

## **Explanatory Memorandum to the Apprenticeships (Specification of Apprenticeship Standards for Wales) (Modification) Order 2023**

This Explanatory Memorandum has been prepared by the department of Economy, Skills and Natural Resources of the Welsh Government and is laid before Senedd Cymru 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) (Modification) Order 2023.

Vaughan Gething  
Minister for Economy  
20 November 2023

## **1. Description**

The Apprenticeships (Specification of Apprenticeship Standards for Wales) (Modification) Order 2023 modifies the Specification of Apprenticeship Standards for Wales (the “SASW”) which was originally brought into effect in May 2013 by the Apprenticeships (Specification of Apprenticeship Standards for Wales) Order 2013, and subsequently modified in 2016 by the Apprenticeships (Specification of Apprenticeship Standards for Wales) (Modification) Order 2016.

The SASW specifies the requirements that must be met for recognised Welsh apprenticeship frameworks to be issued under section 19(1) of the Apprenticeships, Skills, Children and Learning Act 2009 (“the 2009 Act”). All apprentice frameworks must meet the requirements specified in the modified SASW to be a recognised Welsh framework issued under section 19(1) of the 2009 Act. The modified SASW comes into effect on 11<sup>th</sup> December 2023.

## **2. Matters of special interest to the Legislative, Justice and Constitution Committee**

None.

## **3. Legislative background**

The Order is made using the power conferred on the Welsh Ministers by section 29(1) of the 2009 Act.

In accordance with section 29(2) of the 2009 Act the Welsh Ministers are satisfied that the SASW as modified, by this Order complies with section 31 of the 2009 Act. This Order is subject to the negative procedure.

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

This Order brings into effect modifications to the SASW.

The SASW sets out the minimum requirements to be included in a recognised Welsh apprenticeship framework. Compliance with the SASW by Welsh issuing authorities is a statutory requirement of the 2009 Act when they consider whether to issue an apprenticeship framework.

This Order gives effect to modifications to:

- Include a more inclusive offer for people with learning difficulties and disabilities to widen participation, opening up the essential skills entry requirements for levels 2 and 3.

- Allow additional “proxy” qualifications as a recognised alternative to Essential Skills as detailed under each apprenticeship framework level
- Include a new section on degree and professional apprenticeships (levels 6 and 7), which removes the essential skills requirements for apprenticeships at this level.
- Other changes have also been made, for example, excluding essential skills in the credits between occupational competencies and relevant technical knowledge qualifications and formatting/numbering of columns

Updated guidance has been issued and the Welsh Issuing Authority must have regard to this updated guidance in reaching a decision on whether a framework submission complies with the SASW.

A version of the SASW incorporating the modifications contained in this Order entitled “The Specification of Apprenticeship Standards for Wales” will be published by the Welsh Ministers on the Welsh Government website.

## **5. Consultation**

As there is no policy change, no public consultation was undertaken. The purpose of the Order is solely to enable the current legislation to be updated to meet the apprenticeships policy commitments, where technical and public consultations have taken place.

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

The Welsh Ministers Code of Practice on carrying out regulatory impact assessments has been considered in relation to this Order. A Regulatory Impact Assessment is not required as this statutory instrument relates to technical and factual amendments to update the regulations to meet existing policy commitments. No new policies are being implemented.