

New challenges, new chances

Response of the Association of School and College Leaders

A Introduction

- 1 The Association of School and College Leaders (ASCL) represents over 15,000 members of the leadership teams of maintained and independent secondary schools and colleges of every type throughout the UK. This places the association in a unique position to see this initiative from the viewpoint of the leaders of both schools and colleges.
- 2 ASCL welcomes much of the thinking set out in this document and many of the initiatives taken by the present government: reductions in bureaucracy and data collection; increased autonomy and flexibility for college leaders; a more consistent approach to capital funding; and the better alignment of teaching qualifications between colleges and schools. These are all helpful.
- 3 However, there are also a number of concerns: new funding models may be simpler but at the expense of fairness; the total funding may not be adequate to the task; likewise capital funding has to be sufficient for need; and a reliance on student fees supported by loans is less credible in this sector than in HE.

B Vision for the FE landscape and shape of the sector

- 4 The further education (FE) sector is very complex and diverse, as is well expressed in the paper and associated material. However, there remain a number of uncertainties about what is meant by 'the sector', and the term still seems to be used in different ways at different times, even within this document.
- 5 It is important to try to deal with sectoral boundary issues rationally, so that they do not interfere with student choice or produce other unintended consequences. Much of the work of FE colleges proper with 16-18 year olds is essentially the same as that undertaken by sixth form colleges (SFCs) and school sixth forms. Likewise there is a great deal of overlap between colleges and universities, private training providers and adult education services.
- 6 As far as possible inconsistencies of treatment between these different groups should be ironed out so that bureaucratic burdens, autonomy, data collection, accountability mechanisms, regulation, tax regimes and funding streams are aligned. They cannot always be exactly the same, but where they are different that should be for good reason, and any unfairness compensated for. Departmental divisions are unhelpful here, such as those between BIS and several other departments, most particularly between BIS and the Department for Education (DfE).
- 7 Even within the remit of BIS there are some inconsistencies and barriers. There is scope for example to improve the provision of higher education (HE) within the FE sector by encouraging colleges and universities to work more closely, and by encouraging the Higher Education Funding Council for England (HEFCE) to better align franchising, funding and validation.

- 8 ASCL welcomes the intention of encouraging diversity of provision of education and training in local and sub-sectoral areas. The creativity of local leaders, if unlocked by sufficient autonomy, is more likely to produce effective solutions than any single solution, however carefully considered, imposed from the centre.
- 9 In particular the work being undertaken to consider different models of collaborative provision is especially welcome. ASCL has long advocated such approaches and our 2008 publication *Achieving more together* is still pertinent and commended for your consideration.
- 10 Where collaborative provision is envisaged, the levy of VAT and the complexity of its regulation can be unhelpful.
- 11 It is right that government should influence structural models, but for the reasons alluded to above, and indeed set out in the document, it is better for government not to determine such models, either systematically across the country or in local areas.
- 12 Better would be to set out general criteria and advice about change processes, risks and governance; and to share examples of innovative approaches that have succeeded.
- 13 There seems to be no very strong reason to add judgements about leadership and management to merger criteria. It is not clear by whom these would be judged and doubtful that they could be so consistently. Rather, it would be helpful to set out a clear timetable for decision-making, and produce clear statements from funding and inspection bodies about how merging institutions will be treated. It may be that government should remove itself from the direct decision-making process.
- 14 It may be that there is a case for introducing greater flexibility into instruments and articles of governance and financial memoranda to allow more flexibility of structure and provision.

C Introducing level 3 /4 loans and sharing responsibility for investing in skills

- 15 There is no reason in principle why loans should not be considered in this sector, as in HE. However, the consequences have not yet played out and been evaluated in the HE sector, and there are many differences between the sectors.
- 16 It would therefore be sensible only to proceed with extreme caution in the introduction of this approach. There is a danger of other policies not being realised if a loans regime proved not to work in the sector or for particular types of provision, as would seem likely.
- 17 First, many students in FE come from impoverished backgrounds, understandably averse to debt. Second, the range of level and type of course makes an assessment of benefit much more difficult to calculate than for HE. Third, some benefits of FE work are not directly related to individual monetary gain, such as improved citizenship, better mental health, improved wellbeing and community as well as individual benefit.
- 18 The timetable proposed for this major change is very rapid, more so than that adopted for HE, and too much so to be sure that there will not be significant error, and unforeseen and undesirable consequences.

D FE college and provider freedoms and flexibilities

- 19 The extra freedoms and flexibilities introduced by the present government, such as the removal of some centrally imposed targets and the combination of adult skills budgets into a single budget, are welcome. But as they were introduced no earlier than immediately before

the start of the academic year that has only recently finished there has been little time yet to properly respond to them and none to evaluate them.

- 20 Nevertheless, the policy intent of moving further in this direction is welcome, and scrutiny in inverse proportion to quality a sensible approach. The latter however requires a quality assurance system more reliable than has been the case in the past, and non-bureaucratic but robust early-warning systems that will indicate when a provider's quality is slipping.
- 21 There is still room for audit requirements and specifications imposed on colleges to be simplified, reduced and better aligned with systems used in related sectors.
- 22 The removal of the requirement to submit a formal self-assessment report is welcome. Colleges have been engaged in self-assessment for many years and are on average good at it. They will continue to engage in self-evaluation whether or not there is a duty to do so. There is a need for government to ensure that its agencies do not reintroduce such requirements, *de facto* if not *de jure*; in this case the new Ofsted Common Inspection framework needs to be assessed for its likely impact on colleges.
- 23 Likewise Ofqual in working with Awarding Bodies needs to examine its policies and procedures to make sure that burdensome activity is not passed to colleges in turn. Consideration should be given to colleges, collectively or severally, awarding more of their own qualifications.
- 24 It is important that intervention processes should be more clearly set out. Providers should know what agencies can and will intervene in what circumstances with well understood and objective criteria, what are their powers of intervention, and what action they can be expected to take if they do intervene. This requires further clarification work and better coordination across government departments and agencies.
- 25 The clarification in the present documentation is welcome, but is insufficiently explicit and over-reliant on Ofsted grades - the basis of which are often also opaque, controversial and subject to change as Ofsted issues new frameworks.
- 26 The intention of further relaxing central control to the point that the Office for National Statistics will reclassify colleges as not part of central government is welcome. We await with interest with what powers the Secretary of State feels able to dispense.

E Simplifying the funding system

- 27 Several of the actions already taken by the present government are welcome:
 - 28 The reduction in the number of budget lines has given colleges a little more room for manoeuvre. There is room to extend this process.
 - 29 The introduction of a minimum contract level is welcome, and has been introduced more smoothly than might have been expected. There is little demonstrable benefit yet, though it has already encouraged more collaborative working and the extension of a hub and spoke model in which a large organisation, usually a college, acts as central point in a sub-region, coordinating and supporting the work of a number of smaller providers. The reduction in the number of contracts managed centrally should enable the Skills Funding Agency to reduce its costs and pass more resource on to providers.
 - 30 The Approved College and Training Organisation Register (ACTOR) is also a sensible idea. It was not introduced so well, demanding the return of a good deal of extra data, not all of which was necessary. In time it should prove beneficial, but benefits are not yet apparent.

- 31 Simplification of funding formulae, as distinct from funding systems, needs to be approached with great care. There is a danger that a new system may be simpler but not accurately reflect the resource needed to deliver particular types of course or to particular types of student.
- 32 There is a need to ensure that funding is sufficient to allow efficient and effective organisations to provide high-quality education and training. This applies to particular types of course and student as mentioned above, and to the system as a whole.
- 33 When reviewing minimum levels of performance it is imperative to make use of a basket of sufficiently sophisticated performance indicators so that due account is taken of the difficulties of the courses and students in question, and so that perverse incentives are not created.

F Teaching, learning and qualifications

- 34 The stated commitment to raising the status of vocational education and training is long overdue and most welcome. However, such a commitment has to extend beyond BIS to the whole of government; many of the policies and pronouncements of other departments, notably of DfE, are working strongly against this aim. If vocational education and training lacks the laudatory treatment and levels of funding afforded to 'academic' education its status will remain relatively low.
- 35 The paper is right to underline that standards of tuition are critical to learning, and right that there is much good practice in the sector, especially in colleges of all kinds. There is always room for improvement, even in the most effective institutions, and ASCL would commend an approach based on raising the standards of all rather than seeking out some providers to be castigated as 'inadequate' and concentrating attention only on them. (Though it is right of course that the least successful should receive the most attention and support.)
- 36 ASCL has long advocated the mutual recognition of the QTS and QTLS teaching qualifications and more generally the removal of barriers that allow staff to move freely between the FE and schools sector. This change is therefore warmly welcomed. There is more that can be done to break down the barriers between these sectors and to encourage each to learn from the other. Similar general remarks apply to the movement of staff and ideas between the FE and HE sectors.
- 37 LSIS and IfL are highly appropriate organisations to speak with about pedagogy in vocational learning, though there may be others that should be involved. It would be wrong to identify the FE sector with vocational learning; though it is clearly the largest provider of vocational learning such work does go on elsewhere, and a great deal of what FE does is, rightly, not vocational.
- 38 Further, it would be a mistake to suppose that vocational teaching and learning are wholly different from other forms, there is much to be learned by crossing institutional, sectoral and cognitive boundaries.

G Review of Informal Adult and Community Learning

- 39 ASCL welcomes the protection of this budget, but notes that it is being protected at a low level; £210M is not a large budget for a national programme of such diversity and importance and is historically low.
- 40 The document is right to stress the benefits to individual and community well being of such learning, and to note that it is often a step to more formal learning for people who have been long apart from it, and who strongly need new skills and qualifications. It is therefore a sound investment of public funds despite having a less immediate return than some areas. ASCL

would counsel against too instrumental an analysis of education in general and this type of education in particular.

- 41 Colleges have the capacity to support individual and community goals. This is an area where government expressions of trust in the sector and support for localism can be turned into effective policy by allowing colleges to make use of this budget without setting up a system of numerical measures and targets around it. Benefits include individual and community improvement of health and wellbeing, sense of safety and engagement, willingness to participate and pride in locality; but these are mostly not readily susceptible to numerical measure and need to be evaluated by more subtle means.

H Review of literacy and numeracy provision for adults

- 42 ASCL welcomes the renewed commitment to this area of work, so important to the life chances of those who lack basic literacy and numeracy skills, and to the economic success of the nation.
- 43 A further review of this work is appropriate, but should not ignore extensive earlier analysis, by government and others. ASCL commends the involvement of the National Institute of Adult and Continuing Education (NIACE), which has particular expertise in this area.
- 44 Most work in colleges in this area is at least good, and government should resist any temptation to denigrate it or set out to reform it. There is of course room for improvement, and for better sharing of good practice.
- 45 What is needed is for more of our citizens to possess basic numeracy and literacy skills, and for those who have attained them to build on them. An emphasis on GCSE mathematics and English is not necessarily helpful in this respect, as these qualifications are only indicators of the necessary skills, not directly related to them. This is an example of the damaging preference mentioned above for 'academic' qualifications over those that might have more practical application for many learners.

I Delivering higher education and skills

- 46 The document is right to state the significant role the FE plays in delivering HE as well as in preparing students for such work in universities and other higher education institutions (HEIs). Whilst the delivery of HE in FE is concentrated in general FE colleges it is worth remembering that many SFCs also have very effective if low-volume HE provision.
- 47 The connections that many colleges have with their local communities make them ideal for the provision of access courses, part-time HE courses, and the attraction to HE of learners from non-traditional backgrounds.
- 48 Compared to those in universities, HE students in colleges are older, more likely to be part-time and local, and more likely to be from non-traditional backgrounds. Colleges are also highly efficient providers. This should be built on by allowing colleges more direct access to HEFCE funding, and more ready access to qualification-awarding powers.

J Deregulation and devolution

- 49 ASCL has long argued that the FE sector (and indeed others) have been over-audited, over-inspected, and subject to too great a burden of data collection, too much detailed regulation, and too much guidance and direction from government. The association therefore warmly welcomes the stated policy direction of deregulation and devolution.

- 50 Colleges and training providers are indeed best placed to know the needs of their customers, and as far as possible they should be left to inform students and potential students. There are already examples of good practice in the publication of 'community score cards' that help set out the already large amount of available data in a helpful way.
- 51 ASCL applauds the commissioning of sector bodies to build on these examples and progress this development. It will not be easy, however, and there will be a need for patience and careful thought before any approach or scheme is generally adopted.
- 52 It is important that all systems that purport to inform students, potential students, employers and communities about the success of particular providers take full account of the level of preparation of students as they embark on courses, of the socio-economic background to which they belong, of the level of support that they have, of particular deprivations, learning difficulties, and mental health problems that they have, and of the progress that they then make. Without these and other similar factors taken into account information is likely to become misinformation.
- 53 Data should so far as possible be assembled against the same criteria and collected in the same ways for different institutions and types of institution. There are many examples of data collected from some types of provider but not from others that do similar work. Likewise, apparently comparable figures collected in different sectors are sometimes collected against different criteria and not in fact meaningful if compared across sectoral boundaries. Without that there is again a significant danger of information becoming unhelpful and meaningless, or even actually misleading. These faults and those of the previous paragraph are clearly present in many existing systems and long overdue to be addressed.
- 54 There is a need to better coordinate the work of the various government departments and agencies that bear upon the FE sector in this regard, principally BIS and DfE and their agencies but also DWP, Home Office, Ministry of Justice, DEFRA, Ofsted, EHRC and others.

K Conclusion

- 55 This is an unusually wide-ranging consultation document, and the period allowed for consideration of it has been less than the usual twelve weeks and has coincided with a particularly difficult time of the year, when holiday season is followed by enrolment and the start of a new year in colleges. There have also been a number of other major consultations over this period. ASCL therefore trusts that this consultation is only step towards engaging the sector and its leaders in further dialogue.
- 56 I hope that this is of value to your consultation, ASCL is willing to be further consulted and to assist in any way that it can.

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