
Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2016, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 4

THE INSTITUTE FOR APPRENTICESHIPS

5 For section A2 (approved apprenticeship standards) substitute—

“Publication of standards and assessment plans

A2 Apprenticeship standards and assessment plans

- (1) The IfA must publish—
 - (a) standards for such sectors of work as the IfA considers appropriate for the purposes of this Chapter, and
 - (b) assessment plans in respect of published standards.
- (2) Each standard must—
 - (a) describe the sector of work to which it relates, and
 - (b) if there is more than one standard for the sector, describe the kind of work within the sector to which it relates.
- (3) Each standard must set out the outcomes that persons seeking to complete an approved English apprenticeship are expected to attain in order to achieve the standard.
- (4) An assessment plan in respect of a standard is a plan in accordance with which a person's attainment of the outcomes set out in the standard is to be assessed.
- (5) Each assessment plan must—
 - (a) specify the standard to which it relates, and
 - (b) set out the proposed arrangements for evaluating the quality of any assessment provided for by the plan.
- (6) The following provisions supplement the provision made by this section—
 - section A2A makes provision about the preparation of apprenticeship standards and assessment plans;
 - sections A2B to A2D make provision related to ensuring the quality of apprenticeship assessments;
 - sections A2E and A2F make provision about the review, revision and withdrawal of apprenticeship standards and assessment plans;
 - section A2G makes provision for independent examinations of apprenticeship standards and assessment plans;
 - section A2H makes provision about the maintenance of a published list of apprenticeship standards and assessment plans;

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section A2I provides for the automatic transfer to the IfA of copyright in apprenticeship standards and assessment plans.

A2A Preparation of apprenticeship standards and assessment plans

- (1) Each standard or assessment plan published under section A2 must have been prepared by a group of persons and approved by the IfA.
- (2) The group of persons that prepared a standard or assessment plan published under section A2 must have been approved by the IfA for the purposes of this section.
- (3) The IfA may provide advice or assistance to a group of persons in connection with the preparation of a standard or assessment plan.
- (4) The IfA must publish—
 - (a) information about matters that it takes into account when deciding whether or not to approve standards or plans for the purposes of subsection (1);
 - (b) information about matters that it takes into account when deciding whether or not to approve groups of persons for the purposes of subsection (2).
- (5) When making a decision of the kind mentioned in subsection (4)(a) or (b) in a particular case, the IfA may also take into account such other matters as it considers appropriate in the case in question.
- (6) Information published under subsection (4) may be revised or replaced, and the IfA must publish under that subsection any revised or replacement information.

Quality assurance

A2B Evaluation of quality of apprenticeship assessments

- (1) The IfA 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.
- (2) “Apprenticeship assessment” means the assessment of a person's attainment of the outcomes set out in the standard to which the assessment plan relates.
- (3) For the purposes of subsection (1) the IfA may approve or make arrangements for other persons to carry out evaluations.

A2C Unsatisfactory apprenticeship assessments

- (1) If the IfA 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 IfA may, in consequence of a review, make arrangements for the purpose of improving the quality of the assessment to which the review relates.

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- (3) If the IfA—
 - (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 co-operate 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 IfA 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 IfA may publish a report under subsection (3).

A2D Committee to advise on quality evaluations etc

- (1) The IfA may establish a committee with—
 - (a) the function of giving the IfA 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 IfA.
- (2) A majority of the members of the committee—
 - (a) must be persons who appear to the IfA to have experience of the assessment of education or training, and
 - (b) must not be members of the IfA.
- (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.

Review, revision and withdrawal

A2E Regular reviews of published standards and assessment plans

- (1) The IfA must maintain arrangements for the review at regular intervals of each standard or assessment plan published under this Chapter, with a view to determining whether the standard or plan ought to be revised or withdrawn.
- (2) In respect of each standard or assessment plan published under this Chapter, the IfA must publish information about the intervals at which those reviews are to be conducted.

A2F Revision or withdrawal of published standards and assessment plans

- (1) The IfA may—
 - (a) publish a revised version of a standard or assessment plan published under this Chapter, or
 - (b) withdraw a standard or assessment plan published under this Chapter (with or without publishing another in its place).

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- (2) Section A2A applies in relation to a revised version of a standard or plan published under this section as it applies in relation to a standard or plan published under section A2.

Other provisions about English approved apprenticeships

A2G Examinations by independent third parties

- (1) Before the IfA approves a standard or assessment plan for the purposes of section A2A(1) it must make arrangements for the carrying out of an examination of the standard or plan by an independent third party.
- (2) The duty imposed by subsection (1) does not apply in relation to a revised version of a standard or assessment plan, but the IfA may, for the purposes of a review under section A2E or at any other time, make arrangements for the carrying out of an examination of a standard or assessment plan by an independent third party.
- (3) Where an examination of a standard or assessment plan is carried out under this section, the IfA must take account of the finding of the examination in exercising its functions in relation to the standard or plan under this Chapter.
- (4) Nothing in subsection (1) prevents the IfA deciding to reject a standard or assessment plan without first making arrangements for the carrying out of an examination by an independent third party.

A2H List of published standards and assessment plans

- (1) The IfA must maintain a list of the standards and assessment plans published by it under this Chapter.
- (2) In respect of each standard and plan listed (including any revised version), the list must include details of when it comes into force.
- (3) Where a revised version is listed, the list must include a general description of the cases to which the revised version applies.
- (4) Where a standard or plan has been withdrawn, the list must include details of when the withdrawal comes into force and a general description of the cases to which it applies.
- (5) The IfA must secure that the list is available free of charge at all reasonable times.

A2I Transfer of copyright in standards and assessment plans

- (1) This section applies where—
- (a) a standard or assessment plan is approved by the IfA under section A2A, and
 - (b) a person (other than the IfA) is entitled, immediately before the time the approval is given, to any right or interest in any copyright in the standard or plan.

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- (2) The right or interest is, by virtue of this section, transferred from that person to the IfA at the time the approval is given.
- (3) The IfA must ensure that a standard or assessment plan in relation to which a right or interest has transferred by virtue of subsection (2) is made available to the public, subject to any conditions that the IfA considers appropriate.”

Commencement Information

II Sch. 4 para. 5 in force at 1.4.2017 by S.I. 2017/346, reg. 2(a)

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