
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made by the Secretary of State under powers in the Apprenticeships, Skills, Children and Learning Act 2009 (“the 2009 Act”). Those powers provide the Secretary of State with the power to make provision for apprenticeship targets applicable to prescribed public sector bodies in England. These Regulations introduce a wholly new regime in relation to the meeting of such targets.

These Regulations prescribe two distinct groups of public bodies: firstly, a group of bodies which comprise government departments and a small number of additional bodies (Group A). The second group is Group B which comprises Transport for London and those of its subsidiaries which are public bodies.

The Regulations also prescribe any public body which satisfies the conditions in regulation 3(4) on the day before the first day of a reporting period, those being that the body’s headcount is less than 250 (headcount is defined in regulation 2), that the body is not a constituent part of either Group A or Group B and is not listed in Schedule 2.

Schedule 2 describes and specifies a number of bodies which, notwithstanding having a headcount of 250 or more, will not be subject to the target. Regulation 4 aligns the reporting periods for all bodies subject to the public sector apprenticeship target.

The target to which Group A and Group B are subject is to ensure that over the four year target period, that period beginning with 1st April 2017 and ending with 31st March 2021, the number of apprentices which begin to work for it is equal to 2.3 per cent of its headcount in England. Headcount is determined on 31st March in each of 2017, 2018, 2019 and 2020.

The target of a body coming within regulation 3(4) is calculated only by reference to the 12 month periods beginning with 1st April in each of 2017, 2018, 2019 or 2020 for which the body satisfies the conditions specified in that regulation on 31st March in any of those years. The target for such a body is to ensure that for each of those years (taken as a whole) that the number of apprentices which begin to work for it is equal to 2.3 per cent of its headcount in England.

Regulations 7 and 8 make provision detailing how that target is to be calculated. Regulation 7 provides that the target may be aggregated over the whole of the four-year target period in the case of Group A and Group B. Regulation 8 provides in respect of a public body coming within regulation 3(4) that the target may be aggregated over those years during the target period that a public body comes within regulation 3(4). Regulation 9 makes provision in respect of certain information which public bodies subject to the target must return to the Secretary of State.

An Impact Assessment has not been prepared for this instrument. As this measure only affects publically funded bodies, with no costs to business, the Better Regulation Executive confirmed that no Impact Assessment is required in relation to these regulations. A full Impact Assessment was prepared for all measures included in the Enterprise Act 2016 and may be accessed at <http://www.parliament.uk/documents/impact-assessments/IA15-009F.pdf>.