

Sector Developments

FE Commissioner is appointed

Dr David Collins CBE, has been appointed as the first 'FE Commissioner'. Dr Collins is a former principal of a college that was graded 'outstanding', a former president of the Association of Colleges and a former chief executive of the Learning and Skills Improvement Service (LSIS). The proposal to establish the FE Commissioner post was part of the government's 'Rigour and Responsiveness' policy document that was launched earlier this year. This document signaled the government's intention to be much tougher on failing colleges (and was presumably intended to be some sort of counter balance to their earlier 'Freedoms and Flexibilities' document). The FE Commissioner's brief is to lead on college interventions, with the aim of turning around a failing college within the relatively short timeframe of one year. A college is deemed to be failing if it is:

- Graded as inadequate by Ofsted.
- Facing serious financial difficulties.
- Unable to achieve minimum levels of performance and/or other student related targets.

Dr. Collins will report directly to ministers and his two-year fixed term post comes with significant powers, including the authority to:

- Recommend to ministers that a failing college be closed.
- Confer 'Administered' status (not to be confused with 'Chartered' status), on a college, which means that the power of the college to recruit and dismiss staff, to incur expenditure and to transfer or dispose of college assets, is taken away.
- Recommend the removal of some, or all, of the members of the college governing body.

Dr Collins will be supported in his new role by a team of 'FE Advisers', who have already been appointed. These are:

- Marilyn Hawkins: A former chair of the 157 Group and a former principal of Barnet and Southgate College.
- Malcolm Cooper: Managing director and owner of MCA Cooper Associates.
- Lynn Forrester-Walker: Director of Quality4fe, which is part of the FE Solutions confederation.
- David Williams: Director of Education Management Consultancy at W3 Advisory Limited.
- Joanna Gaukroger: Director of J2J Partnership Limited and a former principal of Tower Hamlets College, and Kensington and Chelsea College.

Commenting on his appointment, Dr Collins said that when he has been involved with colleges in difficulty, he has 'always found a positive response to quality improvement' and that he 'was confident that all those involved in this new approach will play their full part in ensuring that, in the interests particularly of learners and stakeholders, difficulties are quickly and effectively resolved and the quality of provision is significantly improved'.

Report of the Skills Commission inquiry into FE Intervention

Meanwhile, the Skills Commission has published a report entitled '*Move to Improve*'. Although you might be forgiven for thinking that this might be something to do with the 'Healthy Colleges' project, it is in fact the product of a six-month inquiry into aspects of intervention in FE. By way of background to all this, the Skills Commission (not to be confused with the UK Commission on Employment and Skills) was one of the last gasp initiatives of the now defunct LSIS. The Commission was set up with funds provided by LSIS and is co-chaired by Dame Ruth Silver (who was also chair of LSIS) along with Barry Sheerman MP (who arranged for the report to be launched in the House of Commons). The Commission appointed Matt Atkinson, the Principal and Chief Executive of City of Bath College, and a former board member of LSIS, to head up the steering group that conducted the inquiry, who was given the brief 'to look at examples of intervention best practice across the wider public sector in order to highlight shortcomings in the current FE

governance architecture’.

The report of the steering group contains 10 recommendations. These are as follows:

- ‘College corporations should adopt better scrutiny procedures, become more self-critical in assessing how they perform their role, and ensure they are giving adequate attention to the quality of their provision as well as their finances’.
- ‘The Department for Business, Innovation and Skills (BIS) should clarify and communicate the respective roles and responsibilities of sector bodies in the emerging system’.
- ‘Better early warning signals need to be developed and shared across the system to allow early and pre-emptive interventions to take place’.
- ‘Ofsted, in consultation with the Association of Colleges (AoC) and the 157 Group, should examine the Care Quality Commission (CQC) and the Quality Assurance Agency (QAA) models of inspection, with a view to including greater stakeholder engagement in the assessment of learning and skills providers’.
- ‘The Education and Training Foundation (ETF) should develop a programme similar to the ‘National Leaders of Education’ programme, that accredits successful principals and governors and deploys them to assist struggling colleges and other providers’.
- ‘Colleges should take forward the recommendations of the LSIS *Design for Improvement* project on how to involve learners and other service users, in the intervention process’.
- ‘The Skills Commission should research examples of self-intervention within FE providers and these should be widely disseminated’.
- ‘Ofsted should consider grading a college as *inadequate* if it fails to show any signs of improvement between its first and second *requires improvement* judgment’.
- ‘Given Ofsted’s move into providing support for improvement, we encourage Ofsted to publish an early evaluation of the impact of the support services to those providers that require improvement’.
- ‘The Education and Training Foundation should research and monitor processes of embedding and evaluating interventions that take place in colleges, with a view to sharing best practice’.

In launching the report, Matt Atkinson said that the inquiry ‘has shown that, in many instances, the FE sector intervenes effectively, ensures quality consistently and, in doing so, outperforms other public service sectors’, but he went on to say that ‘our report also demonstrates that further reform is still needed’, adding that ‘as we move forward in this new landscape, we must keep our eyes fixed firmly upon ensuring quality of provision and preventing failure’.

Report of the Skills Commission on Careers Guidance in schools

The Skills Commission has also recently published a report called report on careers guidance in schools called, ‘*One System, Many Pathways*’, commissioned by the co-chairs of the Commission, Barry Sheerman MP and Dame Ruth Silver. The report follows in the wake of earlier reports by Ofsted and the House of Commons Education Select Committee, that show that since schools took over responsibility for providing careers advice in 2012, there has been a marked deterioration in both the quality of careers advice provided to school pupils and the impartiality of the advice they are given. Key findings contained in the Skills Commission report include the following:

- ‘The DfE must immediately acknowledge the crisis in information, advice, and guidance, and undertake a full review of provision’.
- ‘A range of sources must be available to all learners before the age of 14, their parents, carers and guardians, alongside access to trained advisors’
- ‘Real choice for all learners is firstly about creating the range of options within the system to cater for the diversity of learners. However, these options are irrelevant if young people and those who guide them are not given adequate information about the options available, or not advised on what is right for each learner’.
- ‘Teachers are not trained to offer employment advice, and cannot be expected to understand what all careers entail, or even recognise how a particular aptitude might translate into a perfect career option’.

Confederation of British Industry (CBI) survey on Careers Guidance

The Skills Commission Report was published at the same time as the publication of the results of a survey commissioned by the CBI of 2000 14-25 year-olds, that showed that only 26% of them were given information on apprenticeships and only 17% were given advice on vocational qualifications. The survey, conducted using the 'Barclays Youth Barometer', which measures young people's aspirations, also found that only 9% received advice on starting their own business, and that 12% had received no careers advice at all.

Commenting on the survey findings Neil Carberry, the CBI director for Employment and Skills policy, claimed that 'Careers guidance in England's schools is heading towards a cliff-edge' and went on to say that 'Advice is scarce for young people not interested in being funneled towards A Levels and university and exciting, potential life-changing career alternatives are being lost'. He added that 'There is a worrying shortage of skills in some of our key industries and if we don't give young people the information they need to find apprenticeships or sign up to high-quality vocational training, this will only get worse'. Meanwhile, the Association of Colleges (AoC) has launched a 'Careers Advice: Guaranteed' campaign to focus further attention on the issue.

Secretary of State for BIS appointed as 'Principal Regulator'

The Secretary of State for BIS, Vince Cable, has been appointed as the 'Principal Regulator' for all FE corporations in England. This does not mean that Dr Cable will henceforth be keeping a close eye on what college principals get up to. It means that, since colleges enjoy charitable status, he now assumes responsibility for ensuring that members of college corporations comply with their legal obligations as charity trustees. According to the guidance given by the Charity Commission, college corporations must:

- 'Act reasonably and responsibly in all matters relating to the charity'.
- 'Act in the best interests of the charity and manage any conflicts of interest'.
- 'Apply the income and property of the charity only for the purposes set out in the governing document'.
- 'Protect all the property of the charity'.
- 'Invest the funds of the charity only in accordance with their powers of investment'.
- 'Regularly review the effectiveness of the charity'.

BIS, acting on behalf of the Principal Regulator (Vince Cable), and with the support of the Skills Funding Agency (SFA), will continue to apply its 'usual processes' for monitoring the activities of FE corporations. In addition to this, the Chief Executive of SFA, who is currently directly accountable to Parliament for the use of its grant allocation, will instead become accountable to the BIS Secretary of State. The SFA is required to be able to demonstrate 'that there are effective systems in place to monitor the use of funds granted', and is accountable to the Principal Regulator for ensuring that those college corporations to which the SFA allocates funds, 'operate in an appropriately controlled manner'. In the event that there should be concerns about the way a corporation is managing its funds, the SFA has the power to initiate an 'Accountability Review'. This will involve an examination of the corporation's internal controls, including those for ensuring 'regularity and propriety', and establishing the extent to which the corporation's reporting and accounting systems are fit for purpose.

Whitehead Review of Adult Vocational Qualifications in England

In March this year, the Commission for Adult Vocational Teaching and Learning published its report entitled '*It's about work...Excellent Adult Teaching and Learning*'. Amongst many other things, the report called for the development of provision that was 'collaborative in nature, promoting a two-way street between providers and employers'. Immediately after the report's publication, the Skills and Enterprise Minister, Matthew Hancock asked Nigel Whitehead, BAE Systems Group Managing Director and a member of the UK Commission for Employment and Skills (UKES), to chair a review of adult vocational qualifications in England. The purpose of the review was stated as being to:

- 'Analyse the current system for vocational qualifications'
- 'Identify the areas that require improvement'
- 'Make recommendations for reform of the vocational qualifications system'

The Commission's report, which was published earlier this month (November), found that the current adult vocational qualification system was 'too complex and over-prescribed', and that it 'failed to generate qualifications that are valued widely, or seen as a signal of marketable skills'. To address this, the report calls for an adult vocational qualification system that:

- 'Puts individuals and employers first'
- 'Enables employers and unions to work in partnership with well-regulated awarding organisations and flexible training providers, to design, develop and deliver qualifications which provide growth for employers and progression for learners'.
- 'Is relevant and affordable for individuals and for all sizes of business (including micro businesses)'.
- 'Is rigorous and based on robust future-looking occupational standards, designed and assessed by the relevant employment sector'.
- 'Is recognised as being worthy of investment, giving a clear signal of the economically valuable skills, knowledge and understanding required in an occupation, both now and into the future'

The report goes on to say that 'research testifies to the appetite of employers to take greater ownership of skills' and adds that employers 'are willing to step up and take end-to-end responsibility for skills in their sectors'. As a result of this, the Commission has recommended that 'the Government and its agencies should step back' and allow this employer involvement to happen, 'because it is only by empowering those who understand their sectors best, by creating the conditions for industrial partnerships to emerge, that skills system can be aligned with business growth and the needs of the wider economy'.

With reference to the current plethora of vocational qualifications on offer (which the report suggests has been 'fuelled by perverse funding incentives'), the Commission argues that there is a need for 'a de-cluttered qualifications landscape, making it easier for industrial partnerships to align skills with vocational qualifications in their sectors'. To achieve this, the report recommends that 'around 95% of the current 19,000-plus vocational qualifications should be scrapped', and that in future, 'Commission-set design principles' should be used by Ofqual, the SFA and BIS 'to determine the eligibility criteria for the public funding of qualifications'.

IPPR report says that 'too many young people are taking dead-end courses'

The Institute for Public Policy Research (IPPR) has published a report entitled '*The Condition of Britain: Growing up and becoming an adult*'. The report, is part of the IPPR's '*Condition of Britain*' project, and is the second in a series of three reports on young people, work and benefits. In compiling the report, the IPPR used data collected through the '*Youth Cohort Study*' that was conducted between 2006 and 2010 to track what happens to 17 and 18 year olds in education after they leave. The report reveals that over this period of the study, nearly 25% of 16-18 year olds studying for a Level 1 qualification, and more than 20% of 16-18 year olds studying for a Level 2 qualification, were classified as being not in employment, education or training (NEET) by the time they become 19-20 year olds. The report goes on to say that 16-18 year olds taking Level 1 and/or Level 2 qualifications are more than three times more likely to become NEET when they become 19-20 year olds, than those studying for Level 3 qualifications (including GCE A/AS levels) at the same ages.

The report concludes that, the lower the level of qualifications obtained, the less likely a young person is to find a job and goes on to say that 'thousands of 16-18 year olds are taking dead-end courses, offering little or no job preparation or incentive toward further study, that will end with no job and will turn them off education and training' and that many of these young people would have been 'better off on an apprenticeship or in some form of pre-apprenticeship training'.

Commenting on the report's findings, Kayte Lawton, a senior research fellow at the IPPR, said, 'Young people who don't do well enough at school often end up taking colleges courses that don't prepare them for work or further study. Many of these courses don't include enough decent work experience and often fail to lead to a recognised qualification'. She went on to say that the IPPR 'wanted to see big changes in the way that post-16 education works' and that employers needed to 'step up and offer more work experience to young people to help them learn the skills they need to get on in the workplace'.

Fall in the number of NEETs

The publication of the IPPR report coincides with the publication of statistics showing that between April and June of this year, there were 935,000 young people in England aged 16-24 who were classed as being NEET. This is down by 51,000 on the same period last year.

More employers prefer young people to have vocational qualifications.

Meanwhile, a survey of 1,000 small, medium and large businesses recently commissioned by the Edge Foundation and City and Guilds entitled '*Views on Vocational Education*', says that of the employers that took part in the survey:

- 53% 'value vocational qualifications more highly than those obtained through the academic route'.
- 72% of employers regard vocational qualifications as 'essential for preparing young people for work'.
- 83% believe that young people 'need to be made more aware of the options available to them to progress to their chosen career'.
- 84% feel that children 'should be exposed to the world of work whilst still at school'.

Commenting on the research findings, Chris Jones, chief executive of City and Guilds, said, 'Employers are crying out for young people who have the right skills to add value to their businesses. Vocational qualifications can provide these skills. But how many people know about them? Careers advice provision in schools is limited, uninspiring, and often purely focused on getting young people to university'. He also drew attention to the results of a separate study commissioned by the CBI that suggested that 'a third of businesses are currently looking abroad to bolster their workforce'. (Although it would perhaps be interesting to ascertain whether this was as a result of real skills shortages in the UK or whether more employers are joining the increasing number of UK firms using agencies to recruit employees from abroad who are prepared to work for lower wages).

Increased capital funding for colleges

At the recent AoC Annual Conference, BIS Secretary of State, Vince Cable announced the good news that an extra £234 million of capital funding is to be made available for 50 college building projects. The not such good news is that the colleges concerned will need to match fund this with £250 million of their own cash. BIS will also be making available a further £330 million of capital funding for 'Skills Capital Investment' through the 2016/17 Regional Growth Fund allocations.

New syllabi for GCSE Mathematics, English Language and English Literature examinations

Ofqual has announced new GCSE examinations in England that will see the current A* to G letter grades being replaced by a new numerical scale ranging from 9 to 1, (with 9 being the highest grade). Ofqual has also confirmed that the current system of course modules and modular assessment will, for most GCSE subjects, be replaced by a single end-of-course examination. There will be no 'tiering' of papers for English language and English literature examinations as at present, but higher and lower level papers will be retained for mathematics. Most of the new examinations will only be able to be taken in the summer.

The first of the new, and more demanding, GCSE examination curricula is in mathematics, English language and English literature, with most of the remaining GCSE exam subject curricula scheduled to be announced by Ofqual in the spring of next year.

Examples of the main changes to the current GCSE subject syllabi include the following:

- The new *mathematics* syllabus involves students being required to memorise key formulae, such as that for quadratic equations, and trigonometry rules. Under the existing GCSE syllabus, such formulae are provided for candidates in the exam papers.
- The new *English language* syllabus will involve 20% of the total marks being awarded for the student's accurate use of spelling, punctuation and grammar. (This compares with 12% under the current requirements).
- The new *English literature* syllabus will require students to study at least one play by Shakespeare, at least one 19th century novel, a selection of poetry since 1789 (that must include 'Romantic' poetry), and British fiction or drama from 1914 onwards (presumably on the basis that this is what employers are calling for).

The revised syllabi will come into effect in September 2015, with the first GCSE examinations being taken in 2017. The government has also confirmed that from 2017, the new mathematics and English GCSEs will be incorporated into apprenticeships, instead of functional skills as at present.

Consultation on GCE A level subject content and regulation

In late October, two GCE A level consultation documents were launched. These are:

- '*New A Levels: Subject Content Consultations*', in which the Department for Education (DfE) is seeking views on the proposed changes to the subject content of 14 GCE A level subjects, to be taught for the first time in September 2015. New subject content for GCE A Level Mathematics, Further Mathematics and Modern Languages will be taught for the first time in September 2016, and will therefore be the subject of consultation at a later date.
- '*Consultation on new A Level Regulatory Requirements*', in which Ofqual is seeking views on qualification design and assessment objectives for the above new GCE A Levels, along with the regulatory requirements that examination boards offering these subjects must meet. The consultation document also contains Ofqual's regulatory proposals for the new 'stand alone' AS qualification.

English School Sixth Form Qualification Success Rate (QSR) data published

The FE sector has, for many years, been calling for the DfE to publish school sixth form QSR data, both in respect of academic and vocational provision, in order that the performance of school sixth forms could be compared with that of FE and sixth form colleges on a 'like for like' basis. The DfE has now published this data for the first time in the document '*Qualification success rates for English school sixth forms: 2011 to 2012*'. The data reveals that the overall headline QSR figure for school sixth forms for all courses and at all levels is 82%. At level 3, the QSR is 84% in respect of academic courses and 71% for vocational courses. However, the data also reveals 'a long tail of underachievement', and that about 400 sixth forms (almost a quarter of the total) would have returned a QSR that fell below the equivalent FE and sixth form college required Minimum Levels of Performance in that year.

The AoC has now called on Education Secretary, Michael Gove to say what action he intends to take to remedy this 'long tail of poor performance' in English school sixth forms and for Ofsted to hold underperforming schools to account on the same basis as FE and sixth form colleges. The AoC has also expressed concern at the level of student 'drop-out' on GCE A Level courses in school sixth forms. A spokesperson for the AoC said 'we believe this is indicative of young people being given poor guidance by schools on their options post GCSE, leading to many enrolling on inappropriate A-level courses'. The spokesperson went on to say that this 'could lead to students becoming disengaged from education altogether, which can have a devastating impact on their future employment prospects'.

The school sixth form QSR data was published in the same week as the House of Commons Education Select Committee interrogated Schools Minister, David Laws on the proliferation of school sixth forms in England, many of which were accused of delivering 'weak teaching and poorer GCE A level results'.

Changes to Key Stage 4 League Tables in England

In early October DfE announced that changes have been made to the way in which the Key Stage 4 league tables are compiled. Apparently, the aim of this is to discourage schools from entering pupils for GCSEs early (e.g. at age 14 or 15) and then, in an attempt to secure higher grades, entering them again later at age 16. The changes, which were introduced effect from September 2013, include the following:

- Only a student's first entry to a GCSE examination will count in their school's performance tables.
- For those who have already completed a GCSE, the performance tables will record their best result.

The changes will not apply to the Key Stage 5 tables covering 16-18 year old students. This is because the DfE wants to continue to provide an incentive for schools and colleges to support students in gaining GCSE English and mathematics at grade C or above.

Minister for Education defends the use of unqualified teachers in Free Schools and Academies

Free schools in England are not obliged to follow the national curriculum. They are also free to establish their own employment practices and their own qualification requirements in terms of the staff they recruit. The latter has led to a number of high profile cases in which the use of unqualified teachers has been the subject of considerable criticism. These include the Al Madinah School in Derby (a faith school where it was alleged that around 40% of teaching staff were unqualified), the Kings Science Academy in Bradford, (where in addition to accusations of serious fraud, there are also a number of allegations in respect of inappropriate staff appointments), and the Pimlico Primary Academy (where a 27-year-old former member of staff at the rightwing think tank 'Civitas' was appointed as head teacher despite 'having no teaching qualifications and virtually no experience of running a school'). Interestingly, the Pimlico Primary Academy is sponsored by 'Future Academies', a charity set up by Lord Nash, the schools minister who was recently required to write to the chair of governors of the Al Madinah School threatening to withdraw the school's funding unless certain practices ceased and the quality of provision was improved.

Despite this, the Minister for Education, Michael Gove has robustly defended the 'leeway' given to free schools in making staff appointments and has gone so far as to call for 'more people without teaching qualifications to take over schools'. He argues that this will help 'replicate the dynamism found in private schools'. Last summer he extended the freedoms enjoyed by Free Schools to England's academies, removing the requirement for teaching staff to have qualified teacher status (QTS). Commenting on this, Kevin Brennan, the shadow schools minister, said 'Labour wants to see social entrepreneurs and educational innovators injecting dynamism into our schools, but not at the expense of rigour and high standards'.

Disagreement on the use of unqualified teachers in FE Colleges

Meanwhile in the FE sector, the recent scrapping of the Further Education Teachers' (England) Regulations 2007 has resulted in a reversion to the previous situation, whereby FE colleges are able to employ teachers that do not hold teaching qualifications. This has resulted in the Institute for Learning (IfL), the Institute of Education, the Association of National Specialist Colleges, the University and Colleges' Union (UCU) and the National Union of Students (NUS) to join together with some college leaders to launch a campaign to persuade the government reverse the policy.

In response to their campaign:

- A spokesperson for the AoC says that the Association's view is that colleges should be allowed to recruit unqualified lecturers where it is appropriate for them to do so. The spokesperson went on to say that, 'It is appropriate that the type and level of qualification for different staff should be determined by the college', adding that 'like universities, colleges can be trusted to appoint the right staff and support their professional development to meet the changing needs of their learners'.
- Education Secretary, Michael Gove said that he believed that 'the quality of teaching will be maintained through tougher standards enforced by Ofsted'.

- A spokesperson for the CBI has argued that although it might be possible to recruit staff to teach humanities and other general academic subjects who were already teacher trained, it was likely to prove to be 'very difficult' to recruit experienced individuals to teach high level craft, technical and professional subjects directly from industry who were also already teacher trained, and that a better approach would be to recruit such staff first and then support them gain QTS 'on the job'.

New level 5 FE Initial Teacher Training (ITT) qualifications introduced

Meanwhile, a new suite of teaching qualifications for those wishing to teach in the FE sector has been introduced. The new qualifications take effect from September 2013 and details are included in a document published by the Department for Business, Innovation and Skills (BIS) entitled '*Lines and Background on new FE ITT Qualifications*'. The document also sets out the transition arrangements from the existing FE ITT qualifications to the new qualifications, which include the following:

- With effect from September 2013, the Diploma in Teaching in the Lifelong Learning Sector (DTLLS) and the Additional Diploma in Teaching in the Lifelong Learning Sector (ADTLLS) have been replaced by a new FE teaching qualification called the Diploma in Education and Training (DET).
- Several types of DET qualifications are in the process of being introduced. These include:
 - A level 5 Diploma in Education and Training (Generalist) of 120 credits
 - A level 5 Diploma in Education and Training (Integrated Specialist Diplomas) of 120 credits
 - A level 5 Diploma in Education and Training (Specialist Pathway) of 120 credits
 - A 'Stand alone' Specialist Diplomas of 45 credits.
- The 120 credit DETs that are validated by a Higher Education Institution (HEI), or an awarding body such as City and Guilds (CGLI) and EdExcel will be deemed to be initial teacher training courses for the purpose of attracting higher education student support, either from the Student Loans Company (SLC) and/or via a BIS bursary.
- The 45 credit Level 5 'stand alone' Specialist Diplomas will *not* be designated for HE student support as they are not deemed to be initial teacher training courses in their own right.
- Some students undertaking a 120 credit Level 5 DET will be eligible for a BIS FE ITT Initial Teacher Training bursary. These bursaries are available to encourage and support graduates to teach English, mathematics and special educational needs (SEN) programmes in the FE sector. To fund these bursaries, BIS will be making £9 million available in 2013/14 and £6 million available in 2014/15.
- Bursaries will range from £12,000 to £20,000 for those wishing to teach mathematics, and between £4,000 and £9,000 for those wishing to teach English and SEN. The exact amount of the bursary will depend on the level of the degree achieved by the applicant. No bursaries are available in respect of SEN or English DETs for those applicants who have not gained at least a first or upper second-class honours degree. No bursary is available in respect of mathematics for those applicants who have not gained at least a lower second class honours degree.
- Existing DTLLS courses that are either automatically or specifically designated for student support will remain eligible for student support for new and continuing students during the 2013/14 academic year.
- As from 1 September 2014 DTLLS/ADTLLS will no longer be treated as eligible ITT courses for the purpose of student support. This means that students starting DTLLS courses on, or after, 1 September 2014, will not be eligible to apply for HE student support. However, continuing students that commenced their course in 2013/14 will be eligible for support until they complete their course.
- Providers that meet the requirements to have courses automatically designated will need to add the new level 5 Diploma in Education and Training to their existing list of courses on the SLC HEI course database. The SLC is aware of this and has added the DET to the list of qualifications on the HEI database.
- All providers that plan to deliver the new DET, but who are not Higher Education Funding Council for England (HEFCE) funded, will have to apply for the new DET course to be specifically designated from 2014/15, regardless of whether they currently have a DTLLS course designation. Applications for specific designation of any new DTLLS courses will not be approved.

One unenlightened observer is reported to have said that because FE teachers now no longer need to be qualified, he 'couldn't understand why BIS had gone to all the bother'.

No decision yet on the method to be used for paying employers who take on apprentices

The Richard Review of Apprenticeships in England recommended that employers should be given more direct control of the public funding allocated for apprentices. As a result, the government consulted on three possible methods of providing funding. The first of these involves a direct payment to the employer, the second allows employers to claim back their spending on apprentices through tax credits, and the third leaves funding in the hands of training providers. The consultation period ended on October 1, by which time around 350 responses had been received. Enterprise and Skills Minister, Matthew Hancock, is believed to favour the option of allowing firms to claim back their costs via a 'tax credit' recovered through the Pay As You Earn (PAYE). However, this appears to have become the most divisive option. Those against the 'tax credit' option include training providers who are concerned about losing control of funding, and organisations representing small and medium sized businesses (SMEs), who are worried that it will deter their members from taking employing apprentices, because of the cost and the administrative time needed for dealing with the additional paperwork. Those in favour of the 'tax credit' option include the Confederation of British Industry (CBI), which argues that the 'simplicity and familiarity of PAYE' would encourage more businesses to take on apprentices.

Not enough being done to ensure apprentices are paid the applicable National Minimum Wage

Recent BIS research shows that in 2012, around 29% of apprentices were paid less than they were legally entitled to. However, in the wake of a question lodged in the House of Lords by Lord Beecham, a Labour peer, asking BIS what steps were being taken to enforce the payment of the applicable national minimum wage (NMW) for apprentices, it has emerged that, in the period between July and September, Her Majesty's Revenue and Customs (HMRC) has dealt with only 5% of the registered cases of underpayment of apprentices.

Responding to criticism of this, BIS minister, Lord Younger said that the government 'takes the enforcement of the national minimum wage very seriously' and that he was 'absolutely clear that everyone who is entitled to the NMW should receive it, including apprentices'. He added that HMRC 'reviewed every complaint referred to it' and that 'complaints from apprentices were now being prioritised'. A spokesperson for BIS affirmed that employers failing to pay the applicable NMW now faced fines of up to £5,000 for each employee affected and would be 'named and shamed', but went on to admit that it could 'take an average of 150 days for HMRC to complete an investigation before it issues a notice of under payment'.

The Children and Families Bill 2013

The Children and Families Bill (which is currently 'laid before Parliament') will, from September 2014, introduce a new system of support for young people with learning difficulties and disabilities (LDD). The current system of statements and Learning Difficulty Assessments (LDAs) will be replaced by a single Education, Health and Care (EHC) plan for those with Special Educational Needs (SEN) covering the period from birth to age 25. The reforms will introduce important new responsibilities for FE and sixth form colleges, and for approved independent specialist providers (ISPs). The DfE has warned that 'all FE and sixth form colleges should be preparing now for the changes'. Further information about the changes can be found on the DfE website, along with a draft of the revised SEN Code of Practice which colleges will be required to use from September 2014. The DfE website also gives information about the arrangements for replacing statements and LDAs with the new EHC plans.

Interim SFA Chief Executive appointed

Barbara Spicer has been appointed as interim SFA chief executive on a 9-month contract, as Kim Thorneywork steps back to focus on her personal battle against breast cancer. Prior to her appointment, Ms Spicer had been the chief executive of Salford City Council, a post she had resigned from in the wake of an alleged disagreement with Ian Stewart, the city's elected mayor. She is also a former chief executive of Greater Manchester Police Authority and is a serving member of UKES.

Labour proposes that FE colleges should become 'Institutes of Technical Education'

Speaking at the recent AoC Annual Conference, Tristram Hunt, the new Shadow Education Secretary announced a proposal that FE colleges should become 'Institutes of Technical Education'. Mr Hunt's proposals are given in more detail in a Labour Party 'Skills Task Force' report entitled '*Transforming further education: A new mission to deliver excellence in technical education*' in which the 'Task Force' recommends that:

- 'FE colleges should be transformed into new Institutes of Technical Education with a core mission to provide gold-standard delivery of Labour's proposed Tech Bacc, and the off-the-job training component of apprenticeships'.
- This should be done 'through a licensing system, using vocational funding streams as incentives for colleges to develop specialist expertise. Any FE college that wishes to deliver the Tech Bacc or apprenticeship qualifications would require a licence'.
- To apply for a license colleges 'would need to demonstrate that they have specialist vocational teaching and expertise, high quality English and mathematics provision and strong employer and labour market links.
- UKCES should assume responsibility 'for determining the process and criteria for the licences as part of a more simplified approach to funding and quality assurance'.
- 'All FE lecturers teaching young people should hold a teaching qualification at Level 2 or above in English and mathematics.
- Teaching qualifications should incorporate expertise in curricula design and pedagogy to ensure vocational teachers are able to work with employers to tailor courses to local economic needs'.
- 'Lecturers not actively working in their specialist area should also be required to spend a period of time in industry every year'.
- 'Qualification and CPD requirements should be set by the Education and Training Foundation'.
- 'Skills competitions should be mainstreamed to motivate excellence in vocational teaching and learning by enabling students to compete regionally and nationally on the basis of their vocational skills across different sectors'.
- As Institutes of Technical Education, colleges should 'unlock employer engagement and co-investment'.
- As colleges develop strong curricula design expertise, they should seek to offer employers more tailored training programmes. These approaches should be encouraged through the licensing and reform processes'.
- 'In return for more tailored training and services, colleges should seek to establish something-for-something deals with employers, and ask that they contribute through participation on governing boards, capital expenditure, contributions to course costs, or by providing opportunities for work experience, on-the-job training, staff secondments and industry placements'.

And finally.....

A college had produced a brochure for its adult students explaining the new 24+ Learning Loans. 'Tuition fees covered by the loan', said the brochure, 'were to be paid per anum'. On noticing the misspelling, one continuing adult student said 'Actually, I think I'd rather carry on paying through the nose'.

(And this one is an adaptation of a story told by James Hampton, the principal of Yeovil College)

In a college in the South West of England, there was a head of department called Sarah who managed the college's Leisure, Travel and Tourism provision. Sarah was very ambitious, to the point where some would have said she was 'obsessed'. Like many FE managers, she wanted her department to expand and grow, and in order to achieve this she was keen to introduce new courses. For example, despite the fact that the nearest airport was over 70 miles away, she had decided to introduce a suite of training courses for airline cabin crew. However, a bit like an aircraft with engine problems, she was experiencing some difficulty in getting the new courses off the ground.

After giving some thought to the matter, she decided that this was clearly because the college marketing team was not promoting her new courses well enough, so she would do something herself that would generate lots of publicity for them. At the next departmental staff meeting she announced that Sid, the newest member of her team, would be learning to fly, and that she, Sarah, was going to teach him. After he had learned to fly, he would use his newly acquired skills to spearhead a fresh marketing campaign. It was the first that Sid had heard about this, but despite being slightly bewildered by look of relief on the faces of the other departmental staff, he was nevertheless very excited at the prospect of learning to fly and asked Sarah about the type of plane he would be learning to fly in. 'No, no', said Sarah, 'I think you may have misunderstood me. What I mean is that I'm going to teach *you* to fly'. This both startled and confused Sid, who said, 'How on earth am I going to be able to fly. I'm not a bird'. After a somewhat ominous pause, Sarah glowered at Sid and told him that she was very disappointed with his negative attitude. 'I know that you are new to the department,' said Sarah, 'but you need to be clear that I have very high expectations of my staff, and I expect them to have high expectations of themselves'. After calming down a bit, Sarah smiled at Sid and reassuringly said 'Of course you'll be able to fly. You just need the right motivation'. And to help with Sid's motivation, she reminded him that there were probably lots of people out there who would love to learn to fly, and went on to say that they would no doubt like his job too, adding that if they did have his job they would probably be jolly well more co-operative'.

Sid gulped and asked Sarah how he would learn to fly. She explained that the college building had 15 floors, and each day Sid would jump out of a window, starting with the first floor and eventually working his way up to the top floor. She would conduct an observation of Sid's jump, then afterwards, she would analyse how well he had flown, identify his key strengths and areas for improvement, and give him with constructive feedback. She would also give him advice on how to achieve the required improvements in his flying technique when he took his next flying lesson on the floor above. If he paid attention to his tuition and did what he was told, by the time he reached the 15th floor he should be able to fly, and of course, having a flying lecturer teaching on her team would prove to be a great asset to Sarah in getting the right level of publicity for the new cabin crew courses.

Staring out of the window he was to jump from on the day of his first flying lesson, Sid looked a bit nervous. 'He clearly doesn't understand how important this is', thought Sarah, 'and he obviously lacks confidence'. So with that, Sarah pushed him out of the window. Sid hit the ground with a thud, but apart from a few nasty cuts and bruises, he appeared to have no major bone fractures or internal bleeding. Afterwards, during his feedback, Sarah somewhat callously told Sid that she was very disappointed with him. She had expected more effort from him and accused him of not paying sufficient attention to her instructions.

Next day, poised for his second flying lesson on the next floor up, Sid told Sarah that he really didn't want to jump out of the window because he was worried that this time he might be seriously injured. In response, Sarah told Sid that she had expected this, since it was normal for a manager to encounter resistance when exposing staff to challenging new targets. To give him added motivation, Sarah told him that since he had failed to meet any of the learning objectives she had set for him in his first flying lesson, he had been formally graded as 'inadequate' and that he should therefore treat his second lesson as an opportunity to demonstrate his 'capacity to improve'. Sarah also reminded him that since he had only recently been appointed, he was still on probation, and that she was the person who would be deciding on what would happen at the end of his probationary period. So, because he was desperately worried about keeping his job, Sid jumped out of the second floor window. Sadly, although he desperately flapped his arms in the way that Sarah had shown him, he hit the floor hard and lost consciousness, which was probably just as well since he had a ruptured spleen and had broken his arm, seven ribs, his collar bone and both legs.

As the ambulance carrying Sid off to the hospital intensive care unit left the college campus with lights flashing and sirens blaring, Sarah was left feeling shocked and upset. That night, she lay awake, and in anguish she cried out, 'What have I done?' Had she made a terrible mistake that had led to dire consequences for which was she personally responsible. How had it all gone so wrong? But the next morning, after yet another sleepless night, she began to analyse *why* it had all gone so wrong. Sid had been given an individual learning plan based on her initial assessment of his abilities. She had prepared a comprehensive scheme of work and detailed lesson plans containing clear learning objectives for him. He had been set measurable targets along with milestones for monitoring his progress. She had personally

given him expert tuition using a range of learning techniques and a variety of learning aids (e.g. Moodle and an interactive white board). She had explained to Sid what he was expected to achieve, when he was expected to achieve it by, and how his achievement would be assessed. She had performance managed him and had provided regular and constructive feedback on his progress. She had high expectations of him and had given him plenty of encouragement. But despite this, Sid had failed to achieve any of the goals that she had set for him. He had failed to fly and he had hit the deck like a sack of cement.

Sarah spent the whole of the next day reflecting on the reasons for this, but just when it began to seem that an explanation would never come, a bit like a light being switched on in a dark room, suddenly everything became crystal clear. Yes, she probably had made a mistake, and yes, she admitted, there had been dire consequences (particularly for Sid). But she now knew what she had done wrong and promised herself that she would never, ever, make that same mistake again. 'From now on,' she said with a sniff, but with her head held high, 'I'll make sure that I recruit better staff'.

(Thanks James)

Alan Birks – November 2013

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