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W E L S H   S T A T U T O R Y  
I N S T R U M E N T S

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**2016 No. 930 (W. 229)**

**EMPLOYMENT AND  
TRAINING, WALES**

**The Apprenticeships (Specification  
of Apprenticeship Standards for  
Wales) (Modification) Order 2016**

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order is made under section 29(1) of the Apprenticeships, Skills, Children and Learning Act 2009 (“the 2009 Act”). This Order 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.

The SASW specifies the requirements that must be met for recognised Welsh apprenticeship frameworks to be issued under section 19(1) of the 2009 Act.

The effect of this Order is to modify the SASW in the manner set out in the Schedule to this order.

To assist the reader the Welsh Ministers have published a consolidated version of SASW which incorporates the modifications shown in the Schedule to this Order.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.

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**The Apprenticeships (Specification  
of Apprenticeship Standards for  
Wales) (Modification) Order 2016**

*Made* 13 September 2016

*Laid before the National Assembly for Wales*  
15 September 2016

*Coming into force* 14 October 2016

The Welsh Ministers make the following Order in exercise of the power conferred by section 29(1) of the Apprenticeships, Skills, Children and Learning Act 2009(1).

In accordance with section 29(2) of that Act the Welsh Ministers are satisfied that the Specification of Apprenticeship Standards for Wales as modified by this Order complies with section 31.

**Title, commencement and application**

**1.**—(1) The title of this Order is the Apprenticeships (Specification of Apprenticeship Standards for Wales) (Modification) Order 2016 and it comes into force on 14 October 2016.

(2) This Order applies in relation to Wales.

**Interpretation**

**2.** In this Order “the Specification of Apprenticeship Standards for Wales” (“*Manyleb Safonau Prentisiaethau Cymru*”) means the document given effect to by article 2 of the Apprenticeships

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(1) 2009 c. 22.

(Specification of Apprenticeship Standards for Wales)  
Order 2013<sup>(1)</sup>.

**Modification**

**3.** The Specification of Apprenticeship Standards for Wales has effect subject to the modifications specified in the Schedule to this Order.

*Julie James*

Minister for Skills and Science under authority of the  
Cabinet Secretary for Education, one of the Welsh  
Ministers

13 September 2016

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<sup>(1)</sup> S.I. 2013/1192 (W. 128).

## SCHEDULE

Article 3

### Modifications to the Specification of Apprenticeships Standards for Wales

1. For the introduction to the Specification of Apprenticeship Standards for Wales substitute the following text:

“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. For paragraphs 2 to 42 of the Specification of Apprenticeship Standards for Wales substitute the following text:

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*“All apprenticeship Section reference  
frameworks*

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| <p>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.</p> | <p>Section 31(2)(a)</p> |
| <p>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.</p>                                                                                                                                | <p>Section 31(2)(a)</p> |
| <p>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.</p>                                                                                            | <p>Section 31(2)(a)</p> |
| <p>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 qualification by the relevant</p>                                                                                                                                                                     | <p>Section 31(2)(a)</p> |

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<br/>competence<br/>and<br/>knowledge</i>                                                                                                                                                                                                              | <i>–<br/>and</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)<br>Section 31(2)(c)(ii) |
| 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)

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.

10. The framework developer will decide the balance of credits between occupational competencies and relevant technical knowledge qualifications. However the framework must specify: Section 31(2)(a)

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

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

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.

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;

Section 31(2)(b)  
Section 31(2)(c)(ii)

the learning content must be achieved through:

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

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,

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.

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.

Section 31(2)(a)  
Section 31(2)(c) (ii)  
and (iii)

13. Where a qualification contained in an apprenticeship framework refers to a national framework (such as the CQFW, RQF or SCQF), it

Section 31(2)(a)

must be identified by  
Title, Level and where  
applicable the  
Qualification  
Reference Code.

14. A framework must  
be reviewed  
periodically to ensure  
it is current and  
continues to meet the  
needs of the sector.

Section 31(2)(a)

15. A framework must  
carry both the date of  
its issue and the date  
by which it will be  
formally reviewed.

Section 31(2)(a)

16. A qualification for  
occupational  
competence must test  
the ability to carry out  
activities to the  
standards required for  
that occupation.

Section 31(2)(a)

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|-----------------------------------------------------|--------------------------|
| <i>Additional<br/>occupational<br/>requirements</i> | <i>Section reference</i> |
|-----------------------------------------------------|--------------------------|

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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

Section 31(2)(a)

independent  
assessment where  
attainment is not  
measured by means of  
a qualification.

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)

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| <i>Foundation apprenticeship frameworks (Level 2) - qualifications related to the sector</i> | <i>Section reference</i> |
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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

Section 31(2)(c)(ii)

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.

22. A foundation  
 apprenticeship  
 framework must  
 identify either:

Section 31(2)(a)  
 Section 31(2)(c)(iii)

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<br>apprenticeship<br>framework must<br>specify as a Welsh<br>certificate requirement<br>the expected<br>achievement levels of | Section 31(2)(c)(i)      |

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.

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)

- 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 qualification(s) attained are at Level 1

or above.

And for Application of  
Number:

- a. GCSE or iGCSE qualification in Mathematics to at least grade G (Level 1 equivalent); or
- b. O Level qualification in Mathematics to at least grade E; or
- c. A/AS Level qualification in Mathematics to at least grade E; or
- d. SCQF Level 4 – Numeracy Core Skill (Graphical Information and Using Number); or
- e. SQA National 4 Mathematics; or
- f. Functional Skills or Key Skills numeracy qualifications in Mathematics provided the proxy qualification(s) attained are at Level 1 or above.

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.

Section 31(2)(c)(i)

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*On-the-job and off-the-job training*      *Section reference*

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26. A foundation apprenticeship framework must specify the total

Section 31(2)(b)

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.

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. Section 31(2)(b)

28. A foundation apprenticeship framework must specify the total number of on-the-job learning hours that an apprentice must receive to complete the framework. Section 31(2)(b)

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)

a. whilst working under an apprenticeship agreement; or

b. during a qualifying

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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.

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| <i>Apprenticeship frameworks (Level 3) – qualifications related to the sector</i> | <i>Section reference</i> |
|-----------------------------------------------------------------------------------|--------------------------|

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| <p>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.</p> | <p>Section 31(2)(c)(iii)</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|

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|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| <p>32. An apprenticeship framework at Level 3 must identify a technical knowledge qualification which must be achieved by</p> | <p>Section 31(2)(c)(ii)</p> |
|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------|

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.

33. An apprenticeship framework must identify either:

Section 31(2)(a)  
Section 31(2)(c)(iii)

- a. an occupational competencies qualification at Level 3 and a separate technical knowledge qualification; or
- 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 | Section 31(2)(c)(i)      |

industry.

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.

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)

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*On-the-job training and off-the-job training*      *Section reference*

37. Requirements are as for a foundation apprenticeship framework at Level 2.

Section 31(2)(b)

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*Higher apprenticeship frameworks (Levels 4 – 7) - qualifications related to the sector*      *Section reference*

38. A higher apprenticeship framework must identify the

Section 31(2)(c)(iii)

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)(ii)

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.

40. A higher apprenticeship framework must identify either:

Section 31(2)(a)  
Section 31(2)(c)(iii)

a. an occupational competencies qualification and a separate technical knowledge qualification at a minimum of Level 4; or

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.

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| <i>Essential Skills</i>                                             | <i>Section reference</i> |
|---------------------------------------------------------------------|--------------------------|
| 41. Requirements are as for an apprenticeship framework at Level 3. | Section 31(2)(c)(i)      |

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| <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)         |

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