

Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Bill [HL]

RUNNING LIST OF ALL AMENDMENTS IN GRAND COMMITTEE

*Tabled up to and including
14 November 2024*

The amendments are listed in accordance with the following Instruction –

Clause 1	Clause 3
Schedule 1	Schedule 3
Clause 2	Clauses 4 to 13
Schedule 2	Title

[Amendments marked ★ are new or have been altered]

Clause 1

BARONESS BARRAN

Baroness Barran gives notice of her intention to oppose the Question that Clause 1 stand part of the Bill.

Clause 2

BARONESS BARRAN

Baroness Barran gives notice of her intention to oppose the Question that Clause 2 stand part of the Bill.

Clause 3

BARONESS BARRAN

Baroness Barran gives notice of her intention to oppose the Question that Clause 3 stand part of the Bill.

Clause 4

LORD ABERDARE
BARONESS WOLF OF DULWICH
LORD HAMPTON
LORD STOREY

Clause 4, page 2, line 3, at end insert—

“(3ZA) Within six months of the day on which the Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2024 is passed, the Secretary of State must publish criteria for selecting membership of a group of persons described in subsection (3).”

Member's explanatory statement

This amendment, and a similar amendment to Clause 5, requires the Secretary of State to publish criteria for selecting members of a “group of persons”, which is not otherwise defined. The 2009 Act states that the “group of persons ... must have been approved by the Institute”.

BARONESS BARRAN

★ Clause 4, page 2, line 3, at end insert—

“(3ZA) Membership of a group of persons described in subsection (3) must include representatives from—

- (a) employers,
- (b) mayoral combined authorities,
- (c) local skills improvement partnerships, and
- (d) sector skills councils.”

Member's explanatory statement

The “group of persons” consulted regarding standards must include those listed.

BARONESS BARRAN

★ Clause 4, page 2, leave out lines 4 to 6

Member's explanatory statement

This amendment removes the Secretary of State's power to prepare standards without external input.

LORD ABERDARE

Clause 4, page 2, line 4, after “standard” insert “in consultation with the relevant industry skills and standards setting body”

Member's explanatory statement

This amendment ensures that apprenticeship standards are informed by consultation with industry skills and standard setting bodies in the absence of IfATE.

LORD ABERDARE
BARONESS WOLF OF DULWICH
LORD HAMPTON
LORD STOREY

Clause 4, page 2, line 6, at end insert –

“(3B) Within six months of the day on which the Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2024 is passed, the Secretary of State must publish criteria describing the circumstances in which they would exercise their power to prepare a standard under subsection (3A).”

Member's explanatory statement

This amendment, and a similar amendment to Clause 5, requires the Secretary of State to publish criteria clarifying the circumstances in which they would use the power to prepare an apprenticeship standard, rather than using a group of persons.

LORD ABERDARE

Clause 4, page 2, line 10, after “persons” insert “including a person from the relevant industry skills and standards setting body”

Member's explanatory statement

This amendment ensures that any group of persons preparing an apprenticeship standard must include the relevant industry skills and standard setting body in the absence of IfATE.

Clause 5

LORD ABERDARE
BARONESS WOLF OF DULWICH
LORD HAMPTON
LORD STOREY

Clause 5, page 2, line 24, at end insert –

“(6ZA) Within six months of the day on which the Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2024 is passed, the Secretary of State must publish criteria for selecting membership of a group of persons described in subsection (6).”

Member's explanatory statement

This amendment, and a similar amendment to Clause 4, requires the Secretary of State to publish criteria for selecting members of a “group of persons”, which is not otherwise defined. The 2009 Act states that the “group of persons ... must have been approved by the Institute”.

BARONESS BARRAN

★ Clause 5, page 2, line 24, at end insert –

“(6ZA) Membership of a group of persons described in subsection (6) must include representatives from –

- (a) employers,
- (b) mayoral combined authorities,
- (c) local skills improvement partnerships, and
- (d) sector skills councils.”

Member's explanatory statement

The “group of persons” consulted regarding apprenticeship assessment plans must include those listed.

BARONESS BARRAN

★ Clause 5, page 2, leave out lines 25 to 27

Member's explanatory statement

This amendment removes the Secretary of State’s power to prepare apprenticeship assessment plans without external input.

LORD ABERDARE

Clause 5, page 2, line 25, after “plan” insert “in consultation with the relevant industry skills and standards setting body”

Member's explanatory statement

This amendment ensures that apprenticeship assessment plans are informed by consultation with industry skills and standard setting bodies in the absence of IfATE.

LORD ABERDARE
BARONESS WOLF OF DULWICH
LORD HAMPTON
LORD STOREY

Clause 5, page 2, line 27, at end insert –

“(6B) Within six months of the day on which the Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2024 is passed, the Secretary of State must publish criteria describing the circumstances in which

they would exercise their power to prepare an apprenticeship assessment plan under subsection (6A).”

Member's explanatory statement

This amendment, and a similar amendment to Clause 4, requires the Secretary of State to publish criteria clarifying the circumstances in which they would use the power to prepare an apprenticeship assessment plan, rather than using a group of persons.

LORD ABERDARE

Clause 5, page 2, line 32, after “persons” insert “including a person from the relevant industry skills and standards setting body”

Member's explanatory statement

This amendment ensures that any group of persons preparing an apprenticeship assessment plan must include the relevant industry skills and standard setting body in the absence of IfATE.

Clause 6

LORD HAMPTON
LORD ABERDARE
BARONESS BARRAN

The above named Lords give notice of their intention to oppose the Question that Clause 6 stand part of the Bill.

After Clause 8

LORD LUCAS
BARONESS GARDEN OF FROGNAL

After Clause 8, insert the following new Clause—

“Review: Chief Skills Adviser

Within six months of the day on which this Act is passed, the Secretary of State must lay before Parliament a review of the impact of this Act on the case for creating the role of Chief Skills Adviser, with responsibility for advising Government and reporting to Parliament on the state of skills needs in the economy.”

LORD STOREY
LORD ABERDARE
LORD HAMPTON

After Clause 8, insert the following new Clause—

“Report: functions transferred to the Secretary of State

Within six months of the day on which this Act is passed and annually thereafter, the Secretary of State must lay before Parliament a report, explaining how they have discharged the functions transferred to them by virtue of this Act.”

Member's explanatory statement

This amendment requires the Secretary of State to lay a report before Parliament at regular intervals detailing how they have used powers transferred to them by virtue of the Act.

LORD ADDINGTON

After Clause 8, insert the following new Clause—

“Report: effect on other Government departments

Within six months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report on the impact of this Act on the remits of all government departments.”

Member's explanatory statement

The amendment requires the Secretary of State to lay before Parliament a report detailing the impact of the Act on the remits of all government departments.

LORD ABERDARE
LORD HAMPTON
LORD STOREY

After Clause 8, insert the following new Clause—

“Report: engagement with other bodies

Within six months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report explaining how they have engaged with the following bodies when discharging the functions transferred to them by virtue of this Act—

- (a) the Industrial Strategy Advisory Council;
- (b) the Migration Advisory Council;
- (c) sector skills councils and industrial partnerships;
- (d) employer representative bodies;
- (e) education and training providers;
- (f) Mayoral combined authorities;
- (g) Government departments;

- (h) the Scottish Government;
- (i) the Welsh Government;
- (j) the Northern Ireland Executive;
- (k) trade unions.”

Member's explanatory statement

This amendment requires the Secretary of State to report on how they have engaged with the various other bodies involved with the functions being transferred from IfATE, all of which play an important part in delivering those functions effectively.

LORD STOREY
BARONESS GARDEN OF FROGNAL

After Clause 8, insert the following new Clause—

“Draft proposals for establishing new Executive Agency

- (1) Within six months of the day on which this Act is passed, the Secretary of State must lay a document before Parliament with draft proposals for the establishment of a new executive agency responsible for the powers transferred under this Act.
- (2) The executive agency in the document must be called “Skills England”.
- (3) Forty days after the document has been laid, the Secretary of State must table a motion for resolution concerning the document in each House of Parliament.
- (4) If the draft proposals are rejected by either House of Parliament, the Secretary of State must lay a document with revised proposals before Parliament within a period of six months and table a motion for resolution concerning the document in each House of Parliament after forty days.
- (5) The Secretary of State may not establish an executive agency to carry out the functions transferred under this Act until draft proposals for the executive agency, following the procedure in subsection (3) or (4), have passed a motion for resolution in both Houses of Parliament.
- (6) If such an executive agency is established, the Secretary of State must make an annual statement in each House of Parliament on the work of the agency.”

LORD ADDINGTON

After Clause 8, insert the following new Clause—

“Report on Implementation of Schemes for Individuals with Disabilities or Special Educational Needs Following Transfer of Powers

Six months after the day on which this Act is passed, the Secretary of State must lay before Parliament a report detailing how they have carried out the functions transferred to them under this Act concerning schemes previously administered by the Institute for Apprenticeships and Technical Education involving individuals with a registered disability or special educational needs.”

Member's explanatory statement

This amendment requires the Secretary of State to publish a report within six months of the Act's passage detailing how they have continued schemes for individuals with disabilities or special educational needs, currently administered by the IfATE, once the powers have been transferred.

LORD KNIGHT OF WEYMOUTH
LORD STOREY
LORD BLUNKETT
LORD ABERDARE

After Clause 8, insert the following new Clause—

“Reporting requirements for the Secretary of State

Within 12 months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report on the use of their powers under this Act and their effect on—

- (a) the identification of skills gaps and how to address them;
- (b) the provision and funding of training to meet the skills needs of employers;
- (c) the development of occupational standards;
- (d) work with regional and local bodies to improve the skills of the workforce in England.”

BARONESS BARRAN

★ After Clause 8, insert the following new Clause—

“Report: Approval of new technical education qualifications

Within six months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report on mechanisms for employers to apply for the approval of new technical education qualifications.”

Member's explanatory statement

This amendment clarifies the route employers will take to approve new technical education qualifications.

BARONESS BARRAN

★ After Clause 8, insert the following new Clause—

“Report: timetable for creation of end-point assessments

On the day on which the Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2024 is passed, the Secretary of State must lay before Parliament a report on the timetable for the creation of end-point assessments.”

Member's explanatory statement

This places a duty on the SoS to consider the creation of end-point assessments because the impact assessment indicates there will be delays as the powers are transferred.

BARONESS BARRAN

★ After Clause 8, insert the following new Clause—

“Report: timetable for approval of new technical education qualifications

On the day on which the Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2024 is passed, the Secretary of State must lay before Parliament a report on the timetable for the creation of new technical education qualifications.”

Member's explanatory statement

This amendment places a duty on the Secretary of State to consider the approval of new technical education qualifications because the impact assessment indicates there will be delays as the powers are transferred.

BARONESS BARRAN

★ After Clause 8, insert the following new Clause—

“Duty to consult local skills improvement partnerships

Before exercising their powers under this Act, the Secretary of State must consult local skills improvement partnerships, mayoral combined authorities and other relevant employer related groups about the introduction and number of new technical education qualifications.”

Clause 9

BARONESS GARDEN OF FROGNAL
LORD ABERDARE

Clause 9, page 3, line 35, leave out subsection (2)

Member's explanatory statement

This amendment removes the power for consequential changes to be made by delegated legislation to Acts other than those specified in the provisions of the Act.

LORD ADDINGTON

Clause 9, page 4, line 11, at beginning insert “Subject to section (Regulations),”

Member's explanatory statement

This amendment and another in the name of Lord Addington ensures that all new statutory instruments made in the six months following the passing of the Act must follow affirmative procedures.

After Clause 9

LORD ADDINGTON

After Clause 9, insert the following new Clause—

“Regulations

For six months after the day on which this Act is passed, a statutory instrument containing (alone or with other provisions) regulations under this Act may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

Member's explanatory statement

This amendment and another in the name of Lord Addington ensures that all new statutory instruments made in the six months following the passing of the Act must follow affirmative procedures.

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PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS