupational competencies and technical knowledge elements in which each element is separately assessed; or

c. specify an HNC, HND, Foundation Degree or Degree as the relevant technical knowledge qualification; or

d. specify a relevant technical knowledge qualification recognised by a professional body that represents the occupational area.

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<i>Essential Skills</i>	<i>Section reference</i>
41. Requirements are as for an apprenticeship framework at Level 3.	Section 31(2)(c)(i)

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<i>On-the-job training and off-the-job training</i>	<i>Section reference</i>
42. Requirements are as for a foundation apprenticeship framework at Level 2.”	Section 31(2)(b)

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