
OFFERYNNAU STATUDOL CYMRU

2016 Rhif 930 (Cy. 229)

CYFLOGAETH A HYFFORDDIANT, CYMRU

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

<i>Gwnaed</i> - - - -	<i>13 Medi 2016</i>
<i>Gosodwyd gerbron Cynulliad</i>	
<i>Cenedlaethol Cymru</i> - -	<i>15 Medi 2016</i>
<i>Yn dod i rym</i> - -	<i>14 Hydref 2016</i>

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 Prentisiaethau (Manyleb Safonau Prentisiaethau Cymru) 2013(2).

Addasu

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

(1) 2009 p. 22.

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

Statws *This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.*

13 Medi 2016

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

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:

<i>“All apprenticeship frameworks</i>	<i>Section reference</i>
2. An apprenticeship 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.	Section 31(2)(a)
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	Section 31(2)(a)

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

<i>"All apprenticeship frameworks</i>	<i>Section reference</i>
qualification by the relevant awarding bodies or organisation(s).	
6. A framework must be at a minimum of 37 credits but may where 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.	Section 31(2)(a)
<i>Qualifications – competence and knowledge</i>	<i>Section reference</i>
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)
8. The occupational competencies and technical knowledge qualification(s) must be either:	Section 31(2)(a) Section 31(2)(c)(ii)
<ul style="list-style-type: none"> 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)
<ul style="list-style-type: none"> 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. 	

<i>Qualifications – competence and knowledge</i>	<i>Section reference</i>
<p>10. The framework developer will decide the balance of credits between occupational competencies and relevant technical knowledge qualifications. However the framework must specify:</p> <p>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</p> <p>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</p> <p>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.</p>	<p>Section 31(2)(a)</p>
<p>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;</p> <p>the learning content must be achieved through:</p>	<p>Section 31(2)(b) Section 31(2)(c)(ii)</p>

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

<i>Qualifications – competence and knowledge</i>	<i>Section reference</i>
<p>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</p> <p>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,</p> <p>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.</p>	
<p>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.</p>	<p>Section 31(2)(a) Section 31(2)(c) (ii) and (iii)</p>
<p>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.</p>	Section 31(2)(a)
<p>14. A framework must be reviewed periodically to ensure it is current and continues to meet the needs of the sector.</p>	Section 31(2)(a)
<p>15. A framework must carry both the date of its issue and the date by which it will be formally reviewed.</p>	Section 31(2)(a)
<p>16. A qualification for occupational competence must test the ability to carry out</p>	Section 31(2)(a)

<i>Qualifications – competence and knowledge</i>	<i>Section reference</i>
activities to the standards required for that occupation.	
<i>Additional occupational requirements</i>	<i>Section reference</i>
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 apprenticeship framework at Levels 4 - 7 may specify additional professional qualification(s) as recognised by the sector if they confer eligibility for professional status.	Section 31(2)(a)
<i>Foundation apprenticeship frameworks (Level 2) - qualifications related to the sector</i>	<i>Section reference</i>
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)
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 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	Section 31(2)(c)(ii)

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

<i>Foundation apprenticeship frameworks (Level 2) - qualifications related to the sector</i>	<i>Section reference</i>
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)
<ul style="list-style-type: none"> 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 determined by the industry.	Section 31(2)(c)(i)
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)
<ul style="list-style-type: none"> 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 	

<i>Essential Skills</i>	<i>Section reference</i>
<p>qualification(s) attained are at Level 1 or above.</p> <p>And for Application of Number:</p> <p>a. GCSE or iGCSE qualification in Mathematics to at least grade G (Level 1 equivalent); or</p> <p>b. O Level qualification in Mathematics to at least grade E; or</p> <p>c. A/AS Level qualification in Mathematics to at least grade E; or</p> <p>d. SCQF Level 4 – Numeracy Core Skill (Graphical Information and Using Number); or</p> <p>e. SQA National 4 Mathematics; or</p> <p>f. Functional Skills or Key Skills numeracy qualifications in Mathematics provided the proxy qualification(s) attained are at Level 1 or above.</p>	
<p>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.</p>	Section 31(2)(c)(i)

<i>On-the-job and off-the-job training</i>	<i>Section reference</i>
<p>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 outcomes which contribute directly to the successful achievement of the apprenticeship framework.</p>	Section 31(2)(b)
<p>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.</p>	Section 31(2)(b)
<p>28. A foundation apprenticeship framework must specify the total number of on-the-job</p>	Section 31(2)(b)

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

<i>On-the-job and off-the-job training</i>	<i>Section reference</i>
learning hours that an apprentice must receive to complete the framework.	
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)
<p>a. whilst working under an apprenticeship agreement; or</p> <p>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 recommended, but to meet the needs of their sector, frameworks may set a shorter or longer timescale than five years as the qualifying period.</p>	

Apprenticeship frameworks (Level 3) – Section reference qualifications related to the sector

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, 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.	Section 31(2)(c)(ii)

<i>Apprenticeship frameworks (Level 3) – Section reference</i>	<i>Section reference</i>
33. An apprenticeship framework must identify either:	Section 31(2)(a)
a. an occupational competencies qualification at Level 3 and a separate technical knowledge qualification; or	Section 31(2)(c)(iii)
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 acceptance of one of the following recognised proxy qualifications for Communication:	Section 31(2)(c)(i)
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.	

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

<i>Essential Skills</i>	<i>Section reference</i>
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.	Section 31(2)(c)(i)
<i>On-the-job training and off-the-job training</i>	<i>Section reference</i>
37. Requirements are as for a foundation apprenticeship framework at Level 2.	Section 31(2)(b)
<i>Higher apprenticeship frameworks (Levels 4 – 7) - qualifications related to the sector</i>	<i>Section reference</i>
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)(iii)

<i>Higher apprenticeship frameworks (Levels 4 – 7) - qualifications related to the sector</i>	<i>Section reference</i>
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.	Section 31(2)(c)(ii)
40. A higher apprenticeship framework must identify either:	Section 31(2)(a)
a. an occupational competencies qualification and a separate technical knowledge qualification at a minimum of Level 4; or	Section 31(2)(c)(iii)
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.	
<i>Essential Skills</i>	<i>Section reference</i>
41. Requirements are as for an apprenticeship framework at Level 3.	Section 31(2)(c)(i)
<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)”

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

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.