

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

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

The amendments have been marshalled in accordance with the Instruction of 27th January 2025, as follows –

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]

**Amendment
No.**

Clause 4

BARONESS BARRAN
LORD ABERDARE

- 1** Clause 4, page 2, line 6, at end insert –
- “(3B) A group of persons under subsection (3) must include a representative from an organisation that is the representative body for a sector.”

BARONESS BARRAN
LORD HAMPTON

- 2** Clause 4, page 2, line 6, at end insert –
- “(3B) When approving a standard under subsection (3), the Secretary of State must have regard to the reasonable requirements of –
- (a) industry, commerce, finance, professions and other employers regarding education and training, and
 - (b) persons who may wish to undertake education and training.”

BARONESS SMITH OF MALVERN

3 Clause 4, page 2, line 14, at end insert –

“(4A) In subsection (7), after paragraph (a) insert –

“(aa) information about matters that the Secretary of State takes into account in deciding whether it would be more appropriate for a standard to be prepared by the Secretary of State than by a group of persons for the purposes of subsection (3A);”.

Member's explanatory statement

This amendment requires the Secretary of State to publish information about the matters that will be taken into account in deciding whether it would be more appropriate for a standard to be prepared by the Secretary of State than by a group of persons.

Clause 5

BARONESS BARRAN
LORD ABERDARE

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

“(6B) A group of persons under subsection (6) must include a representative from an organisation that is the representative body for a sector.”

BARONESS BARRAN
LORD HAMPTON

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

“(6B) When approving a standard under subsection (6), the Secretary of State must have regard to the reasonable requirements of –

- (a) industry, commerce, finance, professions and other employers regarding education and training, and
- (b) persons who may wish to undertake education and training.”

BARONESS SMITH OF MALVERN

6 Clause 5, page 2, line 38, at end insert –

“(5) In subsection (10), after paragraph (a) insert –

“(aa) information about matters that the Secretary of State takes into account in deciding whether it would be more appropriate for an apprenticeship assessment plan to be prepared by the Secretary of State than by a group of persons for the purposes of subsection (6A);”.

Member's explanatory statement

This amendment requires the Secretary of State to publish information about the matters that will be taken into account in deciding whether it would be more appropriate for an apprenticeship assessment plan to be prepared by the Secretary of State than by a group of persons.

After Clause 8

BARONESS SMITH OF MALVERN

7 After Clause 8, insert the following new Clause—

“Report on exercise of the Secretary of State’s functions

- (1) Within the period of six months beginning with the day on which section 3 comes into force, the Secretary of State must lay before Parliament and publish a report about the exercise of the relevant functions.
- (2) The report must include information about—
 - (a) which of the relevant functions are being exercised through an executive agency known as Skills England, and
 - (b) the impact of the exercise of the relevant functions on apprenticeships and technical education in England.
- (3) In this section “the relevant functions” means the functions conferred or imposed on the Secretary of State by sections 1 and 4 to 7 and Schedule 1.”

Member's explanatory statement

This amendment requires the Secretary of State to lay before Parliament and publish a report about the exercise of functions conferred or imposed on the Secretary of State by this Bill. The report must be laid and published within six months of the abolition of the Institute for Apprenticeships and Technical Education.

LORD STOREY
LORD ABERDARE

8 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;
- (e) the uptake of apprenticeships;
- (f) the provision of employability and new technical education qualifications;

- (g) progress made, if any, on the establishment of new arms-lengths bodies responsible for discharging relevant duties relating to skills.”

BARONESS BARRAN

9 After Clause 8, insert the following new Clause –

“Creation of Skills England

- (1) A body corporate known as Skills England is established to carry out the functions transferred to the Secretary of State under this Act.
- (2) At the end of the period of one year beginning with the day on which this Act is passed, the Secretary of State must transfer to Skills England all the functions transferred from the Institute for Apprenticeships and Technical Education under this Act.
- (3) Nothing in this section prevents the Secretary of State from transferring more functions to Skills England under other enactments.”

Member's explanatory statement

This amendment would put Skills England on an independent statutory footing rather than as part of the DfE. The role of IfATE would be included in that planned for Skills England.

BARONESS BARRAN
LORD ABERDARE
LORD HAMPTON

10 After Clause 8, insert the following new Clause –

“Framework for Skills England

The Secretary of State must –

- (a) ensure that in performing its functions, Skills England has regard to –
 - (i) the need to ensure that education and training is of an appropriate quality;
 - (ii) the need to ensure that education and training within the remit of Skills England represents good value in relation to financial resources provided out of public funds;
- (b) ensure that Skills England performs its functions efficiently and effectively;
- (c) give notice in writing to Skills England when setting out other matters to which it must have regard when performing its functions;
- (d) publish, in such a manner as they think fit, any notice under paragraph (c), and lay a copy of it before Parliament;
- (e) require Skills England to prepare, as soon as reasonably practicable after the end of each financial year, an annual report which includes –
 - (i) a description of what Skills England has done during the year, including a description of what Skills England has done as a result of any notice given by the Secretary of State under paragraph (c);

- (ii) such other provision as the Secretary of State may direct;
- (f) lay a copy of the annual report under paragraph (e) before Parliament.”

LORD RAVENSDALE

11★ After Clause 8, insert the following new Clause –

“Report on green skills

Six months after the day on which this Act is passed, the Secretary of State must lay before Parliament a report assessing how they plan to carry out the functions transferred to them under this Act to support development of medium- and long-term green skills needed in order contribute to –

- (a) the achievement of the targets set under Part 1 of the Climate Change Act 2008,
- (b) the achievement of the targets set under Sections 1 to 3 of the Environment Act 2021, and
- (c) the adaptation to current or predicted impacts of climate change identified in the most recent report under section 56 of the Climate Change Act 2008.”

LORD RAVENSDALE

12★ After Clause 8, insert the following new Clause –

“Report on delivery for national, regional and local priorities

Six months after the day on which this Act is passed, the Secretary of State must lay before Parliament a report –

- (a) determining the scope and level of investment of the growth and skills levy to meet national, regional and local priorities,
- (b) assessing the co-ordination of local skills improvement plans in meeting those objectives, and
- (c) assessing to what extent the functions transferred to them under this Act support those areas which do not have a devolution deal.”

Clause 9

LORD ADDINGTON

13 Clause 9, page 4, line 11, at beginning insert “Subject to subsection (6),”

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

14 Clause 9, page 4, line 13, at end insert –

“(6) For 6 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.

Clause 11BARONESS BARRAN
BARONESS WOLF OF DULWICH

15 Clause 11, page 4, line 22, leave out “on such day as the Secretary of State may by regulations appoint” and insert “at the end of the period of one year beginning on the day on which Skills England is created”

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