

FE Week

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Exclusive

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NEWS

ESFA handed legal ultimatum over botched AEB tender

BILLY CAMDEN
@BILLYCAMDEN

Private providers have given the government until the end of this week to find a solution to the “tragedy” of the botched adult education budget tender – or else they’ll launch legal action.

The fallout from the Education and Skills Funding Agency’s contentious AEB procurement process has stoked “immense anger and frustration” across the sector ever since results were finally published on August 4, according to AELP boss Mark Dawe.

Most of the anger stems from the special treatment the government has given to the nation’s biggest FE provider, Learndirect.

While most providers who were successful in the AEB tender have had their funding slashed dramatically, in one case by an incredible 97 per cent (see below), Learndirect was handed a contract worth £45 million despite a very recent grade

four from Ofsted – something that usually prompts the DfE to terminate a provider’s funding.

DfE officials finally admitted last week that contrary to earlier statements, Learndirect had at first applied for funds during the procurement, and that it later withdrew its bid.

As a result it reaped the benefits of a significant change to the ESFA’s tender rules that had been made at the eleventh hour.

The original policy, published in January, stipulated that providers which did not bid or were unsuccessful, would be offered a contract worth no more than £589,148.

But on September 4 the ESFA told those providers, including Learndirect, that they would now receive 75 per cent of the value of their previous contract to use in 2017/18.

It was this situation that led the Financial Times to describe the FE sector as a “topsy-turvy world where losers end up winners, and where ‘winners’ end up on the brink of insolvency”.

In an exclusive expert article for FE Week on page 20, Tim Ward, the chief executive of the Third Sector National Learning Alliance, said it was a “tragedy for the most vulnerable and disadvantaged in our communities” that a “poorly designed” procurement process has led to “the loss of this capacity at a time when it is needed more than ever”.

After they heard about the government’s largesse towards Learndirect, a group of providers clubbed together to begin legal action over the government’s handling of the tender.

These organisations, which do not want to be named at this point, say they’ve suffered financial loss and damage to their business as a result of the process – and they believe they have sufficient grounds to launch a judicial review against Justine Greening, or even to appeal to the EU Commission.

After receiving initial legal advice from lawyers, the decision over a solution is now with the skills minister Anne Milton who has until the end of this week (September 15) to come up with a plan.

The group alleges that the government was negligent of – or even complicit in – corrupt practice under the Public Procurement Act 2015, which states that a procurement

must not be interfered with once underway.

It also believes the ESFA has breached the Public Contracts Regulations 2015, specifically with its “failure to treat bidders equally and without discrimination, failure to act in transparent and proportionate manner and artificially narrowing competition by unduly favouring or disadvantaging bidders”.

In a letter sent to AELP members on September 14, Mr Dawe said he hopes “common sense prevails” eventually.

“There is immense anger and frustration that the losing bidders are in a better position than the vast majority of successful ones – and the Learndirect situation is just rubbing salt in the wounds,” he said about the AEB tender.

“We hope that some form of solution is proposed by officials this week, otherwise I fear this is in danger of dissolving into a legal battle and further accusations of foul play.”

The AEB tender for private providers has been dogged by delays. Results were supposed to be released on May 19 after it was first launched on January 27, for a sum that originally came to just £110 million.

The initial notification of tender results quickly descended into chaos after many providers with high scores failed to win any funding.



Mark Dawe

DfE discussing ‘options’ to reverse provider’s £3 million funding cut

BILLY CAMDEN
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A 10,000-learner provider on the brink of collapse after it lost 97 per cent of its funding has been “assured” the government is discussing “options” to reverse the cut – but there’s been no change yet.

On September 11, bosses at Somerset Skills & Learning were joined by four Somerset MPs and various county council representatives for a meeting with the Department for Education to “urgently review” the £3.3 million cut to its adult education budget.

The provider’s chief executive Susie Simon-Norris and its director Kathryn Baker told FE Week afterwards that the skills minister Anne Milton had been “supportive”.

Ms Baker said she had been “assured that options will be discussed”, though confessed that “at this point there is no change to our funding situation”.

The community learning provider, which is rated ‘good’ by Ofsted and has around 200 staff, won a new AEB contract during the ESFA’s recent tender, but was awarded a mere £111,000 – a shadow of the £3.4 million it had been allocated last year.

Courses have now been put on hold as it faces a catastrophic reduction in provision at 10 centres across the county.



(l-r) David Warburton, James Heapey, Anne Milton, Rebecca Pow, and Marcus Fysh.

Somerset MPs Marcus Fysh, James Heapey, Rebecca Pow and David Warburton, all members of the Conservative party, first met with Ms Milton last Wednesday to raise concerns and were offered Monday’s meeting with DfE officials.

Ms Pow said she was “pleased” to get the chance to “promptly discuss the issue”.

“We had a full and frank discussion with Ms Milton and the ESFA,” she said. “Officials are considering all options to try and plan a way forward.”

She added that all parties are expecting a “full and detailed response” to the solution by the end of this week.

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INVESTIGATES

Damning evidence mounts a

NICK LINFORD
@NICKLINFORD

FROM FRONT EXCLUSIVE

The Department for Education did not launch a funding audit of Learndirect at the end of March, even though Ofsted sent damning evidence that apprentices were not receiving enough training, FE Week can reveal.

An experienced independent apprenticeship funding auditor confirmed Ofsted's evidence should have raised significant concerns at the department.

FE Week understands that the education secretary was briefed by officials on the situation just days after an inspection that eventually saw the UK's largest training provider graded 'inadequate'.

Justine Greening was also made aware that Learndirect was threatening to enter administration.

According to evidence given by Learndirect during its judicial review into Ofsted's report, the Education and Skills Funding Agency indicated that it could not be seen to be giving special treatment once the grade was published, and that early contract termination notices would follow.

But in a move that may now become the focal point for an impending National Audit Office investigation, Learndirect seems at some point to have been deemed "too big to fail" by the DfE.

Once Learndirect lost its judicial review and FE Week had the related gagging order overturned, the report was published in full in early August.

No early contract termination notices were issued at that point, and we now know that because Learndirect withdrew from the adult education budget tender, it was given a £45 million contract extension until July 2018.

Both the DfE and Learndirect have refused to say when this decision was made.

And Learndirect's apprenticeship provision, which had already been slapped with an ESFA notice of breach before its fateful inspection because 70 per cent of its apprentices were below

the minimum standard, will nevertheless be funded until July 2018.

Worse still, new apprentices will be funded indefinitely through a company registered last year: Learndirect Apprenticeships Ltd.

Even though FE Week shared Ofsted's damning evidence in the court room itself, the DfE has stuck to its line, insisting: "It is normal procedure for the department to wait until an inspection report is finalised and published by Ofsted before taking any formal action."

Repeatedly pressed over the course of several days on whether an audit had taken place, the DfE said only that it "would not be providing a running commentary on this matter".

The chair of the Commons public accounts committee, Meg Hillier, is reportedly furious at the situation, and has referred the case to the National Audit Office to consider an investigation.

"It does not seem to me that in this case the DfE has been a smart client," she told FE Week. "It got to a point where ... if it had started digging it might have gone in and found its problems – so it does seem that Learndirect has been too big to fail."

The NAO told FE Week that its investigations, such as the Kids Company scandal in 2015, are "reactive to a situation" and "offer a rapid assessment of service quality, failure and financial management".

The DfE has admitted it wanted to protect Learndirect's contract with the Home Office, as the sole supplier of the Life in UK tests.

However, when FE Week approached the Home Office for comment, it didn't seem to share this concern.

A Home Office spokesperson said: "The Ofsted report does not relate to services delivered on behalf of the Home Office. The Life in the UK test is delivered by Learndirect and they continue to provide a high-quality service on this contract."

"As with any contract, the Home Office has detailed contingency plans which cover a number of possible scenarios, including where a supplier ceases trading."

we are very concerned to make sure that people recognise that we made significant recommendations and that the action that needs to be taken is taken.

I hope that the lessons from Learndirect will really focus people's minds, both on what can be done up front to make sure that we don't get into these situations, especially with very large providers, and also to make sure that we are geared up to take prompt action as needed.

The question of whether Learndirect is too big to fail is for the DfE at the end of the day; it's not for us to answer. It's one of the things to think about for the future: what is manageable. Because in any system there are always going to be some problems. Making sure the system can cope with the failure of any individual provider is an essential aspect of a functioning market.

The system must be able to cope rapidly with the failure of an individual provider, so that apprentices get what they should have:

DfE confirms: Learndirect IS too big to fail

The government told FE Week that they did not terminate any contracts as the decision had been taken to: "protect learners and maintain other key public services run by Learndirect Ltd, including Life in the UK tests [Home office contract] and Initial Teacher Training skills tests [Standards & Testing Agency contract]. Had we terminated, there would have been a real risk of Learndirect Ltd quickly entering into administration resulting in significant disruption to learners and others who use their services, such as prospective teachers."

1600
staff

£160m

70k
adult
learners

20,000
apprentices

70
subcontractors

Ofsted emailed evidence to ESFA in March

"We usually share provisional grades and main findings with the funding agency and the provider at the final feedback meeting," Ofsted said. "The agency therefore knows what the provider's strengths and weaknesses are as soon as the inspection concludes. In the case of Learndirect, at the request of the provider, the final feedback meeting did not take place, so the provisional grades and main findings were emailed to the agency on the Monday following the inspection. This meant that the agency was aware of the weaknesses with Learndirect's provision within three days of the inspection."

"We do not routinely share draft reports with the funding agency. This position is consistent with our framework and practice in other remits, where the provisional grades are confirmed immediately following inspection, but the report is only shared immediately prior to publication. And as you know, once the Learndirect report was ready for publication we were delayed by purdah and then by the courts."

"Should the funding agency or department ask to know the findings of the report prior to publication we would ordinarily share them... Neither the EFSA or the DfE requested a copy of the draft report prior to publication... To confirm, the report was not sent to anyone else externally by Ofsted before publication."

Why didn't the ESFA investigate Ofsted's evidence?

Taking a fortnight to reply, the DfE eventually refused to tell FE Week what, if anything, it did before the was being published in August. It would seem no audit has taken place.



Amanda Spielman
Ofsted chief
inspector, tells
FE Week editor...

I think the single most shocking thing was that something like a third of the apprentices at Learndirect were getting no training at all. These are young people often in their first job who most need training and their interests looking after. They weren't getting trained.

In this particular case we have played our part by publishing our report. It is not for us to describe what then happens to Learndirect, but of course we can carry on monitoring and making sure that while it continues to operate, we do what we believe we ought to be doing, [and] that action is taken in the light of recommendations we've made. Of course

really good training no matter what.

Acting sooner is clearly a big lesson that people should take away from Learndirect, [and] looking forward, making sure that every provider has system capacity to handle the failure of any other one.

“
I hope that the lessons from Learndirect will really focus people's minds

Ofsted's accountability systems are evolving but I believe they are fit for purpose.

With the apprenticeship reforms, we can see the system reshaping, which is why we are thinking the topic of campus inspection

has already been floated.

Discussions happen about that. There are conversations all over the place about evolution of inspection and risk management which I think go ahead pretty intelligently, but we need to make sure we never get complacent about what we've got, and that we keep looking forward next year.

How do we line up and make sure we're all doing the right things for that? It's more complicated than it's ever been.

I've got a particular desire that we really make the most of our power to have a bird's-eye view of the whole system and that we aggregate what we see on individual inspections.

Since I arrived at Ofsted I've really been trying to make sure we think about how best to draw together the evidence we get from individual inspections and those findings, to say what is it that we're seeing about the whole, that we should be concerned about and should be talking about.

Against DfE over Learndirect

Evidence from the judicial review

Nobody from the Department for Education nor the Education and Skills Agency attended the court hearing in Manchester, nor did they request a copy of the draft inspection report. However, FE Week was in attendance to record what Ofsted said, along with a related ESFA funding rule for 2015/16.

Learndirect failed to ensure apprentices received their entitlement to off-the-job training. Out of 19,940 Learndirect could only say that 11,729 were getting the training entitlement. So 8,211 apprentices at the time of the inspection (41 per cent) were not getting the off-the-job training entitlement, according to Learndirect's own employee (the inspection nominee). [Issue here with SASE minimum hours and rules such as B18.2 which states: "You must record the agreed average weekly hours including study hours in the learner file."]

Learndirect managers were not able to provide evidence of what was completed and there was complete confusion on how data is recorded. Ofsted said it was told there was evidence of monitoring progress in audio files. So it asked for the audio files and when it listened, it found no evidence of monitoring progress. The inspector asked in his notes if they were "gaming evidence?" [Rule A84: "The learner file must contain evidence to support the funding claimed and must be available to us if we need it."]

Failure by Learndirect to ensure apprentices learned new skills: "systematic approach to assessment targets focused on units evidence required rather than new skills"... "learner had difficulty evidencing the new working skills they were developing on the programme". [Rule B4: "To receive funding for an apprenticeship you must be satisfied that this is the most appropriate learning programme and it is a new job role, or an existing job role, where the individual needs significant new knowledge and skills."]

Learndirect failed to monitor the starting point of apprentices or to properly understand the rate of progress made [Rule A97: "You can only claim funding for learning when activity directly related to the learning starts."]

Five apprentices selected at random; none had any progress monitoring or any evidence or targets being set in individual learning plan. There was no individual learning plan. [Rule A89.3 "If applicable, the learner file must contain all initial, basic skills and diagnostic assessments."]

"System of learning and development is based on assessment only. No planning of learning or execution thereof takes place". When Learndirect's national operations director was challenged on what, if any, quality assurance process were in place, they put their hands on their head and said: "I will need to look into it" [Rule A98: "You must have evidence that the learning took place and that the learner was not just certificated for prior knowledge."]

Auditor's opinion

FE Week showed the evidence to an experienced apprenticeships auditor.

This is their expert opinion on possible breaches of contract, and why funding might warrant clawback.

Looking at what you've provided here, we would be raising a significant number of issues if any of this came up at funding audit. The key issues for us would be as follows.

No evidence of learning would result in us in asking for the provider to prove the learner is still active. If there's no evidence, we would be recommending to the agency that the learner is either withdrawn from programme at last date of learning activity. If there's no evidence of maths and English then the end date would have to be the start date. If it was proved that the learner were still active, we would push for them to be put on break and have all funding removed for the period we are testing. The ESFA may overrule us and let the funding stay, so then it becomes a timeliness issue.

Unclear evidence to support start dates can create problems round minimum duration if programmes are set around six and 12 months. For all 16-18 learners, we may be deeming funds ineligible if it's apparent that the learner has not completed 12 months. This usually results in a) losing all funds for year two, though year one is retained as we can't recover it, or b) for a learner that starts in the year we audit, we either remove funds or the provider corrects the start and planned end date to ensure the minimum duration is met.



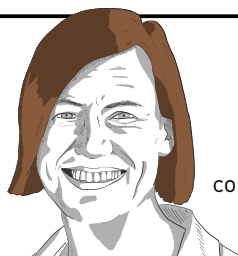
If the number of hours worked is not confirmed, we can't confirm that the appropriate minimum duration has been recorded. If learners work less than 30 hours a week, we confirm if the programme has been extended accordingly. Without confirmation of hours, we can't sign the claim off and the provider must get us the data so we can.

If they are working 16 hours and are only on programme for 12 months, 16-18 apprentices are ineligible unless the dates can be amended – this would be a funding error as the level of claim for the year would reduce as funding is pushed into subsequent years,

If achieved then funds would be removed. For 19+ we would either seek an extension if the learner has done at least 12 months, we would amend to completed and failed. All achievements funds would be removed.

If it's apparent that the learner is only being assessed we'd refer to the agency and expect all funds to be removed as this model is ineligible for funding.

It's difficult for auditors to comment on progress unless we're clearly seeing that reviews and so on show no clear progress. Where we find this we will ask why funding claims are being made when learners are clearly not progressing. Again, we'd expect referral to the agency.



Meg Hillier
Public accounts committee chair, tells FE Week editor...

We will make sure that when Jonathan Slater is in front of us again, which we expect to be at some point in October, we will obviously be putting these points to him.

I have also been talking to Robert Halfon, the chair of the education select committee, to make sure we are looking at what we can both do to make sure we really draw out any wider lessons of government as a wider issue, which is pretty critical.

"I hope Learndirect will open itself up to auditors"

This is money that has gone to a provider that has not delivered. There is the issue around management fees and subcontracting

which I know the education select committee is keen to look at, but it is also an issue which the public accounts committee has looked at a lot, where you have one big subcontractor or a few swooping up the money, but other people are actually doing the work.

We need to look at whether that is really what government means by "outsourcing".

Outsourcing is here to stay I think, but we have said several times to the government in many reports that once you outsource you do not absolve yourself of this responsibility from making sure it is delivered.

We have been hitting very hard on how you manage that contract as a smart client.

It does not seem to me that in this case the DfE has been a smart client.

It got to a point where it was dealing with a provider that if it had started digging they might have found their problems, so it does seem that Learndirect has been too big to fail.

If the NAO do an investigation, which I hope they will, then we would expect to have

all of the data and information about what money has gone in, what has been spent, what management fees were charged and all of that.

"There is no real prospect of Learndirect surviving this scandal"

If the NAO goes in, they have access to all the contracts and information at the DfE, and I would hope if Learndirect has any conscience, given it now has this publicity anyway, it will open up itself to the auditors because there is now nowhere for them to run and hide.

There is no real prospect of them surviving this scandal.

We had hoped to have a hearing [this month] with Jonathan Slater, where we were going to put forward some of the key points about how come Learndirect is too big to fail, how come it is still getting money and we haven't terminated its contract, and questions like that.

We have also been in touch with the National Audit Office which is considering doing an investigation. This is a quick-hit inquiry so it is not a long-term value-for-money one. It will probably be just six to eight weeks. If that did go ahead it would probably come out late October at the earliest.

'Collusion' banned in tough new EPA guidance

JUDE BURKE
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The government has fired a warning shot at organisations seeking to undermine the independence of final apprenticeship exams with the release of new guidance this month that specifically prohibits "collusion". The Education and Skills Funding Agency has acted after an FE Week investigation earlier this year found employers in three sectors preparing to exploit a loophole that would allow them to grade their own apprentices.

The new conditions for organisations on the register of end-point assessment organisations are stark.

"You must not collude with other EPA organisations, providers, employers or any other organisation in the delivery of end-point assessment," states the guidance, released on September 5.

It defines collusion as organisations entering the register "with the express intention of delivering end-point assessment to each other's apprentices" or "circumventing the requirement both for the employer to select the EPA organisation and for separate and independent assessment".

"We will view such reciprocal arrangements as deliberate collusion which will not only undermine the independence of end-point assessment but also limit open



competition in the EPA organisation market," it warns.

EPA rules dictate that exams must be carried out by an independent assessor to ensure impartiality.

This normally means that the person who does the assessment must work for an organisation separate from both the company employing the apprentice and the training provider.

But, as FE Week reported in February, an exception granted by the former skills minister Nick Boles in 2015 allows employers in the retail, hospitality and travel sectors to assess their own apprentices, provided they can show the assessor is independent from the apprentice.

The Department for Education told FE Week that any employer wishing to do so would need to be on the register of assessment organisations.

However, we found evidence that certain employers had sought to circumvent this rule.

One established assessment body admitted it was in talks with employers about taking on members of the employer's staff as consultants to carry out assessments.

Other bodies which may have less-than-robust processes for ensuring an independent assessment are also understood to be exploring this model.

Stephen Wright, the chief executive of the Federation of Awarding Bodies, warned that the new guidance was "full of requirements

that are open to interpretation".

He suggested that organisations were not being given enough time "to properly digest" the guidance, as they "are required to sign a statement of compliance within less than three weeks".

He hit out at the "complete lack of consultation" on the new conditions, which he said had led to "confused interpretation, contentious clauses that need proper discussion and a timescale that is far too short".

He claimed that the regulatory burden for assessment bodies had "exploded" in the past two years.

"There is only so much regulation that an organisation can bear, and the real risk is that good assessment organisations will withdraw from situations where they can provide excellent assessment but just can't keep up with the regulatory demands," he said.

A DfE spokesperson said: "As part of the administration and operation of the register of end-point assessment organisations, the ESFA reviews all applications received in line with the criteria set out in the pre-application guidance.

"In terms of organisations who are on the register, as indicated in the conditions, the ESFA will collect information on the end-point assessment organisations on a regular basis in order to build a profile of their activity and ensure they are operating within the conditions."

No alternatives for most learners left in the lurch

BILLY CAMDEN
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EXCLUSIVE

Over two thirds of learners from providers that have collapsed – leaving them with huge loan debt but no qualifications – have still not been moved onto alternative courses.

The situation has become so dire that Robert Halfon, the new chair of the Commons education select committee, is now backing FE Week's campaign to get the government to refund all the affected learners.

We have been demanding justice for the hundreds of learners who've been left in the lurch by failed providers since January, when it emerged that the Department for Education was refusing to write off advanced learner loans held by over 200 Londoners left high and dry by the collapse of John Frank training in November.

This situation was echoed at Hampshire-based Edudo Ltd, and Darlington's Focus Training & Development Ltd, so FE Week launched its #SaveOurAdultEducation campaign to get the debts cancelled.

However, just 112 of the 344 affected students have since been transferred to other providers.

Mr Halfon told FE Week that he was "incredibly concerned" about the figures, which were obtained through a Freedom of

Information request.

It is "the duty" of the Education and Skills Funding Agency to refund learners if they cannot be found "adequate" alternative provision, he insisted – which must be close enough to home to make travel affordable and practical.

The DfE confirmed that 93 of the 112 transferred learners studied at JFT, and the other 19 were at Edudo.

Twenty more of Edudo's 95 former learners are apparently meanwhile "in the process" of transferring, meaning 42 per cent are still unaccounted for.

Worse yet, not one of the 37 affected students from Focus Training have been found new providers since the organisation went under last December.

In total, there are still 212 students from these defunct providers – with no end in sight for their loans misery.

Asim Shaheen is a former student of JFT who has been unable to complete a level three hospitality and catering course which was funded by a loan of over £8,000, and who became a focal point of our campaign after he travelled from Stoke to Westminster in February to confront Mr Halfon – then the skills minister.

"After I came all the way to Westminster to see the minister I've heard nothing," he told FE Week. "The government sent me one letter

saying it was my responsibility to go and sort out a new provider for myself and that was that.

"I've got no portfolio because it was with JFT, who I can't contact, so how the hell am I supposed to sort myself out?"

He claimed the government "has no back up plan" and that learners like him have been "left in the middle of nowhere, expected to find our own way home".

A Department for Education spokesperson said: "The student loans company made contact with all affected learners. Of the 344

learners affected, and of whom wished to continue their learning, 132 have chosen to continue with an alternative provider."

Our FoI only focused on the three failed training providers we investigated last year, but there may well be many more learners in the same situation who simply have not yet been brought to light.

Mr Halfon said he was "keen" for the education committee to "look at the quality of both public and private training providers and the role government plays in terms of how students are treated if these institutions fail".



Asim Shaheen confronts Robert Halfon



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NEWS

College housing plans delayed amid Grenfell pressure

PAUL OFFORD
@PAULOFFORD

A college in one of London's richest boroughs has delayed its final decision on whether to abandon one of its campuses to make way for housing, amid mounting protests from Grenfell Tower campaigners determined to defend adult education for poorer people in the area, FE Week understands.

The site on Wornington Road is one of Kensington and Chelsea College's two main campuses, and it was sold for £25.3 million to the Royal Borough of Kensington and Chelsea last year under a lease-back arrangement.

The local authority wants to demolish the building for housing, in a deal which would at best result in greatly reduced teaching space for the college at the redeveloped site.

But the LA's plans have become entangled in the fallout from the Grenfell Tower fire tragedy in June, in which at least 80 people were killed.



Campaigners including Edward Daffarn, who escaped the blaze, have met Dr Elaine McMahon, the college's interim principal, and the college's chair of governors Mary Curnock Cook, to raise concerns both about Wornington's future and KCC's planned merger with Ealing, Hammersmith and West London College.

KCC refused to confirm what was said in the meeting, but Mr Daffarn, speaking on behalf of the Grenfell Action Group, said campaigners were told the college had "pushed back" its final decision on whether to assent to plans to redevelop the site from the end of this month until December 30.

"It's a good sign," he said. "I firmly believe

that as a consequence of the fire, the council and college now not only has to listen to us – because they will be under pressure from the government – but they have a duty to do so.

"People in the Grenfell area have for too long felt they are being driven out of the area. The Wornington campus and wider FE is the sort of vital service that they have been trying to take away."

Another campaigner, Verena Beane, told the council about the "huge local opposition" to the merger, which she fears "will ultimately diminish the chances of saving Wornington".

"We still came out of the meeting feeling they weren't taking enough notice of the

community needs, but we won't give up," said the retired KCC employee.

The central London area review recommended that KCC merge with the City Literary Institute, a specialist designated institution, but the former announced in June it planned to join forces with EHWLC instead.

A public consultation was launched on September 1, closing on September 30, and the planned date for completion has been set at January 2 next year.

KCC is understood to be planning a public meeting to address residents' concerns on September 26.

The borough's director of local services, Tony Redpath, sat on the college's board of governors until July this year.

He warned about asset-stripping in an email sent to colleagues and seen by FE Week in February. "KCC's problem, put baldly, is that its attraction to other colleges is based on its assets rather than its activities," he wrote.

KCC and the borough council issued a joint statement on the matter, saying: "The council and college have agreed that nothing will happen without consulting the community first.

"RBKC and KCC will continue working to ensure that there is minimal disruption to FE provision in North Kensington and that a wide range of options for the Wornington Road site can be considered with the communities involved."

EHWLC declined to comment.



Provider punished for offering inducements enters administration

JUDE BURKE
@JUDEBURKE77

EXCLUSIVE

An apprenticeship provider has called in the administrators after FE Week caught it offering illegal inducements to an employer.

Talent Training made around 100 staff redundant on August 17, and this week its chairman David Harper informed them by email that he had "reluctantly chosen to agree to appoint administrators today for the company".

This decision was apparently made after he failed to reach a deal to transfer his firm's contracts to another provider.

Mr Harper said he had "detailed discussions" with other providers, "one of which had been in discussions with the ESFA to ensure a smooth transition as far as possible".

But despite being "reasonably optimistic" that this would lead to a "quick agreement", he was told that no deal could be reached

until "the end of September at the earliest".

"Having spoken to my advisors, it was obvious to me that the company could not continue in limbo under this timetable," he said.

In a response sent just hours before the all-staff email, he told us it had been "necessary to make ALL staff redundant without exception" – but made no comment on reports that they had not been paid throughout August.

However, in his email to staff, Mr Harper said that the administrators, David Rubin and Partners, would be "in touch with you to assist with your unpaid wages claim".

A spokesperson for Gateshead College recently revealed that Talent, based in South Tyneside, had been in talks to sell its remaining learners, in order to "ensure their learners can complete their training".

Mr Harper said he had "spent the last two weeks speaking to several organisations with a view to safeguarding as many jobs and learners' programmes as possible and am unable to comment further in this regard



at this stage to ensure I do not prejudice any sensitive arrangements".

A spokesperson for the Department for Education confirmed that it was "continuing to work closely with Talent Training to ensure the continuity of training for learners and minimise any disruption to employers".

"Where a provider is looking to remove itself from the market place or where the Education and Skills Funding Agency takes action to remove a provider from the market place, it is the responsibility of the ESFA, or the employer, to determine where learners are transferred to in order to complete their learning," she added.

FE Week also asked the department to confirm whether Talent had its adult funding budget, loan funding and pre-May apprenticeship funding contracts terminated,

but we have yet to receive a response.

We understand that Talent intends to apply for a judicial review against the ESFA's decision to pull its contracts.

This saga follows an undercover investigation FE Week carried out in June, in which we caught a Talent employee offering as much as 20 per cent of its government funding per apprenticeship to a firm that was considering its training services.

Talent at the time insisted that no inducement payments had actually been paid to any employers.

The ESFA initially said it would terminate its levy agreement with the provider, but not its non-levy apprenticeships contract.

Nevertheless, the ESFA appears to have stopped making payments – although this has never been positively confirmed.

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Alessia Di Meo, QTLS
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Minimum standard threshold rise scrapped

NICK LINFORD
@NICK LINFORD

The government has scrapped plans to increase the apprenticeship minimum standard threshold by three percentage points.

The minimum standard is an important performance measure for the Education and Skills Funding Agency, which “monitors delivery against that minimum standard”, potentially triggering intervention.

It works by calculating “how many of the apprenticeships or education and training aims delivered by a provider are below the minimum standard thresholds”.

If these represent “more than 40 per cent of the total cohort for apprenticeships or education and training”, the offending provider comes into “scope for intervention”.

Tellingly, it was revealed during Learndirect’s recent judicial review against Ofsted that an incredible 70 per cent of its apprentices are below the threshold.

As a result, the nation’s largest training provider was given a notice of serious breach on March 14; Ofsted paid a visit within a week, leading in the end to its infamous ‘inadequate’ grade.

Table 1: Minimum Standards thresholds for 2016 to 2017

Qualifications Type	Threshold (%)
Apprenticeships (framework or standard)	62
Access to HE	70
A-Levels	75
AS-Levels	63
Award	80
Certificate	80
Diploma	70
ESOL	70
Basic Skills Maths and English	63
GCSE Maths and English	75
GCSE Other	75
Other non-Regulated	85
Other Regulated	70
QCF Unit	85

A total of 25 providers were slapped with either a notice of serious breach or concern for apprenticeship minimum standards in 2015/16, according to the ESFA.

The threshold in 2015/16 was 62 per cent, but in February 2017 the DfE lifted it to a minimum of 65 per cent for 2016/17.

Today, the government reversed the change, and said it would keep the threshold at 62 per cent for 2016/17.

This cautious move is more than likely influenced by a desire not to make the

government’s ambitious target for three million apprenticeship starts any harder to achieve than necessary.

The ESFA may also have been concerned about a national fall in the apprenticeship achievement rate, after the DfE closed various statistical loopholes.

As FE Week reported in February, the average achievement rate in 2014/15 was 71.1 per cent before these were closed, and it duly fell 4.7 percentage points to 67 per cent once it was recalculated.

According to the DfE, “approximately 10 per cent of apprenticeship providers were receiving an artificially high achievement rate for apprenticeships because of how they were using three loopholes in the methodology”.

Some gained a significant advantage of more than 20 per cent in their rate, while other providers “were able to avoid falling below the minimum standard threshold which was 55 per cent at the time”.

As FE Week reported at the time, Learndirect’s achievement rates fell dramatically once they were recalculated.

For the first time the new apprenticeship standards will be included in the achievement calculation.

Today’s guidance reads: “In 2016 to 2017 we will calculate minimum standards for apprenticeships (all ages) for both frameworks and standards, regardless of how they are funded by us (framework funding for starts before 1 May 2017 and standards under the trailblazer pilot funding methodology). Apprenticeship starts from 1 May 2017 will be excluded for the 2016 to 2017 calculations, but included in the 2017 to 2018 calculations.”

All 2016/17 minimum standard thresholds (below) remain unchanged from 2015/16.

Ex-professional footballers on trial for defrauding colleges

BILLY CAMDEN
@BILLYCAMDEN

A trial against four men – two of whom are former professional footballers – accused of conspiring to defraud colleges and the government out of millions of pounds in skills funding is finally underway.

Mark Aizlewood, aged 57, from Aberdare, who played for Wales 39 times in the 1980s and 1990s, and Paul Sugrue, who played for professional clubs including Manchester City, Middlesbrough and Cardiff City, are among the defendants at Southwark Crown Court, at a trial that is expected to last 12 weeks.

They are appearing alongside two other former colleagues from the now-defunct provider Luis Michael Training, Keith Williams, 45, from Anglesey, and Jack Harper, 30, from Southport.

The four men face charges ranging from conspiracy to commit fraud by false representation, to fraud and using a false instrument, dating as far back as 2009.

The trial is now in its second week. Alexandra Healy QC, prosecuting, told the court that “the case concerns fraud involving in the region of £5 million of public money”.

“That money was intended to be used to fund the training of apprentices,” she said.

“LMT persuaded colleges to enter agreements and that involved them enrolling learners. But a number of the learners were

‘ghost’ learners and did not exist. Others were real people but did not know their name was being used.”

The court also heard that LMT did not only deal with “ghost learners”.

“Learners who were real were meant to have over 450 guided-learning hours to achieve their qualifications,” said Ms Healy.

“LMT said they would deliver 20 hours of guided learning per week, but these real learners actually received much less, just two to three hours per week.”

To persuade colleges to join agreements, the court heard that LMT submitted false accounts purporting to show it had a history of trading profitably.

A number of young people on work experience from a school in Wales were also alleged to have worked at its offices, where it was alleged that they completed fake tests that real learners had been supposed to complete, and filled in false learner comment reviews.

Mr Aizlewood, Mr Sugrue and Mr Williams helped set up LMT in 2009, and were directors and equal shareholders of the firm, the court heard.

The provider was a subcontractor for eight FE colleges, including Sparsholt College and South Thames College.

The court also heard that both Mr Sugrue and Mr Aizlewood were able, through other businesses that they operated (Luis Michael Trading and Aizlewood Consultancy),



Paul Sugrue (left) and Mark Aizlewood (right)

to “claim certificates for the learners’ completion of the component aspects of the apprenticeship framework as a result of the direct claim status those businesses had with the various awarding bodies”.

Mr Harper got involved with LMT in 2009 and was supposed to provide level one and two coaching qualifications.

He is accused of allegedly committing a separate but linked attempt to defraud Liverpool Community College, through his company FootballQualifications.com.

“Mr Harper entered an agreement with LCC,” Ms Healy told the court. “Inquiries into the 39 learners that he had submitted to the college for enrolment revealed that many were not employed, a number were

in full time education and so ineligible for apprenticeship funding, others were only attending very short training sessions.”

The college asked for evidence that the learners existed, but Mr Harper was alleged to have produced false bank statements purporting to show payments to the learners.

The four defendants deny all charges, while two more men pleaded guilty before the trial began.

These are Christopher Martin, 53, from Newbury, who pleaded guilty to two counts of conspiracy to commit fraud by false representation, and Steven Gooding, 53, from Bridgwater, who admitted one count of the same charge.

The trial continues

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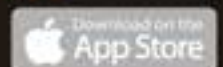
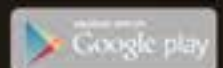
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Is Gibb to blame for functional skills reform?

JUDE BURKE
@JUDEBURKE77

The government, apparently under the influence of the schools minister Nick Gibb, is ploughing ahead with reforms to functional skills in English that run contrary to the advice it has received.

The public consultation on reforming the English and numeracy qualifications, which are set to be introduced in September 2019, opened earlier this week, but even the people tasked with developing this content appear to disagree with the proposals.

The qualifications were developed by the Education and Training Foundation on behalf of the Department for Education, following a year-long consultation with employers, providers, practitioners and learners.

But some of those involved in that earlier consultation have told FE Week that their views – and those of other experts – have been roundly ignored, while there has been general dismay at the minister's insistence that phonics be included.

Unusually, even the ETF has hinted that it's not happy with what's now being consulted on.

"We recognise that the DfE has proposed some changes and additions to the content that we submitted to them last year, which is why it is important that as many people as possible submit their views," a spokesperson said.

This sentiment was echoed by Stephen



Evans, the chief executive of the Learning and Work Institute, which was contracted by the ETF in partnership with Pye Tait Consulting to work on the reforms.

He told FE Week that functional skills would only be successful "if practitioners, providers, and learners are listened to".

"We hope as many people as possible will respond to this consultation and that the government will listen," he said. "A high-quality functional skills route needs flexibility and to be built around the needs of learners and how best to meet them."

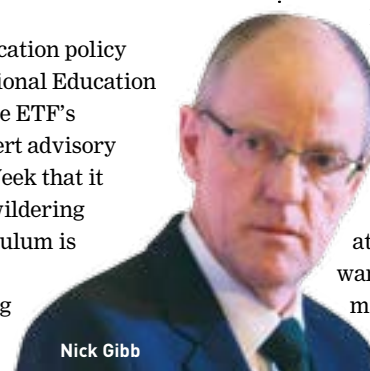
The addition of phonics – a method of teaching reading that involves sounding out

words – into the proposed English content is almost certainly the work of the DfE.

Mr Gibb has long been a passionate advocate of the approach, but not everyone agrees with him.

Jill Stokoe, an education policy adviser with the National Education Union, was part of the ETF's functional skills expert advisory group, and told FE Week that it was "absurd and bewildering that a phonics curriculum is proposed".

Many people taking functional skills



Nick Gibb

have additional needs or learning disabilities, and she believes phonics is "not often an appropriate pedagogical approach" for them.

"Ministerial obsession with phonics must not infect post-16 provision in the same way it has primary schools," she said. "One size does not fit all."

The DfE's current recommendations are "worryingly at odds" with the conclusions reached by Ofqual in a review it carried out in 2015.

That review, the first since functional skills were introduced in 2010, was "clear that the qualifications were not fundamentally flawed", she pointed out.

"Although the functional skills qualifications weren't broken before, if these proposals are accepted in their current form, they certainly will be," she warned.

Mike Ellicot, the chief executive of National Numeracy, a charity that works to improve adult and child numeracy, also took part in the ETF consultation.

He told FE Week that he was unhappy with both the proposed subject content and the way it had been developed.

"After a muddled, opaque process and then a long delay, it would appear that the focus on functionality has been lost and we now have an atomised tick-list of skills," which he warned could risk "functional skills maths being the least functional of any maths curricula".

College caught on camera touting for rival's learners

JUDE BURKE
@JUDEBURKE77

EXCLUSIVE

A college has been snapped touting for students right outside a rival's campus – enflaming tensions sparked by a recent merger.

Sunderland College's advertising van, emblazoned with the words "Sure you've made the right choice? It's not too late to change your mind", was parked at a junction outside the main campus of its neighbour East Durham College on Thursday morning.

Sunderland merged with Hartlepool Sixth Form College just a few weeks ago, stoking fears that competition to recruit FE learners in the region would become increasingly aggressive.

East Durham's principal Suzanne Duncan told FE Week that she was "really disappointed" by the van's appearance outside her college.

Sunderland College however insisted that it had been parked there by mistake.

"An error was made by a member of staff and this is not a practice that the college endorses," she said. "When we were made aware we moved the van."

Both colleges took part in the north-east area review, which ended in February.

The ensuing report recommended they both stayed independent, albeit "working with neighbouring colleges on a collaborative curriculum offer and participating in shared service company".

But Sunderland opened a consultation on a proposed partnership with Hartlepool SFC before this report even saw the light of day.

That plan came as a surprise to many, as Hartlepool had come out of the Tees Valley area review with a proposal to merge with its closer neighbour, Hartlepool College, and FE Week has been unable to find anyone to explain the rationale.

Even Darren Hankey, Hartlepool College's principal, admitted to FE Week that he had no idea what prompted the SFC's change of heart.

A report by the SFC commissioner Peter Mucklow, who visited Hartlepool in March after it was hit with a financial notice to improve, noted that there had been a "lack of progress" on the proposed merger between the two Hartlepool providers, and urged the SFC to take "decisive action".

"Hartlepool Sixth Form College should proceed with the proposed merger with Sunderland College as a matter of urgency," he wrote.

But the revised plan upset both Mr Hankey

and Ms Duncan, who argued that a merger between two colleges in different areas would increase competition for learners – even though the area reviews had been established to encourage providers to work together.

They insisted that the area reviews had been designed to rationalise provision, especially given the decline in the number of teenagers in the area, which already had a crowded post-16 market, particularly in Hartlepool.

Sunderland's principal Ellen Thinnesen

told FE Week at the time that the merger decision would be taken in the best interests of the college.

"Any decision relating to merger with a neighbouring college will be strongly informed by Sunderland College's resolute position on ensuring maximum value for public investment, greater specialisation – in this case sixth form provision, reduction in duplication, and most importantly keeping the needs of all young people at the forefront of decision making," she said.



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NEWS

DfE to run 'high-level' T-level sessions from October

BILLY CAMDEN
@BILLYCAMDEN

The Department for Education is forking out £95,000 to run "high-level message" sessions to train FE staff about T-levels.

It put out a tender last week, looking for an organisation to create a "series of specialist events" to raise awareness about the reforms to technical education.

These will also serve as information-gathering events for the public consultation on T-levels, which will be published soon after a delay of more than a year.

"The government is introducing new college-based programmes, called T-levels, in 2020," the tender says.

"By providing high-level messages relating to the reforms, these events will help FE heads of curriculum to factor these changes into their plans and effectively engage with the public consultation at the end of this year."

News of these events will be welcomed by many across the sector, given the general lack of communication on T-levels, and because understanding of the reforms has so far been limited.

The skills minister Anne Milton

announced in July that the first T-levels would be delayed until September 2020 – a year later than planned – following an assessment of the DfE's delivery timescale.

The remaining routes are still expected, as planned, in September 2022.

In July FE Week revealed that no-one had yet been appointed to the T-level advisory development panels that should have met for the first time four months ago, even though they will be instrumental in the development

of the new qualifications.

The closing date for the DfE's tender is September 20. The successful bidder must be available to deliver seven full or half-day events between October 9 and December 15.

While the events will be useful to college and private provider staff, one FE Week reader described it as "a very short turnaround... to arrange awareness events on T-levels for FE staff starting October 9 – just three weeks to apply, get approval and

organise said events".

Other problems that have occurred on the road to T-levels include a DfE report published in July suggested Lord Sainsbury's recommendation to have one awarding organisation per qualification was not viable.

And other important stages in the process include procurement for the new technical qualifications, which is still due to begin in October 2018.



Autistic teen's enrolment heartbreak triggers review

PAUL OFFORD
@PAULOFFORD

A college is reviewing its enrolment procedures because an autistic boy was asked not to return just days after he was mistakenly allowed to start a course – and his mother's heartbroken Facebook post went viral.

James Parker, 16, began a one-year pathway course at City College Norwich earlier this month, but his mother Emma received a letter from the college five days later, explaining he had "been enrolled in error".

The college hit the news, however, after her Facebook post explaining the distress this caused her son was shared close to 20,000 times.

"My son is autistic and was told beginning of year he had to find a collage for September, as he couldn't stay on at his autistic school, so we applied and went for interview at city collage," she wrote in the post.

"He was over the moon to hear the lady say 'yes 100 per cent James is on the course' – so he started and enrolled Monday.. had the best week of his life.. he even said," mum I could cry happy tears" to then get this letter. As you can imagine he is absolutely devastated."

Faced with a growing storm on social media, a college spokesperson offered "unreserved apologies" for the "deeply regrettable" situation, explaining that "as we are unable to meet James's support needs, this should not have happened".

"We are now reviewing our application

processes to make sure that something like this cannot happen again," he said.

He told FE Week that CCN had held "a constructive discussion with the family and this dialogue is ongoing, in conjunction with Norfolk County Council, as we work together to find the best solution to meet James's individual needs".

Ms Parker said she was "glad" the provider was launching a review, but added: "How sad it had to come to this to make it do something that already should have been in place.

"It is too little too late for my son, the damage is done. I can't speak for others, I can only imagine their heart ache. Once again we are left with a broken lad that just wants a placement."

The college supports more than 300 students with special education health and care plans, many of whom join its supported learning provision, which is rated 'outstanding' by Ofsted.

"Each application is carefully assessed in order to ensure that we are able to provide the right environment and support to meet the needs of each individual student," the spokesperson explained.

"In March this year, we conveyed our decision to Norfolk County Council that James needed a higher level of support and a different learning environment from that which the college is able to provide."

This, the college claimed, should have meant alternative provision was sought to better meet his needs.

"A separate application for James was

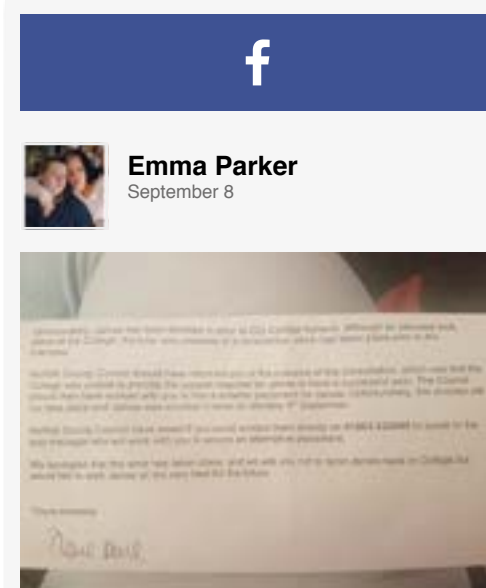
made direct to the college in July, effectively bypassing the EHCP consultation process," the spokesperson explained. "On the basis of the information available to our staff at the time, this led to a place being offered".

It was only later discovered that an assessment had already been carried out, in which it was concluded the college was "unable to provide the level of right support and environment needed".

This only came to light, however, when the college "cross-referenced enrolment and additional needs funding records".

A spokesman for Norfolk County Council said the local authority had made "repeated attempts, over several months" to speak to James and his family on the issue.

They "have now agreed to meet with us, so that we can work together to ensure James receives the most appropriate support", the spokesperson said.



Ok facebookers.. pls help me get this viral.. my son is autistic and was told beginning of year he had to find a collage for September as he couldn't stay on at his autistic school



City College Norwich

NEWS

Ofsted exposes rule breach over unemployed apprentices

BILLY CAMDEN
@BILLYCAMDEN

An 'inadequate' community learning provider has been caught breaching government funding rules, after Ofsted found most of its construction apprentices were unemployed.

North Liverpool Regeneration Company Ltd, which trained around 129 learners last year with an Education and Skills Funding Agency apprenticeships allocation of more than £600,000, was given a grade four across the board in a report published on September 8.

In the latest sign that Ofsted is taking a more proactive role in sniffing out misuses of funding, inspectors said the "vast majority" of construction apprentices "are not employed" – a "key principle" of any apprenticeship.

As such, they do not receive their entitlement of on-the-job training, which is supposed to amount to 80 per cent of the time they spend on their course.

This, the report added, is "limiting the skills and experience that they should acquire on an apprenticeship".

Apprentices who do not participate in employment are ineligible for funding under ESFA rules.

In addition to the strong possibility that its skills funding will be cancelled – usual when a provider gets a grade four – questions are now being asked about whether the ESFA should demand a full refund.

"North Liverpool Regeneration Company will be removed from the register of apprenticeship training providers," said a Department for Education spokesperson.

"We will always exercise our right to terminate contracts where a provider is not meeting the expected standards, working with employers and learners to ensure minimum disruption."

It is unclear whether the contract for pre-May apprentices has been terminated or whether any funding will be clawed back.

North Liverpool Regeneration declined to comment.

Other issues that raised during the inspection included apprentices who had

improvement identified at the previous inspection, leading to a decline in the standards of education and training.

- Leaders' and managers' planning of the curriculum is inadequate; the large majority of apprentices are not employed, which is a key principle of being an apprentice.
- Trustees, leaders and managers have presided over a significant decline in achievement rates since the previous inspection, which are now low.



Inadequate



an "insufficient awareness of the dangers associated with radicalisation and extremism" and ineffective safeguarding.

Trustees, leaders and managers had "presided over a significant decline in achievement rates since the previous inspection", while tutors had not set "sufficiently challenging" targets for apprentices.

"The vast majority of construction apprentices make slow progress on their apprenticeship programmes and do not develop the skills that they need to gain meaningful employment in the construction industry," the report continued.

Managers' monitoring of subcontractors was "poor", and they placed a "disproportionate emphasis" on achieving financial and recruitment targets, rather than "improving the standards of education and training of subcontractors".

The report concluded that North Liverpool Regeneration had "no strengths".

This is not first time Ofsted has uncovered practice that breaks funding rules.

In March this year, FE Week revealed certain colleges and providers were hiding banned subcontracting through the use of so-called "associate partnerships".

Ofsted first brought it to light in a report on Expedient Training, a provider based in Tyne and Wear, which was rated 'inadequate' in January, and was subsequently put on the ESFA's list for early contract termination.

Inspectors took the unheard-of step of stating that the "vast majority" of the provider's remaining apprenticeships and advanced learner loans training was "provided by an associate partner", an arrangement that had not been sanctioned by the ESFA.

Asked this week whether it was purposefully becoming bolder, and beginning in effect to act as an auditor, a spokesperson for Ofsted said inspectors were reporting "as they find against the criteria in the FE and skills inspection handbook".



One voice,
working together,
for our members.
For their future.

NEWS

University's plan to take London college over by the back door held up

JUDE BURKE
@JUDEBURKE77

EXCLUSIVE

A university's controversial plans to take a local college over by stealth have been delayed, FE Week can reveal.

Lambeth College consulted in June on proposed changes to its governance structure, which would have handed significant control over how it is run to London South Bank University, ahead of a formal merger.

The changes had been due to take effect from mid-June – but the college has confirmed that they are yet to be implemented.

Monica Box, Lambeth's interim principal, told FE Week that the college's board had "considered the responses to the consultation on changes to governance" and had "reaffirmed its commitment to make changes to the governance profile" but admitted that "the timescale has been altered".

This is to allow the board to take into

consideration "feedback from the college application for the designation criteria pilot" which is expected "early in the autumn term".

The changes would see the college's principal stripped of many of her responsibilities, while at least half of its governors would be appointed by LSBU.

Amendments would be made under the college's instruments and articles of governance, which don't need to be signed off by the government.

Among the powers that Ms Box would pass to the university include annual budgets, staffing arrangements and the college's "strategic direction", according to the consultation document on Lambeth's website.

"Up to five" governors would be chosen from among LSBU governors and senior staff, sitting alongside the university's vice-chancellor "unless he or she chooses not to be a governor".

The college would be represented by an employee and a learner, along with two or three independents, who would be selected



from among its current governors.

"All other governors of Lambeth College will resign," the document explains.

These proposals were made months ahead of a consultation on a potential merger between the college and university.

This amalgamation was one of three options proposed for the college, which was rated as 'requires improvement' at its most recent Ofsted inspection in December, in the central London area review.

A report published by the former FE

commissioner Sir David Collins in March, based on a visit to the college in September 2016, concluded that it was "no longer sustainable" unless it merged.

His visit had been precipitated by a "significant deterioration" in the college's finances, caused by poor financial management.

The college was bailed out by Education and Skills Funding Agency last year after its projected deficit for 2015/16 ballooned from £500,000 to more than £5 million.

Commissioner reports expose SFCs' cash crisis

JUDE BURKE
@JUDEBURKE77

Two sixth-form colleges have such severe financial problems that their very futures are threatened, after shocking reports were published this month

Advisers for the sixth-form college commissioner Peter Mucklow visited St Mary's Sixth Form College, in Blackburn, and Brooke House Sixth Form College, in London, in March after both were hit with financial notices to improve – although the reports have only just been made public.

The report into St Mary's

determined that it "cannot continue as a standalone college" due to financial difficulties attributed to falling student numbers and long-term debt, in a situation exacerbated by an "absence of leadership" since December.

The 1,000-learner SFC was rated 'requires improvement' by Ofsted in May and emerged from the Lancashire area review asked to identify a "financially sustainable solution" such as a merger or academisation by April 28.

This deadline was not met "due to the extent of the leadership and management challenges at the college" resulting from "an unfortunate set of

circumstances".

Its previous principal Frank Dixon was involved in an accident two months before his planned retirement, his replacement withdrew before taking up the post, while the acting principal took immediate early retirement on health grounds shortly after.

An interim principal has subsequently been appointed, but the leadership vacuum meant "the college has yet to develop an effective recovery plan for financial sustainability post 2016/17".

Mr Mucklow urged the college to "urgently appoint an effective senior leadership team" to focus on securing St Mary's future – including producing an "effective financial recovery plan immediately".

He wanted "commissioner-led comprehensive options review" carried out as soon as possible "to support the identification of long-term strategic options for the corporation to consider in autumn 2017".

A spokesperson for St Mary's pointed out that the report, including the recommendations, was now six months old. "Under the guidance of the interim principal and external agencies, the college has made good progress in all areas of recommendation, and looks forward to working with valued partners in the future," he said.

Meanwhile, Mr Mucklow demanded an immediate recovery plan for Brook House

SFC, also given a grade three by Ofsted, after a meeting of governors revealed "surprise" at the size of its 2015/16 deficit.

"If current trends were allowed to continue, the college would be at risk of running out of cash during 2017 to 2018, and could not continue operations without an overdraft facility," the resulting report warned.

The 1,350-learner SFC has been relying on a £500,000 overdraft facility for operational purposes which was due to be reviewed by Barclays Bank in July this year.

"This underlines the imperative for a review of the college's strategic options to be conducted by autumn 2017," the report added, casting doubt on its sustainability unless "active measures" were taken to ensure student numbers hold up, and that the college could meet its costs.

Governors and senior leadership were told to improve oversight and management of financial control "immediately", and to carry out a review of their own roles and the structure of the senior team, to "ensure the leadership and management of the college is efficiently and cost-effectively organised".

Brooke House came out of the central London area review with a recommendation to remain standalone, although it was asked to "improve its financial position and its quality against an improvement plan agreed with the Department for Education's funding agencies".



Peter Mucklow

NEWS

Select committee to tackle subcontracting

PAUL OFFORD
@PAULOFFORD

The Commons education select committee is to thoroughly investigate subcontracting – and Learndirect is expected to feature prominently in its work.

The committee, now chaired by former apprenticeships and skills minister Robert Halfon, met this month for the first time since the last parliament.

Mr Halfon confirmed that it will place

heavy scrutiny on FE.

“We have agreed to look carefully at a number of subjects spanning the quality of apprenticeships training and subcontractors,” he said.

“Social justice and productivity will be at the heart of our work on the education committee over this parliament. How our education system helps to improve young people’s lives and puts them on the ladder of opportunity will be placed front and centre of our programme of work.”

The committee’s work on subcontracting

and apprenticeships is expected to be focused on concerns on value for money and quality of provision – which will more than likely see more of a spotlight on the Learndirect saga.

The largest training provider in the UK has been given special treatment by the DfE and retains all contracts, including apprenticeships, despite receiving an Ofsted grade four last month.

It is notorious for charging high management fees, in a process known as “topslicing”, which often sees lead providers

retaining a large slice of government funding before paying subcontractors to run training on their behalf.

The committee also announced that it would hold early hearings with the education secretary Justine Greening, Ofsted’s chief inspector Amanda Spielman, and Ofqual’s chief regulator Sally Collier, once Parliament returns from the party conferences in October.

Further details of the committee’s new inquiries will be announced in the coming weeks.



The members

Full line-up

Chair - Robert Halfon

Conservative MP for Harlow, former skills minister



Lucy Allan

Conservative MP for Telford, former education select committee member



Michele Donelan

Conservative MP for Chippenham, former education select committee member



Marion Fellows

SNP MP for Motherwell and Wishaw, former education select committee member



James Frith

Labour MP for Bury North



Emma Hardy

Labour MP for Hull West and Hessle, former teacher and NUT activist



Trudy Harrison

Conservative MP for Copeland



Ian Mearns

Labour MP for Gateshead, former education select committee member



Lucy Powell

Labour MP for Manchester Central, former shadow education secretary



Thelma Walker

Labour MP for Colne Valley, former headteacher



William Wragg

Conservative MP for Hazel Grove, former teacher

EDITORIAL

Learndirect:
No scapegoats,
no excuses

The Learndirect scandal might have looked very different had it taken place before the funding agency was subsumed into the DfE. My hunch is that, as a non-departmental public body, the Skills Funding Agency might have been able to handle decisions and their related communications very differently. The ESFA does not have its own press office, and over several weeks the DfE has first avoided and finally refused to answer two key questions. Firstly, why didn't it act on the evidence supplied by Ofsted at the end of March, and secondly, when did Learndirect withdraw from the tender for which it was subsequently awarded a £45 million contract extension?

The NAO is poised to investigate, and ministers and civil servants will need to account for their actions.

At the heart of any investigation will be Peter Lauener, the ESFA's chief executive and accounting officer.

He will face a torrid few months before his retirement, but it needs to be remembered that the ESFA is now an executive agency to the DfE.

Gone are the days when it would refuse to toe the government's line.

And because the ESFA was brought in-house, the buck stops with the secretary of state, Justine Greening and DfE's permanent secretary, Jonathan Slater.

And they have no scapegoats and no excuses.

Nick Linford, Editor
news@feweek.co.uk

LEARNDIRECT
TWEETS:

Community Heroes @Andy23Fish

This is an epic scandal but I fear the only losers are going to be Learndirect's learners and staff.

Dean Heath @Heethster

The #Learndirect scandal demonstrates the worst aspect of the privatisation of public services. They are too big for standard rules to apply.

Stephanie J Major @StephanieJMajor

Personally, I enjoyed my @learndirect course - I don't know why they were getting slated in the news tonight.

Sir Guy of Guisborne @SirGuyGuisborne

Learndirect is exactly what is wrong with privatising public services.

Gordon Marsden MP @GordonMarsden

In Education Questions on front bench - Govt ministers having to fend off concerns over #LearnDirect fiasco & skills funding in Somerset.



MP blasts stalled merger as a 'hostile takeover'

JUDE BURKE
@JUDEBURKE77

An MP is demanding urgent action from both the education secretary and the FE commissioner over fears that their local college might be forced into a "hostile takeover".

A merger suggested in the area reviews between Barnfield College and Central Bedfordshire College seemed to have fallen by the wayside after "regrettable" comments by the latter's chair in March.

James Crabbe's remarks on ITV local news were seen as a power grab by his merger partners, which soon withdrew from talks.

But the merger may still be on the table – though not everyone is happy about it.

Kelvin Hopkins, the MP for Luton North, home to one of Barnfield's campuses, has written to both Justine Greening and Richard Atkins urging them to prevent the merger from going ahead.

"Barnfield College has been making tremendous strides, and all of this could be undone if this hostile takeover were to go ahead," he said.

At one point, the two colleges had been "seriously committed" to "exploring the potential" of joining forces, according to the report into the south-east Midlands area review, which ended in March.

The colleges had been carrying out a feasibility study into the possibility of a merger, and a final decision was to have been made by July 31.

But a statement on Barnfield's website, dated April 23, said it had withdrawn from the study as a result of Professor Crabbe's comments.

"We felt very strongly that he criticised Barnfield College and appeared to us to position themselves as the takeover partner," a spokesperson for the college told FE Week.

While Barnfield does "recognise that the learners of Luton and Dunstable would be better served by one college", she said the merger wouldn't move on "until we see genuine moves for equal collaboration."

Despite this, a spokesperson for the 3,500-learner Central Bedfordshire College, which was rated 'good' at its most recent Ofsted inspection in March last year, insisted this week that it is still "committed" to a merger and the recommendations made in the area review report.

She denied the link-up would be a "hostile takeover" as it would "only take place with the agreement of both boards of governors".

"We are confident that both boards will act in the best interests of the communities they serve," she said.

Barnfield College, which has 6,500 learners and was rated 'requires improvement' at its most recent inspection in April 2016, has had a

troubled history.

It was subject to intervention by the FE commissioner, who first visited the college in January 2014 after the Skills Funding Agency assessed it as 'inadequate' for financial control.

Sir David Collins was back at the college less than a year later, following an 'inadequate' overall rating from Ofsted in that November.

But his involvement ended in September 2015, when he decided the college had "fully addressed all the areas of concern" identified in his first visit.

In their April 2016 report, Ofsted inspectors noted that the leadership team had taken "decisive action" to turn the college's fortunes around.

Tim Eyton-Jones, Barnfield's principal, told FE Week at the time that his ambition was for the college to be rated 'outstanding' within two years.

This is the 17th merger recommended by the area reviews to get into difficulty, out of a total of 52 proposed through the process.

Other college mergers to fall through recently include one between North Shropshire College and Reaseheath College, which collapsed last month amid accusations that the government was unwilling to provide the necessary funding, either through the ESFA or the Transactions Unit, which processes requests for cash from the restructuring facility.

COMMENTS

Milton grants Somerset MPs emergency meeting with funding agency

Whoever shouts the loudest.....if SS&L's funding is reviewed and increased where does it leave all the other providers who would've been better off not to waste their time and money writing the bid in the first place. They would've received 75% and the £589k cap wouldn't have mattered anyway.....

Providers want answers from the ESFA as to why certain providers get preferential treatment and other not? This article is a classic example, let the blame game begin in that department.

Crusader

Bookies have released odds for the next Skills Minister:
2/1 John Hayes
3/1 Nick Boles
5/1 Robert Halfon
8/1 Gordon Marsden
10/1 Nick Linford
Odds for that Skills Minister lasting more than a year:
100/1

Flan Stilton

Learndirect and DfE scandal referred to NAO by Public Accounts Committee chair

Amanda Spielman from Ofsted states in the video that "a third of Learndirect's Apprentices were receiving no training at all"
Why aren't the ESFA's PFMA auditors in there now clawing back the funding that has been drawn down for learning that hasn't been delivered?
Is it because Learndirect are too big to fail and can now act with total impunity in this sorry scandal?

Sandra Chambers

A UNIQUE OPPORTUNITY TO RESHAPE A HIGH-PROFILE ACADEMY

 **Harris Academy**
St. John's Wood

PRINCIPAL

Start Date: January 2018

Generous salary based on experience + Performance Bonus + Private Medical Insurance + Harris Benefits

Harris Academy St John's Wood (previously Quintin Kynaston) is a new sponsored academy, which joined the Harris Federation in September 2017. This is a large 11-18 secondary academy located in St John's Wood - a few minutes' walk from the Jubilee line - with over 1,400 students, approximately 370 of whom will be in the sixth form. Although located in an affluent area of London, the school serves an urban, highly multi-ethnic and disadvantaged intake. The school moved into first-class, purpose-built new buildings three years ago.

As the academy looks to accelerate back to achieving academic excellence, Harris Federation seeks to appoint a new Principal of Harris Academy St John's Wood. This is an opportunity for an ambitious leader looking to extend their experience of headship, or start their first Principalship. For first time Principals, we will provide support and mentoring from a highly experienced Executive Principal.

As a top performing MAT, we offer a supportive network of academies, and a very collegiate group of Principals and mentors to help develop and progress your career.

For a confidential discussion, please call Sir Dan Moynihan, Chief Executive, on 020 8253 7777

Closing Date: 18th September 2017

Harris academies are committed to safeguarding and promoting the welfare of children and expect all staff and volunteers to share this commitment. All offers of employment are subject to an Enhanced DBS check.

Discover more at:

www.harriscareers.org.uk

[@HF_Careers](https://twitter.com/HF_Careers) [@HarrisFed](https://twitter.com/HarrisFed)

THINK TEACHING.
THINK HARRIS.

Harris is a Federation and not a chain; each Harris academy is different, reflecting the particular aspirations and leadership style of its Principal.



Transformational Leadership Opportunities

Executive Principal **Norfolk Academies**

Salary: Circa £110k Closing Date: Friday 6th October

Transforming Education in Norfolk (the TEN Group) is looking for an Executive Principal to lead its multi-academy trust, Norfolk Academies and our University Technical College Norfolk. This is a new role and will have Group-wide academy responsibilities, for one junior academy, three secondary academies, and a university technical college.

An experienced school leader, preferably with experience of leading more than one school/academy, you will have demonstrated your abilities to improve the performance of schools under your care with evidence of sustained improvements in outcomes over time. You will also be an excellent people motivator and have the right skills to lead and develop your senior team of academic colleagues.

Principal **Fakenham Academy Norfolk**

Salary: Circa £80k Closing Date: Friday 6th October

The TEN Group is looking to appoint an experienced school leader who will relish the challenge of moving Fakenham Academy Norfolk from Good to Outstanding. A dynamic individual with experience as an existing head, you will be a great people motivator, with a real desire to make the difference in young peoples' lives. You will have a track record of success in school leadership, experience in improving student outcomes and able to evidence school level performance improvements you have led.

Fakenham Academy Norfolk is an improving school with over 750 students, rated Good by Ofsted, with improvements in results over the last 4 years delivered through its membership of the Norfolk Academies multi-academy trust (MAT).

See www.tengroup.org.uk/senior-vacancies for full details and online application.



Assistant Principal - with responsibility for English

Highly competitive and negotiable salary for an exceptional candidate

Do you want to be a leader in a forward thinking, dynamic and supportive school that is rapidly growing in reputation?

If so, then Oasis Academy Oldham is the school for you.

We are on a strong trajectory. Results are strengthening and, following a 20 percentage point increase in our combined results in the last two years, we are amongst the most improved schools in the North West. Ofsted has praised the progress that is being made and our ethos and outstanding £30 million state-of-the-art facilities ensure we are a vital hub for our community.

Our ambitions are high. We are looking for a talented and inspiring Assistant Principal with responsibility for English to help us continue this progress and ensure that we are developing respectful and confident learners to achieve excellence for all.

This is a role in which you will be able to make a real impact. You will be a member of a committed, driven senior leadership team whilst supporting and leading a dedicated and talented English faculty looking to embrace new ideas. The role requires someone who has a clear vision and will be able to lead and develop the faculty at a strategic level on our journey to outstanding.

The school is dedicated to meeting the needs of our community, but excellent transport links to Manchester and our proximity to the M60 mean that our staff are able easily able to reach us from a much wider area.

Through Oasis Community Learning, the opportunities to further your career are significant. Oasis has, for example, recently been successful in a bid to open a secondary free school within Oldham. This partner school will enhance the career opportunities available - making this a very attractive position for someone committed to furthering their career in education.

We are looking to appoint a colleague who will:

- Demonstrate strong leadership skills and prove to be a dynamic and supportive member of the Leadership Team
- Provide professional leadership to secure high quality teaching through improved standards of learning, progress and attainment for all students.
- Be responsible for the development of the English faculty, providing clear direction and a sense of purpose.
- Engage, enthuse, motivate and challenge students to raise achievement at all levels, and provide the very best educational opportunities for the students
- Be an inspirational team player and have a passion for enabling change for students and across the wider community.

In return you can expect:

- A highly competitive salary and benefits including a generous pension scheme and access to our outstanding onsite gym, which is free to staff members
- Excellent and extensive opportunities for professional development
- The opportunity to join an organisation with a national reputation for consistently improving results and facilitating community transformation.
- Regional and national support towards career progression
- A supportive and encouraging Senior Leadership Team who prioritise staff and value every individual.

If you are interested in becoming part of our team, building on our success and joining us on our exciting journey to become an outstanding academy, we would love to hear from you.

The Principal welcomes an informal conversation either by phone or school visit.

To learn more about us or to download an application pack, visit our website: www.oasisacademyoldham.org or email: recruitment@oasisoldham.org

Completed applications should be returned to recruitment@oasisoldham.org

Closing date for applications is: **12.00 noon on Tuesday 26th September 2017**

Interviews will be held week commencing **2nd October 2017**

Oasis is committed to making a difference to the lives of the communities it works in, and as such you must show a willingness to demonstrate commitment to the values and behaviours which flow from the Oasis ethos. We are committed to safeguarding and promoting the welfare of children and young people. We expect all staff to share this commitment and to undergo appropriate checks, including enhanced DBS checks.



Magna Academy Poole
an Aspirations Academy

Subject Co-ordinator: Maths (L7-12)

Salary: negotiable for an exceptional candidate (with opportunity to become a Specialist Leader of Education, with further salary enhancement)

Starting: January 2018

'This is an outstanding school. Teachers have high expectations of their students, who respond by producing excellent work.'



(OFSTED, June 2015)

'Excellent teaching takes places in Maths.'



(OFSTED, June 2015)

High aspirations? Looking for an exciting new challenge? Our Academy is a vibrant and exciting place to work and was graded as outstanding in all areas by Ofsted in June 2015. In 2016, Magna achieved a Progress 8 score of 0.52, placing us well within the top 5% of highest performing schools nationally.

This position has arisen due to the promotion of the current post holder to Assistant Principal at the Academy.

Our systems ensure you can really focus on your core purpose – teaching, in a sustainable way.

We have tight, robust and no-nonsense behaviour systems, highly visible and supportive senior leaders, 100% centralised detentions and a feedback policy focussed on whole class feedback, eliminating the need for hours and hours of marking.

'The behaviour of students is outstanding. They are exceptionally keen to learn, and show real enthusiasm in lessons.'



(OFSTED, June 2015)

We are looking for an exceptional individual to play an important role in our unique and growing Academy. The successful candidate will be an excellent teacher of Maths, with proven middle leadership experience.

This is an excellent opportunity for an ambitious practitioner, who wants to lead the rapidly growing Maths curriculum area and make a real impact on further driving up attainment and progress in Maths.

As a rapidly growing academy, that will be at full capacity in 2018, and as a newly designated NCTL Teaching School, you would be joining us at a very exciting time and become part of a vibrant learning community that will offer you fantastic opportunities for CPD, career development, future promotions and for you to be able to make your mark. You would be a member of the extended Senior Leadership Team, be able to study for the NPQML/NPQSL and have excellent progression opportunities to become an Assistant Principal as the Academy, Teaching School and MAT continue to grow. As a Teaching School, you would also have the opportunity to become a Specialist Leader of Education (SLE).

With great students who behave impeccably, an outstanding team of staff, state of the art facilities, and a very pleasant location in beautiful Dorset, Magna Academy offers an excellent opportunity for an ambitious, talented individual looking to develop their career. Ofsted highlighted our very effective staff training and support and outstanding CPD. We have a very comprehensive, and effective, development programme, bringing all subject areas together every week to share best practice.

We teach a challenging academic curriculum for all students. We are driven by a desire, at the core of our mission, to get the best possible results for all of our students, no matter what their starting points or circumstances.



'Students make exceptional progress.'

(OFSTED, June 2015)

We would be delighted to show you around our Academy in order to fully appreciate our excellent learning environment.

How to Apply

Application forms and further details on the role are available from: www.aatmagna.org/82/vacancies or **Zoe Challis**, zchallis@aatmagna.org or **01202 604222**

Closing date for applications: Friday 22nd September 2017, 9am.
Learn more about Magna Academy Poole at: www.aatmagna.org

Schools Liaison Director



Location: North West England

Salary: £30,000 per annum

Talk The Talk is an education charity working with schools across the UK.

Over the past six years, we have delivered in-school workshops that have equipped over 75,000 young people with the tools that they will need to be confident communicators in all aspects of their lives.

Due to continued expansion, we are looking for the right candidate in the North West of England to join our team of School Liaison Directors.

Main Responsibilities:

The School Liaison Director will work closely with the Director to:

- Make initial contact and recruit new schools through school visits, meetings and presentations to networks and education consortia
- Liaise with schools prior to and after workshop delivery
- Maintain and build relationships with schools already engaged with Talk The Talk
- Promote the work of the organisation through social media
- Take responsibility for aspects of communications strategy

Knowledge and experience:

- Two years sales and marketing experience
- An understanding and experience of the education system
- Experience at engaging and building relationships with secondary schools
- Teaching experience is an advantage

Skills and aptitudes:

- Experience of Microsoft Office
- Well organised with the ability to prioritise and meet deadlines
- Strong communication skills and ability to liaise with colleagues across the organisation
- Ability to work under pressure using own initiative and able to work unsupervised
- Attention to detail
- Good oral and written communication skills including an excellent telephone manner

Personal attributes:

- Self-motivation
- Flexibility, teamwork and a service mentality
- Access to own car and willing to travel across the North West region with monthly visits to our head office in Herefordshire

For an informal chat about the role, please contact Talk The Talk Director Richard Hull via email - richard@talkthetalkuk.org

Application by CV and cover letter to richard@talkthetalkuk.org

Any offer of employment will be subject to a satisfactory disclosure from the Disclosure and Barring Service.

Closing Date - Friday 20th October 2017

Website - www.talkthetalkuk.org

TRIBAL

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We offer a generous daily rate as well as flights, international transport and hotel accommodation with breakfast and laundry. Typically, we look for people to be deployed for periods of 3 weeks or more at a time. Contract specific training will be given prior to deployment.

Are you a qualified and experienced inspector who is looking for a new professional challenge and the opportunity to work internationally?

If you feel that you fit this set of criteria and are interested in working in the UAE for short blocks of time, please submit a current CV and brief covering email to recruitmentUAE@tribalgroup.com

The logo for CACHE, featuring the word "cache" in a lowercase, white, sans-serif font. The letter 'i' is stylized with a vertical line above it, resembling a person's head and neck. The logo is set against a red background that is part of a larger graphic design with white diagonal lines.

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EXPERTS


**TIM
WARD**

Chief executive, Third Sector
National Learning Alliance

The ESFA's AEB procurement exercise has been a disaster

The ESFA has ridden rough-shod over the work of many vital third sector providers. Tim Ward wants answers

Imagine the outcry if, at the beginning of the year, the ESFA had come out with a policy that would move money from one area to another without any reference to local stakeholders. What if it took non-formula-funded community learning away from third sector organisations, effectively closed the a major county's largest community learning service, and reduced the budgets of long-established learning providers by 50 per cent or more in the middle of their operating year?

At least if the ESFA had announced this as a policy we would have had the opportunity to challenge and debate its implications and impact. We could have highlighted the potential loss of opportunities for disadvantaged learners, for rural areas and for those whose needs don't fit neatly into nationally determined "priorities".

As things stand, this is exactly what has happened as a result of the adult education budget procurement exercise. It was done without any public consultation or discussion about the impact on current and potential learners that will result from the ruination of learning opportunities. Many of these opportunities were offered by providers who have been praised by Ofsted for their work in supporting vulnerable learners to progress to further learning and work.

When challenged, the ESFA has argued that the process was legally compliant with the Public Contracts Regulations 2015. In other words, it did things in the right way. What is missing from its response is any consideration as to whether it did the right thing.

I do not personally believe that as a general principle that this procurement approach is the way to ensure that public money is spent well and effectively. However, this is the world we live in, though the process could have been designed in a way that recognised the richness of the learning activities delivered through the AEB, and the variations of need that exist in different areas and communities.

Unfortunately, those responsible chose not to approach it in this way, and used a simplistic, top-down approach. Worryingly, there seems to have either been a lack of understanding, or a lack of concern, about

the impact of the methodology used. I leave you to decide which of these applies.

Looking beyond the issue of the process' impact on learners, there are two particularly irrational consequences that strike me. Those who won a contract are facing in-year cuts of 50 per cent compared with previous years, while those who were not successful or did not bid are being given transitional contracts with much smaller reductions. The ESFA argues that the former will have the opportunity for in-year growth, but recent experience of cuts and zero growth suggests that this opportunity is theoretical. At the very least, the ESFA should provide "successful" bidders with similar transitional support to those provided to the unsuccessful bidders.

The second is that unless the funding rules are changed, those who have won a contract will have the flexibility to deliver anything within the AEB rules including "non-priority" learning, for example to meet local priorities determined by an LEP. In other words, all the procurement is actually testing is the ability to answer exam questions, rather than genuine capacity and intent.

“**It was done without any public consultation or discussion about impact**”

Many providers, particularly third sector providers, originally gained their contracts in the early days of the LSC some 15 years ago. Until this year, their funding was renewed annually subject to performance and policy direction. This public investment allowed the development of a network of providers with accumulated expertise and experience.

Both the data and Ofsted show the quality, relevance and success of their learning programmes. It is a tragedy for the most vulnerable and disadvantaged in our communities that a poorly designed procurement process will lead to the loss of this capacity at a time when it is needed more than ever.


**CHRIS
QUICKFALL**

CEO and founder of CognAssist

Neurodiverse apprentices have inadequate support

Students' learning needs are met at university, but not on apprenticeships, says Chris Quickfall

How can it be, in a world that talks so much about equality and diversity, that the self-development opportunities for learners with a neurodiversity, for instance dyslexia, favour one post-16 study route far more than another?

If a learning weakness is present, a university student has a good chance of being assessed by an educational psychologist and identified for any additional learning needs. If identified, they can access support services throughout their studies, enabling them to learn coping strategies and overcome their learning difficulties.

Universities have dedicated disability support officers, assistive technologies, and staff and lecturers who are neurodiversity aware. These individuals are qualified to usher post learners to the right support.

The support structure for apprentices is shockingly fragile in comparison. If a learner chooses to undertake an apprenticeship it is doubtful that they will even be assessed for a learning need. Without this, they receive no targeted support and lose the opportunity to learn valuable coping strategies.

I was the last one in my class in primary school to spell my own name, to learn the alphabet or the months of year, and to tell the time. Education has a way of creating a negative echo chamber, repeating the message that you're a bit thick.

I was the best in the class at maths, but when the only kid who still can't spell his own name outperforms his peers in maths, he is labelled a cheat, and cheats get punished.

The system's incorrect assumptions discouraged me from performing where I was strongest, so I gravitated to sport and learned I could be quite good at not being good at what I was good at.

At university I studied mechanical engineering and almost 40 per cent of my class was diagnosed with a learning difficulty. Concentrations like these happen in certain subjects because neurodiversities often cause the brain to prefer some types of information.

We are finding these concentrations within different branches of the apprenticeship sector too: with ranges of identification from 11 per cent to 70 per cent of learners, depending on the area of specialism.

This year we have assessed nearly 10,000 apprentices, studying levels one through to five in a broad range of subjects, and found that around 19.6 per cent have a hidden learning need.

“**Education has a way of creating a negative echo chamber**”

I'm more concerned than ever that when talking to apprenticeship providers, I keep hearing that "my learners do not have learning difficulties; they are level three". This shows how ill-prepared some providers are for meeting the needs of all their learners.

Ofsted has publicly stated that the majority of the skills sector is not doing a good enough job in this area. The lack of training and awareness means the main intervention for a learner with an additional learning is more often than not "more time": more of the same training that did not work first time round.

As apprenticeships become a more significant part of UK education, it is imperative to identify and support this group of learners. The government needs to fund this area as well as it does higher education, and the sector needs more training.

Higher education students have access to a grant called the disabled students allowance, which pays £660 for an expert to identify relevant interventions, and hands out up to £5,358 for software and hardware, and as much as £21,305 per year for ongoing support.

FE students don't have access to DSA. The most recent release from HESA is 2014/15 data that showed 88,930 claiming DSA. Even though only a few learners ever reach the ceiling of these grants, it demonstrates the disparity between the two study routes.

I am presently working with industry leaders and sector bodies to establish a neurodiversity interest group to identify best practice and share this across the sector, championing an equal approach to neurodiversity and inclusivity for all.

Today we are letting learners with neurodiversities down, but tomorrow can look different.

EXPERTS

Dear Dr Sue



Dr Sue, director of policy and external relations at Hoxe, answers your questions, backed by her experience as principal of Canterbury College and in senior civil service posts in education and skills.

Q1: AREA REVIEW INTERVENTION

I have just spent 18 months in area review meetings. Although we had already managed a successful merger, we were still encouraged to play a full part, but this distracted us from our implementation plan and we have lost ground. Do you know if others feel the same and has the initiative met its goal?

Answer:

I'm afraid many governors like you feel that there has been an opportunity cost, that they have been distracted from implementing their plans and, in some cases, capital plans have been put on hold. The government expected the area reviews to "enable a transition towards fewer, larger, more resilient and efficient providers, and more effective collaboration across institution types", but while we may end up with fewer colleges, whether they are more financially

resilient has yet to be proven.

Although the reviews are complete and each area has been left with an action plan including a list of expected mergers, many of these plans are unravelling. In retrospect, it may have been too ambitious to try and take a country-wide blanket approach. The original problem of financially unstable colleges could have been addressed through a targeted approach. I also think we will regret that sixth forms were not included in the equation because at some stage that will have to be addressed.

Q2: CONFLICT OF INTEREST

Our merger has raised an unexpected issue. We have inherited two senior management teams and wanted our new chief executive to lead a restructuring of the senior staff. But due to staff changes made at the last moment in our merger partner organisation, the CEO's spouse is in scope of the senior leadership restructuring. What advice can you give?

Answer:

I take it that the promotions made just before the merger were appropriate and in scope of any terms of engagement which had been agreed. If you are satisfied they were, then you must make sure the process of selection for the new roles is as clear and transparent as possible.

You haven't said whether these are senior post-holder roles, if they are then it will be for governors to lead the selection process. The CEO will have a perceived conflict; there could be a financial interest

and therefore they cannot take part in the selection process or in agreeing any terms of redundancy if the spouse is unsuccessful. There will also be line management and performance appraisal issues which will need to be handled by another, for instance the deputy chief executive.

To ensure there is no animosity, you need to talk the situation through with the chief executive, explaining this is about protecting reputation and ensuring appointments on merit. For fairness, the same conversation should be had with the spouse.

Q3: POST-MERGER OFSTED

We are just about to merge and are working through our risk assessment. As we will not be visited by Ofsted for three years, it has been hinted that we don't need to focus too much on quality measures but instead on merger transition issues. I am not comfortable with that approach. What is your view?

Answer:

Merging two colleges is extremely time-consuming and to get the efficiency gains that are expected, it is important to have an agreed management implementation plan. As governors, your role is to set the strategic direction, monitor quality and ensure the expected practice is implemented, as detailed in the Ofsted inspector framework.

The guidance explains that "a newly merged college will normally be inspected as a new provider within three years of the

merger. And, any newly merged college may receive a monitoring visit or support and challenge visit to assess risk. This is more likely where previous provision has been graded as 'inadequate' or 'requires improvement' or is giving cause for concern. Also, if there are concerns arising from other sources this may lead to an earlier full inspection."

Therefore, this is a vital role which cannot be put on ice because of merger issues. It is important you find the time to undertake the same level of scrutiny that you have previously.

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CAMPUS ROUND-UP *with Samantha King*

Owl nesting box project is a hoot



Birds of a feather: baby barn owls

A nesting box project begun by students at Moreton Morrell College has been successful after three barn owl chicks hatched.

The project was a collaboration between level three wildlife and countryside management students and level three arboriculture students, who built a series of nesting boxes in the hopes of attracting barn owls for their farm habitat management module.

The students worked closely with the South Warwickshire Barn Owl Survey to build the boxes, and the arboriculture students used their climbing skills to install

them in May.

The chicks have been given a health check by licensed barn owl handlers, and recently flew the nest.

"The students decided that they wanted to build the boxes so it's all down to them and their hard work," said countryside management lecturer Heather Hopkinson. "We were delighted that they have been used by the owls so quickly – it's a fantastic success for our students.

"This term we are planning to start building nesting boxes for kestrels, tawny owls and barn owls, so we hope they will be just as successful."



Flower-powered: Daisy in all her glory

Flower cow moo-ves visitors at festival

A cow created entirely with flowers by floristry students took pride of place at a recent agricultural festival.

The students, from Farnborough College of Technology in Hampshire, were commissioned to create the cow for the Alresford Agricultural Show by a local accountancy firm.

It took a team of students from the level two and three floristry courses a total of two days to complete the cow, nicknamed Daisy.

"This was a fantastic opportunity for our students. They worked well within a team to make their design a reality, and we are all

proud of their incredible achievement," said floristry lecturer Vicky Hutton.

"We've received a thank-you email from the event organisers, and are delighted that they enjoyed the design as much as we did."

The show took place on September 2, and has been running for over 100 years. It hosts activities ranging from animal petting to ferret and pig racing.

"It's brilliant that our floristry students are able to create floral designs for clients. We look forward to working with the Alresford Agricultural Show in the future," added programme manager Gwen Grace.



The first cohort of PlanBEE students

College lays foundations for construction talent awards

Gateshead College is the only FE institution to be shortlisted for an award at the annual Construction Investing in Talent Awards this year.

The college has been shortlisted in the 'apprenticeship scheme of the year' category for its role in the PlanBEE Consortium – an alliance of architects, designers, contractors and engineering specialists.

It teamed up with the network to develop an apprenticeship in which students can work across several companies at once while completing their qualifications. The first cohort began in September 2016.

Also shortlisted in the category are Fife

council, contractors FK Group, infrastructure support service Amey, project management and consultants Pettit Group and apprenticeship employer TrAC.

The awards are hosted by Construction News, and seek to find organisations helping people from a diverse range of backgrounds access the construction industry.

This year, there are a total of 13 categories, including 'wellbeing initiative of the year', 'excellence in learning and development', and 'best use of technology'.

The college will find out if it has been successful at the grand final hosted in London on November 15.

Suffolk new college finds its video star

An Ipswich college is hoping to uncover the next big social media star by introducing video blogging classes to its programme of leisure courses.

From this month, Suffolk New College is offering a 'vlogging for adults' course at its Ipswich campus, a course covering everything from building a successful social media profile to making quality videos.

The courses will run over five weekly, two-hour sessions on Thursday evenings, and are open to anyone over the age of 16.

John Nice, a spokesperson for the college, said: "Video blogging and the rise of YouTube as a marketing tool for individuals and businesses is becoming increasingly effective. We would love to think that we could create an

internet star via this course. So far, the take-up has been good."

It isn't the only new idea the college has introduced, with laughter yoga also on offer – a course that focuses on breathing and laughter to boost health and wellbeing.

The college's leisure learning programme was reintroduced in 2016 after increased demand, and offers classes in cookery, construction, crafts and languages, with Indian cookery classes proving the most popular.

"Traditionally leisure learning is seen as being something for mature learners, however, as far as we're concerned, age should never be a barrier to learning; therefore we welcome all-corners to our courses," he added.



Vlogging lesson one: Recognising your monitor

CAMPUS ROUND-UP *with Samantha King*FEATURED
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ROUND-UP

Founder of Rizing Games levels up

A lecturer who founded student-led, commercial games publishing studio Rizing Games, has been awarded a top title at the National Enterprise Educators Awards, reports Samantha King.

Michael Warburton, the head of computer games development at Cambridge Regional College, won the Enterprise Catalyst award last week for his work with Rizing Games, a company run by the college's level three UAL games development students.

During their two-year course – which has been designed to reflect the way a games company works – students develop business plans, and learn all aspects of game creation before commercially releasing their games under the Rizing Games brand.

The initiative has now been running for eight years and began after Mr Warburton, who taught himself to programme after a career as a music tech teacher, noticed an hour of free time in the students' timetables.

"When I started teaching on the games course I thought, hang on, they're all learning these different bits but they're not building computer games," he said. "I decided, if they're not doing anything in that hour, let's get them to make a company where they can bring their ideas together and release games."

Mr Warburton was up against two university lecturers in the Enterprise Catalyst category, which looked for educators driving



Game on: Michael, centre, receives his award

change inside or outside the curriculum through entrepreneurship.

"It was a surprise, if I'm honest," he said of his win. "The universities have set up amazing companies with degree-level and postgrad students that are turning over money.

"Rizing Games doesn't make a penny. It's

not about the money.

"It's humbling to think people can recognise what I'm trying to do – it's not all about when you get to higher education. Yes, it's fantastic and you can specialise, but we've got to trust the younger learners. They can do it earlier if you give them the right tools and environment."

And since 2014, Mr Warburton has secured a spot for his students to exhibit the games they have made on their course at the world's largest international video game show, the E3 expo in Los Angeles – a highlight of the academic calendar.

"The second or third year of running Rizing Games, I said why don't we go to E3 and have

a stall with the students.

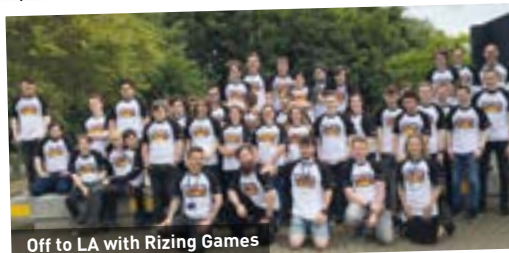
Everyone said don't be an idiot, so I went ahead and did it anyway," he said.

"Fundraising got us there, and a little bit of college support. We were standing there at E3 surrounded by the likes of Warner Bros and these massive games companies, and there was us this tiny little college from the UK. We were the only educational establishment in the whole world there."

During their first year at the expo, Warburton made connections with software company Unity and gaming giants Playstation, who both donated software and equipment to help the fledgling company get off the ground.

Mr Warburton is now keen to help schools, universities and fellow colleges set up similar initiatives, and is looking forward to continuing to grow Rizing Games.

"My dream goal would be to run apprenticeships for college and uni kids," he said. "There aren't apprenticeships within the games industry, so if I could get to the point where I could offer them an apprenticeship here, that would be really cool."



Off to LA with Rizing Games

Do you want to be in Campus Round-up?

If you have a story you'd like to see featured in campus round-up, get in touch by emailing samantha.king@feweek.co.uk



Ian Clinton OBE

Interim principal and chief executive, North Shropshire College

Start date August 2017

Previous job

Principal at Telford College of Arts and Technology

Interesting fact

At 14, he put a plaster on the finger of The Who's lead singer Roger Daltrey before he went on stage while on first-aid duty with St John's Ambulance at a music festival.



Gill Burbridge

Principal, Leyton Sixth-Form College

Start date August 2017

Previous job

Deputy principal at Leyton Sixth Form College

Interesting fact

She worked with Citizens UK to organise a welcome summit at the college for local schools to share ways of supporting refugees in their local community.



John Doherty

Principal, Loughborough College

Start date November 2017

Previous job

Managing director of ESPO

Interesting fact

He once did a static-line parachute jump for charity but never felt the calling to take it up as a hobby. His three siblings also work in the education sector.



Emma Yorke

Chief operating officer, Babington Group

Start date August 2017

Previous job

Managing director of HCUKT (part of the Hull College Group)

Interesting fact

She is an avid collector of World War 2 memorabilia, including publications, posters, frontline letters and telegrams.



Mark Hughes

Head of Hartlepool Sixth-Form College

Start date August 2017

Previous job

Lead for collaborative outreach at Hull University

Interesting fact

Mark first moved into academia following a successful career as a rugby player and personal trainer.

Movers & Shakers

...

Your weekly guide to who's new and who's leaving

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FE Week Sudoku challenge

How to play: Fill in all blank squares making sure that each row, column and 3 by 3 box contains the numbers 1 to 9

Difficulty:
EASY

		5						
3			2	5		8		
2	8		4	3				
6		8		1		9	7	
		9		3		8		
4	3		8			6		5
			6	7			1	3
	6		5	1				8
						2		

Difficulty:
MEDIUM

8			9				7	
		5		1		4		
		1		8	6	9		
					2		9	7
7		2				1		6
3	6		1					
		8	7	5		6		
		7		4		2		
	9				8			4

Solutions:
Next edition

Last Week's solutions

8	3	5	9	4	7	6	1	2
7	4	1	6	8	2	9	5	3
9	2	6	3	1	5	7	8	4
5	7	4	2	3	8	1	9	6
1	9	3	4	7	6	5	2	8
2	6	8	5	9	1	3	4	7
4	1	9	8	6	3	2	7	5
3	8	2	7	5	9	4	6	1
6	5	7	1	2	4	8	3	9

Difficulty:
EASY

7	2	3	8	9	4	6	5	1
6	5	9	1	2	3	8	4	7
4	1	8	5	7	6	9	2	3
8	6	7	9	1	5	2	3	4
1	3	5	4	6	2	7	8	9
2	9	4	7	3	8	5	1	6
3	8	1	6	5	7	4	9	2
5	7	2	3	4	9	1	6	8
9	4	6	2	8	1	3	7	5

Difficulty:
MEDIUM

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Last Edition's winner: Stephen Ram Kissun