



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 1

APPRENTICESHIPS, STUDY AND TRAINING

[^{F1}CHAPTER A1

APPRENTICESHIPS [^{F1}AND TECHNICAL EDUCATION]: ENGLAND

[^{F1}/^{F2}Quality assurance [^{F3}of apprenticeship assessments etc]

Textual Amendments

- F1** Pt. 1 Ch. A1 inserted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 1 para. 1** (with Sch. 1 para. 28); S.I. 2015/994, art. 6(a) (with Sch. Pt. 2)
- F2** Ss. A2-A2I and cross-headings substituted for s. A2 (1.4.2017) by [Enterprise Act 2016 \(c. 12\)](#), s. 44(5), **Sch. 4 para. 5**; S.I. 2017/346, reg. 2(a)
- F3** Words in s. A2B cross-heading inserted (16.8.2017) by [Technical and Further Education Act 2017 \(c. 19\)](#), s. 47(2), **Sch. 1 para. 13**; S.I. 2017/844, reg. 2(b)(ii)

A2B Evaluation of quality of apprenticeship assessments

- (1) The [^{F4}Institute] must secure that evaluations are carried out of the quality of apprenticeship assessments provided by persons in relation to assessment plans published under section A2.

Changes to legislation: *Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: Quality assurance of apprenticeship assessments etc is up to date with all changes known to be in force on or before 08 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (2) “Apprenticeship assessment” means the assessment of a person's attainment of the outcomes set out in the standard to which the [F⁵apprenticeship] assessment plan relates.
- (3) For the purposes of subsection (1) the [F⁴Institute] may [F⁶carry out evaluations or] approve or make arrangements for other persons to carry out evaluations.
- [F⁷(4) The Secretary of State may by regulations authorise the Institute (subject to any restrictions prescribed by the regulations) to charge fees for things done in connection with the carrying out by it of evaluations under subsection (1).]

Textual Amendments

- F4** Word in Pt. 1 substituted (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\), ss. 1\(2\)\(d\), 47\(2\)](#); S.I. 2019/61, reg. 2(a)
- F5** Word in s. A2B(2) inserted (16.8.2017) by [Technical and Further Education Act 2017 \(c. 19\), s. 47\(2\), Sch. 1 para. 14\(2\)](#); S.I. 2017/844, reg. 2(b)(ii)
- F6** Words in s. A2B(3) inserted (16.8.2017) by [Technical and Further Education Act 2017 \(c. 19\), s. 47\(2\), Sch. 1 para. 14\(3\)](#); S.I. 2017/844, reg. 2(b)(ii)
- F7** S. A2B(4) inserted (16.8.2017) by [Technical and Further Education Act 2017 \(c. 19\), s. 47\(2\), Sch. 1 para. 14\(4\)](#); S.I. 2017/844, reg. 2(b)(ii) (with reg. 3)

A2C Unsatisfactory apprenticeship assessments

- (1) If the [F⁴Institute] considers that the quality of any apprenticeship assessment provided by a person is or may become unsatisfactory, it may carry out a review of the assessment, or make arrangements with another person for the carrying out of such a review.
- (2) The [F⁴Institute] may, in consequence of a review, make arrangements for the purpose of improving the quality of the assessment to which the review relates.
- (3) If the [F⁴Institute]—
- (a) considers that the quality of any apprenticeship assessment provided by a person is or may become unsatisfactory, or
 - (b) that a person who provides an apprenticeship assessment has failed to cooperate with a review carried out under this section or with arrangements made under subsection (2),
- it may report the matter to the Secretary of State or such other person as the [F⁴Institute] considers appropriate.
- (4) A report under subsection (3) may contain recommendations as to the action to be taken by the person to whom the report is made.
- (5) The [F⁴Institute] may publish a report under subsection (3).

Textual Amendments

- F4** Word in Pt. 1 substituted (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\), ss. 1\(2\)\(d\), 47\(2\)](#); S.I. 2019/61, reg. 2(a)

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A2D Committee to advise on quality evaluations etc

- (1) The [F4Institute] may establish a committee with—
 - (a) the function of giving the [F4Institute] advice on the performance of its functions under sections A2B and A2C, and
 - (b) such other functions as may be conferred on the committee by the [F4Institute].
- (2) A majority of the members of the committee—
 - (a) must be persons who appear to the [F4Institute] to have experience of the assessment of education or training, and
 - (b) must not be members of the [F4Institute].
- (3) Subject to that, Schedule A1 applies to a committee established under this section as it applies to committees established under paragraph 7 of that Schedule.]]

Textual Amendments

- F4** Word in Pt. 1 substituted (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\)](#), **ss. 1(2)(d)**, [47\(2\)](#); [S.I. 2019/61](#), reg. 2(a)

Changes to legislation:

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Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6