

LIVERY COMPANIES SKILLS COUNCIL RESPONSE

To

**BIS consultation on preventing misuse of the term ‘apprenticeship’
in relation to unauthorised training, issued on 29 July 2015**

(Questions as set out in Annex 2 to the Consultation document)

Question 1: Are you aware of any instances of the term ‘apprenticeship’ being used to advertise courses other than apprenticeships eligible for Government funding?

Yes

Question 2: If ‘yes’, please provide any additional detail of such instances that might be relevant, particularly if it can help to indicate the scale of the issue.

2.1. The Livery Companies of the City of London (The Livery) have been encouraging and supporting apprenticeships for hundreds of years. Many Livery Companies continue to offer their own longstanding apprenticeship schemes which would not fit in with the Government’s proposed definition. The Livery supports around 2,000 apprenticeships a year. John Hayes MP when in the government as Skills Minister cited the Livery (also known as Guilds) as exemplars of good practice in support of skills.

2.2. The Livery also runs the Livery Companies Apprenticeship Scheme which received government funding through the Government’s Employer Ownership of Skills Pilot Scheme. It continues in operation with new apprentices currently funded entirely from private sources. Approximately 70 apprenticeships are supported through this scheme. It should be noted that this scheme differs in several important areas of detail from that of the current Trailblazer schemes and would not fit entirely within the government’s proposed definition of an ‘apprenticeship’.

2.3. The Livery runs the Master Certificate Scheme which promotes life-long career progression from Apprenticeships, through Journeyman to full recognition at the Master-level. At the entry level, young people who have achieved a level 2 qualification (not necessarily through a government apprenticeship programme) and who meet other Livery criteria, are encouraged to seek recognition by the appropriate Livery Company as a their Livery Apprentice and to commit themselves to work towards the Journeyman level. This scheme is well established with presentations made annually by the Lord Mayor of the City of London.

Question 3: Are there any unintended consequences that may arise as a result of this proposal?

Yes

Question 4: If ‘yes’, please provide details of what unintended consequences there may be?

4.1. It seems likely that the proposed definition of apprenticeships will be subject to continual change in response to changes in government policy. This is likely to create a great deal of uncertainty. For example, it cannot be assumed that the current requirements of the Apprenticeship Trailblazer Quality Statement, which appear to underpin the proposed definition, will be enduring.

4.2. In respect of the quoted “March 2015 Quality Statement” (para 19), whilst adequate levels of communication and numeracy are essential, we do not agree that an apprentice “must” achieve formal qualifications in English and Maths at level 2. An apprenticeship should have the flexibility to allow for the learning of these skills in context, on the job, in response to employers needs. We suggest adding the caveat “...at level 2 or equivalent”.

4.3. Also in respect of the quoted “March 2015 Quality Statement”, (para 19), we believe it is too prescriptive to impose a blanket requirement for 20% of employed time to be spent on off-the-job training, particularly in respect of longer-duration apprenticeships (eg three-year apprenticeships) or in the case of higher-level apprenticeships.

4.4. Any definition must allow for a traditional apprenticeship whereby knowledge and skills are developed in the workplace under the direct supervision of an experienced ‘master of the craft.’ This is particularly relevant to specialist crafts undertaken by experienced craftsmen working as sole traders or in micro-businesses.

4.5. The consultation (para 29) envisages a ‘light touch’ approach to enforcement, with the sanction of a fine following prosecution in the Magistrates Court. Experience of measures to crack down on dubious Higher Education courses, used by some overseas students as a means of circumventing immigration regulations, demonstrates that what should have been a ‘light touch’ process to determine what are and what are not *bona fide* courses, in practice, became a lengthy and highly bureaucratic assessment of an institution’s eligibility to be able to enrol overseas students (“Highly Trusted Status”).

Do you have any other comments that might aid the consultation process as a whole?

Please use this space for any general comments that you may have, comments on the layout of this consultation would also be welcomed.

Comments:

5.1 We are concerned that by attempting to stamp out potential misuse by training providers of the term ‘apprenticeship’, the government runs the risk of damaging a relationship spanning hundreds of years that has existed between employers and those who wish to take up their craft or trade. Within the Livery movement we would not want to see this traditional relationship that is focused on well recognised handicrafts and trades to be restricted by a statutory detailed definition of an apprenticeship.

5.2. The Oxford English Dictionary defines an apprentice as "a learner of the craft bound by legal agreement to serve an employer for a period of years with a view to learning some handicraft, trade etc, in which the employer is reciprocally bound to instruct him". It goes on to define an apprenticeship as "the position of an apprentice or the period for which an apprentice is bound". Within these definitions there is no mention of training providers but there is mention of handicraft, trade and employer.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Acknowledge receipt **Yes please.**