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Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation Document

Issuing Authority role for Welsh Apprenticeship Frameworks

Date of issue: 4th February 2019
Action required: Responses by 29th March

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview	The consultation seeks views on the role of the Issuing Authority for Welsh Apprenticeship Frameworks
How to respond	Please respond to the consultation using the questionnaire at the back of the document and emailing the document to DfES-ApprenticeshipUnit@gov.wales by 29 th March 2019
Further information and related documents	Large print, Braille and alternative language versions of this document are available on request
Contact details	For further information: Apprenticeship Unit Address: Welsh Government Ty Afon Bedwas Road Bedwas Caerphilly CF83 8WT email: DfES-ApprenticeshipUnit@gov.wales telephone: 03000 253706

General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data, which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

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- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
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For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

e-mail:

Data.ProtectionOfficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 745 or
0303 123 1113

Website: <https://ico.org.uk/>

The Foreword

As a part of our National Strategy, we have identified developing skills as one of our key priorities. We are re-shaping the skills landscape to help younger and older learners alike to find opportunities to meet the challenges of our changing economy.

Apprenticeships are fundamental to the success of this. Our headline commitment is 100,000 apprenticeships in this Assembly term – our *Prosperity for All* target. A target we are fully on course to meet. But this isn't just about quantity - it's about building our apprenticeship offer to grow our economy.

Apprenticeships raise skills levels to meet the demands of existing and future markets. This is how we will drive productivity, prosperity and more resilient communities. By building a more responsive skills system we can better respond to industry changes.

Aligning apprenticeships with the needs of the Welsh economy is at the centre of our skills policy, and we are building our skills system to better respond to industry changes.

Our priorities for apprenticeships are:

- Investing in higher level skills, particularly in STEM and technical areas;
- Driving inclusivity, equality and equity of opportunity;
- Responding to current and projected skills gaps; and
- Delivering apprenticeships through the medium of Welsh and/or bilingually.

We want to improve the quality of apprenticeships by implementing new arrangements to develop, issue and raise awareness of apprenticeship frameworks to meet individual and employer needs.

This eight week consultation sets out issues with the current arrangements and outlines our new approach to strengthen the quality of commissioning, developing and issuing of apprenticeship frameworks in Wales to meet these changing economic needs, so that frameworks remain relevant and portable across the UK. This is paramount to the continued success of the Apprenticeship programme. The consultation seeks views on the future role of the Issuing Authority in Wales.

I look forward to receiving your responses to help shape the future developments of the Issuing Authority to ensure we continue to make excellent progress collectively in developing and delivering good quality apprenticeships in Wales.

Ken Skates
Minister for Economy and Transport

Purpose of the Consultation

1. The consultation seeks views on the future role of the Issuing Authority for issuing Apprenticeship Frameworks in Wales and whether the Welsh Ministers should adopt this role and what the criteria for issuing apprenticeship frameworks should be to meet the needs of the economy, employers and apprentices.

Policy Context

2. We are developing new ways of working to help improve the quality of apprenticeship frameworks in Wales by implementing new arrangements to the development function and issuing of frameworks to meet individual and employer needs. These provisions will provide a new strategic driver into the system and maintain the integrity of the apprenticeships, through providing control over the issuing of apprenticeship frameworks in Wales, ensuring they meet industry requirements.
3. In April 2018 a technical consultation entitled *Public Good and a Prosperous Wales – the next steps*, was published. This was a follow up to a White Paper published the previous year in response to Professor Hazelkorn's review of the oversight of post-compulsory education and training in Wales (<https://beta.gov.wales/sites/default/files/consultations/2018-04/180423-tertiary-education-and-research-commission-for-wales-consultation-document.pdf>). The two primary recommendations in the review were: that the Welsh Government should develop an overarching vision for the post-compulsory education and training (PCET) sector; and that it should establish a new arm's length body responsible for the oversight, strategic direction and leadership of the sector. The consultation sought views on the proposed operation of the new body and included questions on supporting and developing apprenticeship provision in Wales to help invest in growth and address the skills gap. The consultation ended in July 2018 and the outcome was published 12 October 2018 <https://beta.gov.wales/tertiary-education-and-research-commission-wales>. Responses included that improvements were needed on apprenticeships in Wales now and could not wait until the Commission is in place.
4. The proposals set out in this consultation paper are the start of these system changes to improve the way in which apprenticeships are developed and issued in Wales by ensuring the commissioning, developing and Issuing of Apprenticeship Frameworks are more robust to meet the needs of apprentices and employers. At Annex 1 is a diagram outlining the proposed new end to end process of identifying need, commissioning, developing a framework through to issuing the framework. However, this consultation is only seeking views on the role of the Issuing Authority.

What are the main issues?

5. The Sector Skills Councils (SSCs) and Sector Skills Bodies (sector bodies) currently perform the role of Apprenticeship Issuing Authorities in Wales. However, as a result of the SSCs and sector bodies' reduction in funding following the UK Government reforms of apprenticeships in England (the SSCs and sector bodies no

longer have a role in English apprenticeship development), the capacity of these organisations has dramatically reduced.

6. Guidance has been issued by the Welsh Government to Issuing Authorities which requires them to discharge their responsibilities impartially and ensure that there is a clear separation and no conflict of interest between its role and status as an Issuing Authority, as a framework developer and any other organisational roles. However, given the limited capacity of many of these organisations, it is unlikely that the roles of developer/issuer can be easily separated. Therefore, more robust procedures are required to meet the evolving requirements of apprentices and employers in Wales.

Where are we now?

Apprenticeship Frameworks

7. Framework developers develop new or revise Apprenticeship frameworks to meet the minimum standards set out in the Specification of Apprenticeship Standards for Wales (SASW). The frameworks are then sent to the Issuing Authorities to certify and issue. The Skills Development Scotland (SDS) has procured Delivery Partners (on behalf of the Welsh Government) for the commissioning of apprenticeship frameworks and National Occupational Standards (NOS). In Wales, these are the Sector Skills Councils (SSCs) and Sector Bodies.
8. There are currently over 200 Apprenticeship Frameworks in Wales (some at multiple levels), which can be accessed on Apprenticeships Frameworks Online¹. Each framework represents distinct packages of learning. Within each apprenticeship framework, learners are required to complete recognised qualifications and, where appropriate, specific Essential Skills qualifications. The apprenticeships lead to a qualification on the Credit and Qualifications Framework for Wales (CQFW).
9. Apprenticeships are delivered through contracts between the Welsh Government and a network of procured providers.

Specification of Apprenticeship Standards (SASW)

10. The Specification of Apprenticeship Standards for Wales (SASW) (<https://gov.wales/docs/dcells/publications/161014-sasw-en.pdf>) sets out the minimum requirements of apprenticeship frameworks. It outlines the type and level of qualifications required for apprenticeship frameworks at each level, the Essential Skills requirements, the employability skills needed, and the level of on or off-the-job training, and planned guided learning hours associated with completion of the framework.

Wales Advisory Apprenticeship Board (WAAB)

11. The Wales Apprenticeship Advisory Board (WAAB) was established in April 2018 and is an independent enterprise-led Board, with representatives from business, Trade Unions, Further Education Bodies and the Welsh Government. WAAB serves

¹ <http://www.afo.sscalliance.org/>

to provide the Wales Employment and Skills Board (WESB) and Welsh Government with advice and recommendations on matters relating to the content of apprenticeship frameworks and priorities in relation to their development in Wales.

12. The WAAB has a key role in advising and making recommendations to Welsh Government on priorities for commissioning apprenticeship frameworks to meet economic need and identifies sectors where new apprenticeships can make a real difference to both employers and apprentices. In carrying out its role, the WAAB will take into account the ongoing and future skills needs, the data and reports produced by the Regional Skills Partnerships in Employment and Skills Plans and Labour Market Research to ensure the right frameworks are commissioned to meet the needs of the economy.

Issuing Authority

13. Once an apprenticeship framework is developed, it will be 'issued' by bodies designated by Welsh Ministers - Welsh Ministers may designate Issuing Authorities under the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009. The Issuing Authority function is to certify that a new or revised framework meets industry standards and the minimum requirements set out in SASW. The issuing function is a form of validation. If the framework satisfies quality and SASW requirements, the framework is issued and published on *Apprenticeships Frameworks On-line*² as being available in Wales. The Issuing Authority then notifies the Welsh Ministers of the issue or withdrawal within its apprenticeship sector(s). Welsh Ministers may designate only one body to issue Welsh Apprenticeship frameworks for a particular sector. A Welsh Issuing Authority is accountable to the Welsh Ministers and will comply with directions and have regard to guidance issued by the Welsh Government.
14. Welsh Ministers have designated the Issuing Authorities function to Sector Skills Councils (SSCs) and sector bodies. There are 17 Issuing Authorities in Wales. Annex 2 is a list of the current designated Issuing Authorities.

Certifying Authority

15. The Welsh Certifying Authority is the Federation for Industry Sector Skills and Standards. As the Welsh Certifying Authority, the Federation issues certificates when apprenticeships have been completed in relation to an apprenticeship framework and the necessary evidence of completion and fee is provided to the Federation.
16. The Apprenticeships (Issue of Apprenticeship Certificates) (Wales) Regulations 2013 set out the detail of the process to be followed for the issue of an apprenticeship certificate and are made using powers in section 7, 8 and 9 of the ASCL Act.
17. There are no planned changes for this role.

² <http://www.afo.sscalliance.org/frameworkslibrary/index.cfm#current>

Evidence for change

18. There is a need to ensure that those apprenticeship frameworks which are developed and issued meet the needs of the economy, employers and individuals. A clear separation between the framework developer and the issuing authority roles is needed to ensure frameworks meet industry standards. Currently as the SSCs and the Sector bodies perform both these roles impartially cannot always be demonstrated and there is potential for vested interest which could impact on quality.
19. Apprenticeship frameworks should only be developed where demand exists and where the occupation/job role for the apprenticeship meets current or emerging skills needs. This ensures that the apprenticeship has credibility and is well regarded across the industry or sector, as well as giving it longer-term value. Section 31 of the ASCL Act defines relevant occupational competencies as the competencies required to perform the skill, trade or occupation to which the framework relates at the level required in the framework.
20. As outlined in paragraph 5, under UK Government reforms, SSCs and sector bodies no longer have a role in English apprenticeship development, which has resulted in their funding being significantly reduced and their capacity in performing the issuing authority role being severely impacted.
21. As previously stated, there are currently 17 Issuing Authorities in Wales that support a range of occupational sectors. Currently, when an Issuing Authority ceases trading, the Federation for Sector Skills and Standards (FISSS) will write to the Minister and request that the sector footprint covered by the Issuing Authority transfers to another body. FISSS represents, promotes and supports the SSCs and sector bodies, all of which are member of the FISSS. In the past this has meant transferring the sector footprint to another Issuing Authority which has the capacity and expertise to undertake the role. However, as the number of Issuing Authorities has fallen, the capacity of the remaining SSCs and sector bodies to take on new sector responsibilities will increasingly be problematic – it is unlikely they will have the full range of expertise to undertake the function successfully.
22. Powers were taken in the Deregulation Act 2015 to allow the option for Welsh Ministers to issue apprenticeship frameworks in addition to the current powers to delegate another to do so. These powers have now come into effect, which enables Welsh Ministers to act as Issuing Authority in respect of apprenticeship sectors in Wales, if this role is adopted.

What do we want to achieve?

Frameworks

23. We are currently reviewing the development of apprenticeship frameworks in Wales to support demand from employers and the economy; improving access, equality and equity of opportunity that will strengthen portability of skills and competencies throughout Wales.

24. All frameworks commissioned must meet the needs of the economy, including whether it is identified as a priority within the Regional Skills Partnerships' Plans, whether changes to the qualifications require new frameworks to be developed, whether there is significant demand from employers and whether it supports the overarching apprenticeship policy direction.
25. To ensure these needs are met, all frameworks will be commissioned by the Welsh Government in consultation with the WAAB. Framework development must include a consultation with stakeholders (including employers and providers) and input from technical experts. This new robust process will ensure a consistent and robust approach to framework development with the overall aim of meeting the needs of the economy and employers. The WAAB is currently finalising arrangements for its role in the commissioning process and further information will be communicated shortly.

Issuing Authority

26. It is proposed that Welsh Ministers adopts the role of Issuing Authority in Wales.
27. The improvements to implement more robust procedures on the commissioning and development of frameworks to include stakeholder engagement, consultation with sector expert panels and the endorsement of all frameworks by WAAB, will result in all frameworks submitted to the Issuing Authority being good quality and meet the needs of the economy.
28. The Issuing Authority would provide a final independent quality measure to test against compliance with SASW and confirm WAAB recommendation is in place. This new process clearly provides a clear separation of roles.

Summary of the Proposals

29. Recognising the fundamental issues highlighted throughout the consultation, it is proposed that Welsh Ministers would no longer designate Issuing function to SSCs and sector bodies. As such Welsh Ministers would undertake this function in respect of each of the apprenticeship sectors outlined in the Apprenticeships, Skills, Children and Learning Act 2009 (ASCLA). The powers in the Deregulation Act 2015 enable Welsh Ministers to issue apprenticeship frameworks and this consultation seeks views on what this role should be.
30. The outcome of this consultation will help shape the new arrangements to ensure the quality, processes, governance and criteria of the issuing authority role is competent and fit for purpose. Our proposals are:
- To strengthen the quality of apprenticeship frameworks in Wales by implementing new arrangements to safeguard the issuing of frameworks, so that frameworks remain relevant and portable across the UK and ensure there is a clear separation between the developer and issuing authority roles.
 - To introduce new arrangements to develop and issue frameworks to meet individual and employer needs. These provisions will provide a new strategic

driver into the system and maintain the integrity of the apprenticeships, through providing control over the issuing of apprenticeship frameworks in Wales, ensuring they meet industry requirements.

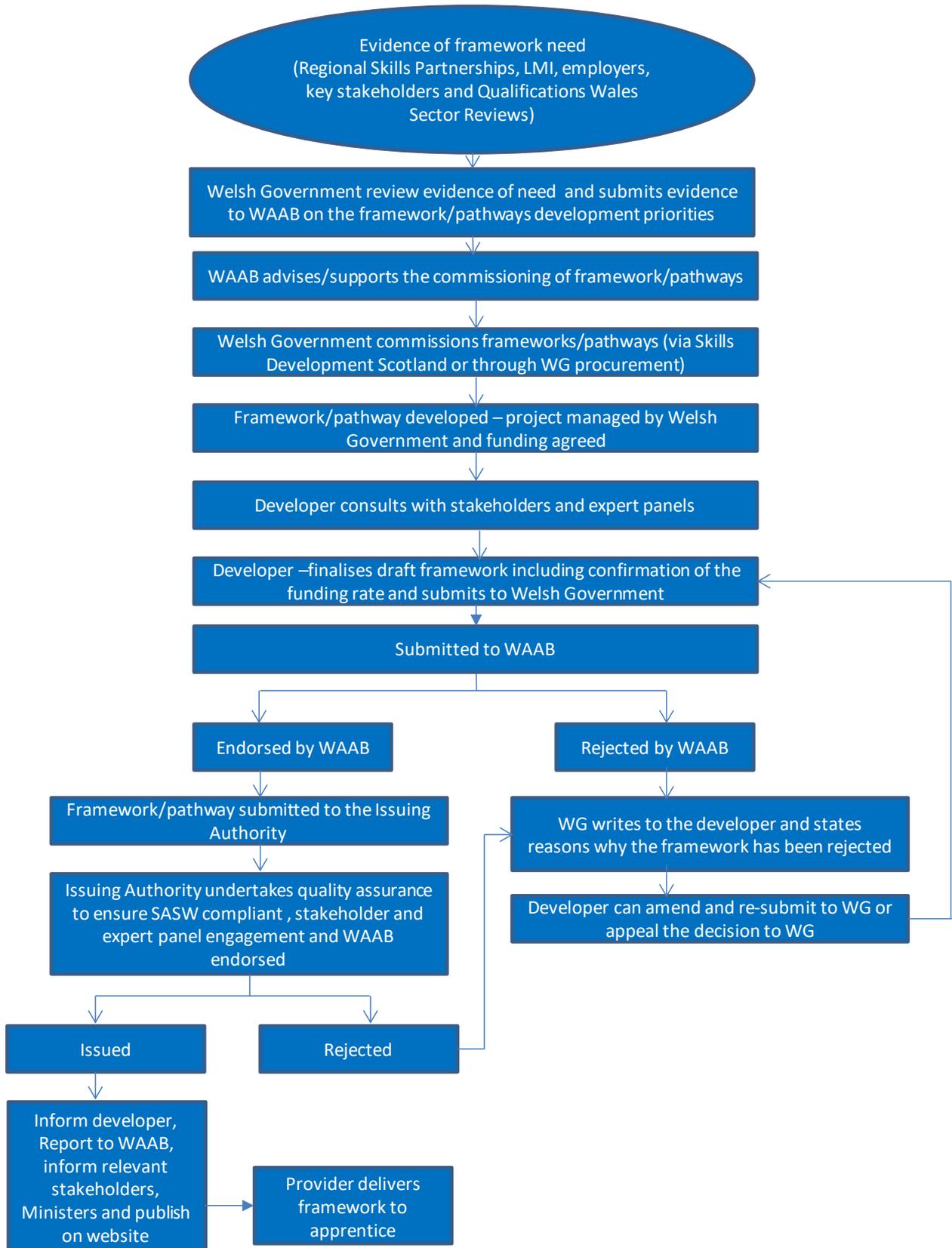
- That Welsh Ministers would no longer designate Issuing function to SSCs and sector bodies due to their reduction in capacity. As such Welsh Ministers would undertake this function in respect of each apprenticeship sector. We are seeking comments on whether the Welsh Ministers should adopt the role of the Issuing Authority for issuing Apprenticeship Frameworks in Wales. If so, what should this look like? If not, what other options should the Welsh Government consider to improve the role of Issuing Authority in Wales?

31. The outcome of the consultation will inform the future role of the Issuing Authority in Wales to ensure the quality, processes, governance and criteria of the issuing authority role is competent and fit for purpose. The new process would commence by June 2019.

Consultation questions

- Should the Welsh Government undertake the power or what other options are available to ensure impartiality between the developer and the Issuing Authority roles?
- What should the process and criteria be when issuing a framework?
- What are the expectations on the issuing authority when issuing a framework?
- What quality and compliance measures should be in place when approving certifying and issuing a framework, this includes ensuring the appropriate qualifications are included?
- Should the Issuing Authority put in place any additional measures to ensure the framework meets the employer and learner needs?
- Are there any additional comments you would like Welsh Government to be informed of in relation to this consultation?

Apprenticeship Frameworks – End to End Process



Designated Welsh Issuing Authorities

	Issuing Authority	Sector Skills Council / Sector Body	Sector Coverage
1	CITB	Sector Skills Council (also the sector's Industry Training Board)	Construction
2	Cogent Skills	Sector Skills Council	Chemical manufacturing, nuclear science, oil and gas extraction sectors
3	Creative & Cultural Skills	Sector Skills Council	Arts, cultural heritage, craft and design sectors
4	Creative Skillset	Sector Skills Council	Media and manufacturing
6	Energy & Utility Skills	Sector Skills Council	Electricity, gas and water supply and waste management sectors
6	Engineering Construction Industry Training Board	Sector Body	Engineering construction sector
7	Institute of the Motor Industry	Sector Skills Council	Automotive, freight logistics and maritime sectors
8	Instructus (formally Skills CFA)	Sector Body	Business skills sector Building services engineering sector, property services, facilities management and related occupations (formally Summit Skills) Business and information technology sector
9	Lantra	Sector Skills Council	Environmental and land based sector
10	National Skills Academy - Food and Drink (NSAFD)	Sector Skills Council	Food and drink manufacturing and processing sector. Printing, mineral extraction and processing, health and safety, furniture, glass, ceramics, coatings, paper, glazing, building products and timber sectors
11	People 1 st	Sector Skills Council	Hospitality, leisure, travel and tourism, passenger transport and retail sectors
12	SEMTA	Sector Skills Council	Science, engineering and manufacturing technologies sector
13	Skills Active	Sector Skills Council	Active leisure, learning and wellbeing and hairdressing and beauty sectors
14	Skills for Care and Development	Sector Skills Council	Social care and the care of children and young people sector
15	Skills for Health & Skills for Justice (merged in Sept 2015 / separate branding)	Sector Skills Council	Health care sector Justice, community safety and legal services sectors
16	Skills for Security	Sector Body	Security sector
17	UK Textiles & Fashion Association	Sector Body	Fashion and textiles and related occupations