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Troubled HS2 college calls in lawyers to silence Ofsted grade 4

FRASER WHIELDON
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From front

Exclusive

The crisis hit National College for HS2 has hired a team of lawyers to stop Ofsted publishing a highly critical report, *FE Week* can reveal.

The government-backed flagship college launched in 2017 but has struggled to recruit learners and this time last year received close to £5 million in a bailout deal to keep the doors open.

In November, inspectors visited the college – renamed last year as the National College for Advanced Transport and Infrastructure (NCATI) – for the first time and found the quality of provision to be so poor they were set to award the lowest grade possible, a grade four.

Governors were quick to instruct lawyers to block the publication by filing for a judicial review at the High Court. They have also voted to stop publishing board minutes, as well as delayed signing off the accounts.

The Department for Education was initially cautious of commenting during the legal proceedings, but have since confirmed they placed the college in formal intervention on December 6. A Notice to Improve and the Further Education Commissioner report will be published shortly.

It is understood that a court date for the judicial review is yet to be set.

Despite being handed a financial notice to improve – and being in receipt of a £4.55 million government bailout to sign off its 2017/18 accounts – the college did not need permission to use public funds on legal proceedings.

The DfE said the college is not required to seek approval for legal

expenses following formal intervention – because as independent organisations governing bodies are subject to their own fiduciary responsibilities.

Chair of the college board is Alison Munro, chief executive of HS2 Ltd from January 2009 to September 2014, and subsequently managing director of HS2 Phase 2 until her retirement in August 2017, when she was awarded a CBE.

A DfE spokesperson did add that the board must act in the best interests of the college, as a charity.

As spokesperson for Ofsted told *FE Week* “The inspection and report are the subject of litigation. The report has not been published. In the circumstances, we are not able to say more.”

The college also said it could not comment on the Ofsted result as “there is a legal process taking place”.

The influential Public Accounts Committee is set to be reformed next month, and *FE Week* understands that – subject to members agreeing – its first evidence hearing will be an update on HS2 on March 4, which will likely include questions on the national college.

This is the second judicial review to be launched by an FE provider following a grade four Ofsted judgement in recent years. The country’s former largest training provider, Learndirect, lost its High Court battle with the education watchdog in 2017.

It led to a National Audit Office inquiry, a Public Accounts Committee hearing, and, ultimately, the government terminating the provider’s £100 million funding contracts.

The Ofsted report is not the only thing NCATI is keeping hidden from the public, as it confessed to *FE Week* it has temporarily suspended the publication of board minutes as of last month.

The decision was taken because of

“exceptional circumstances in which the college was currently operating” – namely “so as to not prejudice an independent review taking place into HS2”, a spokesperson said.

Learners and stakeholders interested in how the college is being run will have to make do with corporation board minutes on NCATI’s website. These go up only to December 2018 and February last year for the audit committee, and none have ever been published for its search, governance and remuneration committee.

Suspending publication means the records of meetings taken during NCATI’s transition from the National College for High Speed Rail (NCHSR) will not be published until at least July 2020.

NCATI has also failed to sign off its 2018/19 accounts, a situation the college said the ESFA is “aware of, as we are working with their team to be in a position to finalise the statements”.

The National College for High Speed Rail rebranded as NCATI in 2019 and announced plans to expand its provision to cover transport areas other than the high-speed rail industry, to which it had been dedicated ever since it was opened by then education secretary Justine Greening.

It denied that the name change was related to the troubled HS2 project.

The college currently advertises rail-related apprenticeships between levels 3 and 6, as well as higher national certificates and higher national diplomas, foundation degrees, and full-time courses at either level 3 or 4.

Hopes were initially high for the college, with the likely construction of a high-speed rail line connecting London with the midlands and north, HS2, near to their campuses at Birmingham and Doncaster. Moreover, it is being led by Clair Mowbray, a former employee of

the line’s builders, HS2 Ltd.

Yet according to a recently-published government review of National Colleges, delays in announcing HS2 contractors meant employers were unable to commit to the apprenticeship volumes they had originally anticipated at the college.

In addition to this, and other factors such as a high-speed rail apprenticeship being granted a lower-than-expected funding band, the government review found NCHSR did not meet its learner targets for 2018/19, along with two other National Colleges.

The HS2 college had already received £40 million in capital funding from the ESFA to construct buildings and purchase equipment.

A further £12 million was provided by the Sheffield City Region combined authority, and the Greater Birmingham & Solihull Local Enterprise Partnership.

HS2 Ltd also loaned NCHSR £2,906,000 in 2018 and £2,804,000 in 2017.

The college signed up just 96 students

when it first opened, even though it aims to be taking on 1,200 a year by 2022.

NCATI said it is confident the prime minister’s decision this week to give the greenlight for the construction of HS2 provides “the certainty the college, our partners, industry and learners have been seeking”.

When he made his announcement in the Commons this week, the prime minister confirmed HS2 would be an opportunity to embed skills, saying the project “will drive jobs and apprenticeships for young people for a generation to come”.

An ‘inadequate’ for NCATI would be the worst handed to any of the four open National Colleges: National College for Digital Skills, which opened in 2016, achieved a grade two in 2018; while National College Creative Industries, which also opened in 2016 before dissolving this year, received a grade three last year and has now set up as a limited company.

The National College for Nuclear is split across two hubs at Bridgwater and Taunton College in Somerset and Lakes College in Cumbria, both of which are grade two.

A fifth National College, for onshore oil and gas, is on hold by its overseers – United Kingdom Onshore Oil and Gas (UKOOG) – while “greater clarity and progress by way of timing and the scale of production activities is ascertained”.

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High speed rail

News



WorldSkills bootcamp: what d



Squad UK assembled at Loughborough University

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As the run-up to WorldSkills 2021 picks up pace, *FE Week* reporter Fraser Whieldon went behind-the-scenes at a Squad UK bootcamp to find out how we train our competitors for the international stage

Nearly 120 skilled young people came from across England, Wales, Scotland and Northern Ireland to Loughborough last weekend for their first bootcamp to prepare them for competing in either WorldSkills Shanghai in China next year or EuroSkills Gratz in Austria 2020.

Currently, they are known as Squad UK, a large group of potential competitors who will be whittled down to Team UK, the select few going to China and Austria.

I joined them on Saturday morning, during introductions from Olympian-turned-WorldSkills-performance-coach Peter Bakare and WorldSkills UK deputy chief executive Ben Blackledge. After which, the squad members split up into groups to take part in team-building activities, such as sorting themselves into an alphabetical line

without speaking.

I took part with one of the groups when they had to pass each member through a hoop, which my team achieved by standing in a line and having a couple of them run up the line, passing the hoop over one person's head, then up from the feet of the next person.

“Training managers tested squad members’ commitment, motivation and reaction to criticism”

It was a fun icebreaker and a great way for the squad to gel as a possible team, but there was a serious purpose to it.

Training managers were using the bootcamp to measure each squad member's so-called “soft skills”: their attitude, commitment, motivation and how they react to criticism.

Linzi Weare, the training manager

for hairdressing, was looking to get her four-person squad of competitors down to three this week, so: “It’s possibly going to be a really quick journey for one person.”

The squad also took sessions on how to use social media, as from now on “they are ambassadors for Squad UK and for the vocational system,” says Blackledge.

He is responsible for the “always evolving” training programmes WorldSkills UK runs, and says this year they have looked at a more “data-driven” approach and analysed what factors helped competitors perform better before, such as the support they get during the process.

They are also looking at how they put in performance milestones and how they do pressure testing in a “more systemic way”, Blackledge explained.

I saw an example of this emphasis on data in a talk by WorldSkills performance coach Karl Bartlett, where he asked squad members to sign up for an app that allows him to monitor what they eat and tell them what they are missing out on.

Blackledge describes the new focus as “brilliant for Squad UK and eventually Team UK, but also it is vital for the mainstreaming of what we do”.

“How does this get taken back into the classroom and back into colleges and training providers to have that understanding that this is what makes the marginal difference or the big difference in performance?”

Towards the end of the day, squad members took turns signing a Union Jack and waited for their turn in a queue that stretched around the conference centre in which the bootcamp took place.

But the bootcamp is also about getting the training managers up to snuff: on the Friday, they met to share



Isaac George, competitor in cyber security, signs the Union Jack

strategic and technical information and good practice.

Christian Notley from Chichester College, chief expert for cabinet making, told me he had been making sure managers “share their knowledge” as WorldSkills has “a huge wealth of skills and information which are applicable to other training managers”.

“It’s good to talk to new experts and I can learn to come up with new ideas and it’s a great way to really drive ourselves forwards and upwards,” he added.

Naomi Radbourne was one new training manager I met on the day; she has taken over hair and beauty from Jenna Wrathall Bailey MBE, who helped lead the UK to a string of gold medals at competitions including Sao Paulo in 2015, Abu Dhabi in 2017 and Kazan in 2019.

Bearing that in mind, I

asked Radbourne how she was going to keep up that level of quality: “It’s very much a strict training programme. It’s about having that openness with the competitors as well, making sure they’re getting exactly what they need, and we are pushing them as much as possible to be the best they can be through training and personal development.”

Formerly a competitor, Radbourne feels she is better acclimatised to a support role. When she was competing, her nickname was Mary Poppins because “I always pulled something out of the bag for other competitors and never for myself”, such as hairbrushes and facial mitts.

With that level of commitment, a fresh training regimen, and the wealth of experience behind them, things are looking bright for WorldSkills UK.



Beauty therapy training manager Naomi Radbourne



Performance coach Peter Bakare checks squad members are stood in correct alphabetical order

Does it take to be a competitor?

What makes you want to compete in WorldSkills?

FE Week spoke with a number of Squad UK members throughout the bootcamp to find out how and why they got involved in the elite tournament.



Lavanya Hemanth

Laboratory Technician competitor

For a lot of squad members, this would have been their first bootcamp. But not so for Lavanya, who says she has received a “golden ticket” to try again at competing in WorldSkills, after narrowly missing out on a place to go to Kazan.

Although another competitor ended up representing the UK in the chemical laboratory technician competition at last year’s tournament, Lavanya was still within the age range, so WorldSkills UK let her rejoin Squad UK to take another shot.

The Middlesex University student is determined to compete in Shanghai, but wants to improve on her interactive skills:

“I don’t really go along and talk to people. I’m not an extrovert, I’m an introvert. So I will probably try to work on communication and being part of the team.”

But the improvement she sees is not just while she’s competing: Lavanya has also noticed an improvement when she is working on her undergraduate project in the laboratory.

“This actually gives me the confidence to work on my own in the lab, as it’s the same technique in a different place.”

But her experience with WorldSkills also helps her work in tandem, for instance, with her supervisor: “I’m learning through this journey,” she believes.

She first found out about WorldSkills from her tutors and initially just went along to see what it was like, “but once I was into the competition and the spirit and the confidence it brings” she got very engaged. Having attended a bootcamp last year, she said she personally feels she “deserves it more” this time around.



Cameron McKnight

Cyber Security competitor

Competitors take part in WorldSkills for many reasons. For Cameron, it was another chance to improve his skills in the area he obviously loves.

Cyber security, Cameron says, is under “constant threat... It’s evolving every day, with companies and enterprises across the world being attacked by cyber criminals. So my goal is to use the knowledge and skills I gain from WorldSkills and I’m excited to apply that to future careers.”

He said it was an “absolute honour to participate in this first bootcamp”, which he described as “very, very good”, adding it would be a privilege to participate in

future events as well.

He came third in the cyber security competition at the WorldSkills LIVE, and was looking forward to getting stuck in with training. He hopes to gain new skills and knowledge at the bootcamp, as well as meeting new people and collaborating with his squad mates.

Cameron feels they “definitely” need the support of their training providers to get through the process. His own support comes from Belfast Metropolitan College, where he is studying cyber security technician infrastructure.

Many of the competitors talk about the support of colleges in terms of giving them time to compete. Cameron also highlights how his lecturers’ knowledge backs up his training.

Competing while at Belfast has been “especially useful” as he has “lecturers who specialise or come from a line of industry”. In fact, the majority of his tutors specialise in a wide range of areas which Cameron says are applicable to cyber security.



Madeline Rowe

Fine Jewellery Making competitor

Madeline is another competitor looking to represent the UK internationally, but things could have been very different for her.

“I did A-levels and was planning to go to university to do photography. My grandfather heard something in the news that said the jewellery trade is finding it hard to recruit people.”

Having always enjoyed design and technology at school, Madeline found a course with the Goldsmith’s Centre in London, deferred her place at university and now works for David Marshall at The London Art Works.

The support from her employer to compete has been “great”, she says, as they’re “totally up for anything I need

to do and are happy to contribute towards anything.

“But of course, WorldSkills themselves have been great contributors, helping me get to and from these things.”

At the bootcamp, she was looking to get to know her squad mates: “I’ve always been difficult with the icebreaking, so I feel like, in terms of this morning, I’ve already gotten to know a couple of new faces, so that’s definitely helped a lot.”

She found the team-building activities of the morning useful because, if she is picked for Shanghai, “it’ll be nice to know a few more faces”.

Spending time with the other squad members was something Madeline used to help with the stress of competing in front of an audience at WorldSkills LIVE: “I’m not used to people staring at me all the time.”

But, with the other competitors, “we’re all in the same boat” and they went out together after LIVE, which she found to be a “nice place to make connections and get to know people and especially people from across the country who are doing the exact same thing as you”.

“It’s just a great little networking system.”



FE Week Fraser Whieldon takes part in the bootcamp activities



Squad members jot down what they think makes a successful competitor

Ofsted says 'sorry' as FE in

Inspectorate apologises to college principal after reversing grade four

BILLY CAMDEN
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Exclusive

Ofsted has apologised and overturned a provisional 'inadequate' judgement after a college complained when inspectors alleged that student safety was at risk.

Scarborough Sixth Form College was left concerned after a two-day visit in October.

Its provisional rating was a grade four, which FE Week understands related specifically to safeguarding.

Principal Phil Rumsey lodged a complaint before the report was due to be published, claiming that the lead inspector had not gathered "sufficient evidence" to make fair judgements.

Ofsted dispatched inspectors to visit the sixth form college – where education secretary Gavin Williamson studied for his A-levels –

on December 6.

The resulting report showed 'good' ratings across the board, with the education watchdog apologising "for the inconvenience".

"It became clear that the lead HMI had not gathered sufficient evidence"

Rumsey would not divulge what safeguarding allegations inspectors made, but told FE Week: "As our inspection was approaching the middle of the final day, it became clear that the lead HMI had not gathered sufficient evidence to make fair judgements in his specific areas.

"I requested an extension to the



Scarborough Sixth Form College

inspection and Ofsted agreed that the initial inspection was incomplete and sent two more inspectors to carry out the necessary further inspection."

He added: "We are delighted that the inspection recognised that our 'teachers are highly skilled' and that 'a high proportion of learners achieve high grades'."

"We have apologised to the principal for the inconvenience"

Scarborough's published report also states that governors and leaders "successfully promote a culture of safeguarding".

A spokesperson for Ofsted said: "This college was inspected in October 2019. The college submitted a complaint, which we investigated in line with our published procedures. We found the inspection was incomplete.

"A further visit took place in December 2019, when we gathered

additional evidence to complete the inspection.

"The evidence supported a grade of 'good' for overall effectiveness. This is in line with our complaint handling policy. We have apologised to the principal for the inconvenience of the additional visit."

It is the latest concern over Ofsted judgements for colleges.

Shrewsbury Colleges Group was given a provisional 'inadequate' rating following an inspection in November in which inspectors claimed to have found serious safeguarding concerns.

But Ofsted has now declared the inspection "incomplete" after the principal launched a formal complaint.

Inspectors were due back into the college this week (see page 7).

Scarborough Sixth Form College's Ofsted visit came just days after it pulled out

of offering two T-level pathways – in construction and digital – ahead of their launch set for September 2020.

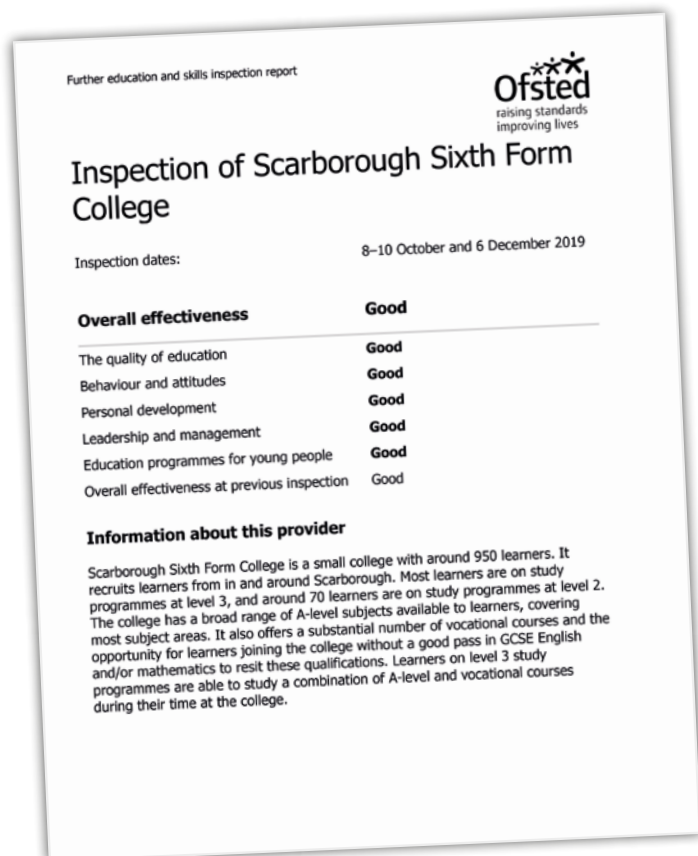
Rumsey said in October that the decision was made because of a lack of work placement opportunities in the area and a shortage of good-quality teachers.

Education secretary Gavin Williamson came out shortly after and said he backed the college's decision.

"They have to look as to how they deliver the very best quality and the very best choice, and they've had to make that decision and it is the right decision because it is about preserving that quality," he said during an interview with FE Week.

"This doesn't close the opportunity to offer it in a year after that, but it's getting the whole package right, because every youngster that takes a T-level, we want to get it right first time."

The college still plans to offer the education and child care pathway from September.



Scarborough Sixth Form College's grade two report



Phil Rumsey

Inspectors hit a rocky patch



Complaint forces 'inadequate' inspection to be reopened

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Exclusive

Ofsted inspectors have returned to a college after the principal questioned the accuracy of serious safeguarding failure claims that led to a provisional 'inadequate' rating.

Shrewsbury Colleges Group, which teaches more than 9,000 students mostly aged 16 to 18, insisted the judgement from an inspection in November was "wrong".

Its principal, James Staniforth, told FE Week that he had "never experienced anything like it" after working for 27 years in education.

The Education and Skills Funding Agency required the college to appoint an independent review of safeguarding by an approved consultant following a referral from Ofsted.

The consultant undertook a two day of audit at the end of January and

concluded in a 10 page report, seen by FE Week, that "having visited and worked at many colleges across the country, Shrewsbury Colleges Group is one of the safest".

"Every effort has been made by the senior leadership team and safeguarding team to ensure the continued safety of both students and staff," it added.

"There is a strong culture of safeguarding evident which is underpinned by established policies and procedures. There is substantial evidence to support this statement as detailed in the report."

Staniforth has now told FE Week: "Ofsted have subsequently deemed the inspection to be incomplete and will be returning to complete the inspection.

"We are delighted that Ofsted will now have another opportunity to review the wide range of evidence we have regarding safeguarding."

He said the college submitted a formal complaint after the draft report criticised the college's safeguarding provision because they felt the team



involved had run out of time and were not able to review the available evidence.

"We are a safe place to study and we are confident that the evidence available will demonstrate the effectiveness of our safeguarding practices," Staniforth added.

The principal said the college looked forward to Ofsted returning and will await their judgement.

He also extended acknowledgments to "our excellent staff for their hard work in keeping students safe" and

thanked students, parents, employers and partners for their support during "this difficult process".

Staff were informed of the revisit on Monday.

Ofsted declined to comment. Shrewsbury Colleges Group previously denied safeguarding was "ineffective" and claimed the "judgement was changed on the final day of the inspection without adequate explanation".

It did admit, however, that West Mercia Police were called to an incident

during the inspection, after a suspended student tried to regain entry to college.

At the time a spokesperson told FE Week the force had "reassured us, in the light of enquiries by this Ofsted inspection team, that they consider our college campuses to be safe".

The inspectorate had been set to report that students and staff do not feel safe and the college had not taken sufficient steps to help ensure their safety.

Inspectors also allegedly found that staff required to carry out site security roles have not received adequate training and necessary risk assessments to ensure effective safeguarding covering the college estate were not in place.

The college denied these accusations. Shrewsbury Sixth Form College and Shrewsbury College of Arts and Technology merged to become Shrewsbury Colleges Group in August 2016.

Both FE providers were rated 'good' in their final inspections before the merger. The group is now based across three campuses with a turnover of £23 million.

The group's first inspection took place between November 26 and 29, 2019.

If the draft report had been published, it would have been the first general FE college to receive a grade four in nearly two years.

Ofsted updates report after grades omission fiasco

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Ofsted has been forced to revise a published inspection report after being made aware it was missing both apprenticeship and adult course grades and commentary.

Peter Symonds College teaches around 4,200 young people aged 16 to 19 and was rated 'outstanding' across the board in a report published by the education watchdog last week.

But the report failed to grade provision for 55 apprentices aged 19 or older and 61 adult learners on access to higher education courses.

After FE Week raised this with Ofsted, a spokesperson claimed that inspectors did assess this provision during the visit in January, and the omission of grades in the original report "was an oversight on our part."

"A revised report has been published

that includes grades for adult learning programmes and apprenticeships. Peter Symonds College remains an outstanding provider and should be congratulated for this significant achievement."

The updated report shows the college scored 'outstanding' for its adult learning programmes, but 'good' for apprenticeships.

Peter Symonds College confirmed that both adult education and apprenticeships were "inspected and were in receipt of focused 'deep dives' as part of the whole college inspection".

"Peter Symonds College is extremely proud to have retained its outstanding grade in our recent inspection," a spokesperson added.

"This reflects the hard work and commitment of all our staff and students as well as our unremitting focus on providing high quality education: something for which we have been renowned for several



decades."

The Hampshire-based college retained its top grade after more than a decade without inspection.

In its new Ofsted report, inspectors said they found that teachers plan flexible timetables which enable adult learners to combine their studies with busy lifestyles.

The students were said to "produce

work of a very high standard" and consequently "nearly all move on to university to study their chosen subject".

It was also reported that apprentices gain the knowledge and skills they need to work successfully in supporting teaching and learning in schools.

According to inspectors, since apprenticeship provision began in 2017, leaders and managers have ensured

that apprentices receive good-quality off-the-job training that supports them well in their job roles.

In addition, most of its 4,200 young students achieve high grades in their A-levels and were "well-prepared for their aspirational next steps to prestigious universities".

The inspectorate claimed that they also benefit from "excellent facilities and resources" and their participation in enrichment activities "develops their sense of social justice and their roles as active citizens".

Furthermore, Ofsted found that college leaders and managers place a "very strong" emphasis on maintaining the wellbeing of their staff by allowing them to take part in activities like yoga and Pilates which balance out their working lives.

As a result, staff felt "very well supported and repay managers by promoting the college's ambitious culture for all its students".

News

College groups struggling to shi

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Exclusive

More than half of all young learners who enrolled in September at ungraded merged FE colleges now find themselves studying at Ofsted grade three providers.

FE Week analysed the performance of these mega-colleges ahead of the imminent publication of a grade three report for Capital City College Group (see page 9 for full story).

In total, 13 college groups have been inspected for the first time since being formed and following the introduction of the Education Inspection Framework (EIF) in September.

According to Education and Skills Funding Agency data for 2019-20, these providers educate 52,293 young people aged 16 to 18, of whom 27,996 (54 per cent) are now at the six colleges who have been hit with grade threes.

Of the six, nine pre-merged colleges have now lost 'good' ratings, while four individual colleges failed to improve their grade threes.

Nottingham College, created after a merger between 'good' providers New College Nottingham and Central College Nottingham in 2017, is one group that now 'requires improvement'.

Inspectors reported that governors, who do not have enough impact on the quality of education, had focused on "resolving the challenges created" by the merger.

United Colleges Group also lost the College of North West London's and City of Westminster College's 'good' ratings following its merger in 2017.



St Helens College

The education watchdog found that "a significant number of senior staff left" after this.

It added that there had been disruption to specific courses and the management of these was "not yet effective enough".

However, the report did acknowledge that governors had taken effective action to set up a new leadership team following the merger.

In addition, Greater Brighton Metropolitan College, which formed in 2017 after the merger of Northbrook College and City College Brighton and Hove, both of which were rated 'good', received a grade three.

Moreover, both Coventry College and St Helens College failed to improve

upon their pre-merger ratings.

Henley College Coventry and City College Coventry were both rated grade three before joining to become Coventry College in 2017.

Inspectors stated that, since the merger, governors "recognised quickly that leaders' planned improvements were ineffective and took decisive steps with the leadership of the college" and the chair and chief executive had also appointed new governors with "a strong background in education to enhance the board's effectiveness".

Similarly, St Helens College was formed in 2017 after a merger between St Helens College and Knowsley Community College, which both had

'requires improvement'.

Ofsted said the interim principal had begun to stabilise the college following the merger and extensive changes to staffing and college structures.

It added that while new senior leaders have a clear strategic direction, the appointment of a permanent principal had not been finalised and the lack of stability "has had a negative impact on the pace of improvement".

There have been success stories for merged colleges under the new EIF.

Since it came into force, there has been one 'outstanding' rating and six grade twos for these colleges, which deliver provision to 24,297 16- to 18-year-old students in total.

Newcastle and Stafford Colleges Group boosted its grade from pre-merger ratings of 'good' for Newcastle-under-Lyme College and 'inadequate' for Stafford College to 'outstanding' in November.

Inspectors praised its leaders and managers for "very effectively" bringing about the merger and "rapidly" integrating the two campuses.

In addition, six other merged colleges are now considered 'good'.

Grade two provider South Cheshire College had merged with West Cheshire College, a grade three provider, to form Cheshire College – South & West in 2017.

Its governors were praised by the education watchdog for continuing to "secure improvements to the quality of education that learners and apprentices receive during the merger process".

Tyne Coast College retained the grade two rating obtained by both South Tyneside College and Tyne Metropolitan College after they merged in 2017.

Inspectors believed governors and senior leaders at the college managed the merger "very effectively" and ensured that the college campuses "continue to serve their communities well".

The Windsor Forest Colleges Group was created in 2017 after 'outstanding' Strode College merged with East Berkshire College, which had received a grade three.

Ofsted claimed that governors

Grades received by general FE colleges under the new Education Inspection Framework following their first inspections since mergers

Provider name	Grade	Date of inspection	Date of publication
Newcastle and Stafford Colleges Group	1	25/10/2019	14/11/2019
Bedford College	2	26/09/2019	28/10/2019
Cheshire College – South & West	2	15/11/2019	10/12/2019
North Warwickshire and South Leicestershire College	2	27/09/2019	25/10/2019
Tyne Coast College	2	11/10/2019	29/10/2019
Warrington and Vale Royal College	2	11/10/2019	08/11/2019
The Windsor Forest Colleges Group	2	29/11/2019	06/01/2020
Coventry College	3	20/09/2019	25/10/2019
Greater Brighton Metropolitan College	3	11/10/2019	18/11/2019
Nottingham College	3	17/01/2020	07/02/2020
St Helens College	3	17/01/2020	07/02/2020
United Colleges Group	3	13/12/2019	29/01/2020

London's mega-college to be hit with a grade three

London's mega-college to be hit with a grade three

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Exclusive

A large London college group wrestling with an unexpected £10 million deficit is set to receive a grade three after its first-ever inspection took place last month.

FE Week understands Capital City College Group's (CCCG) Ofsted report will be published imminently.

Chief executive Roy O'Shaughnessy previously told this newspaper in December that he was trying to "dim the expectations" by self-grading at 'requires improvement' and was expecting a visit from the education watchdog between January and July 2020.

The group is scheduled to deliver three T-level routes (in digital, education and childcare and health and science) from the 2021-22

academic year.

But this could now be at risk as Department for Education rules state that only providers rated 'good' or 'outstanding' can deliver the new qualifications.

Kurt Hintz, principal of the College of Haringey, Enfield and North East London, part of CCCG, said he was unable to comment on Ofsted's verdict until the group received and reviewed the report in full.

However, "the feedback that we received following the inspection from Ofsted's team on our strengths and areas needing improvement was very similar to the conclusions we had reached during our own rigorous self-assessment," he told FE Week.

Hintz added that CCCG will continue with its "robust" quality-improvement plan that had been in place "long before" Ofsted arrived and which is now showing signs of "significant improvement".

He also confirmed the group's

approach to T-levels will continue as planned and they will "comply with any additional scrutiny that the ESFA require of us and feel confident we will be well prepared".

CCCG was formed after a merger between WKIC Group and the College of Haringey, Enfield and North East London.

City and Islington College and Westminster Kingsway College first merged in August 2016. Both were considered 'good' by the inspectorate at the time – as was the College of Haringey, Enfield and North East London, which joined them in November 2017.

The group currently has a deficit of £9.7 million. It had originally budgeted for a £750,000 surplus for 2018-19.

This was revised downwards by July to a deficit of £5.1 million but it suddenly grew again by September.

O'Shaughnessy then launched an independent investigation and previously told FE Week that "genuine

ineptness" had partly led to the surprise deficit.

It followed unplanned multi-million-pound deficits of £5 million in 2016-17 and £6 million in 2017-18, which led to job cuts.

CCCG's new finance director, Rachael White, previously said that internal controls were missing – which she put down to the three individual colleges coming together.

She said: "I think a lot of it has been where colleges have merged and there's probably been no re-alignment or reassessment of what is an efficient or controlled environment to work within."

CCCG isn't the only T-levels college to be hit with a grade three.

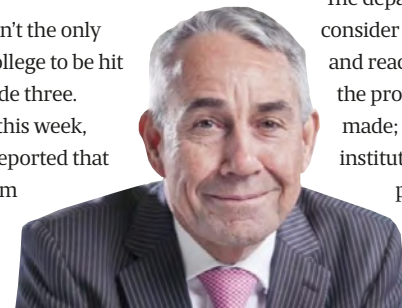
Earlier this week, FE Week reported that Nottingham College, which is due

to deliver the digital, education and health routes from next year, had raised the issue with the Education and Skills Funding Agency after their own 'requires improvement' rating.

A spokesperson confirmed it will "submit an application to continue to be a provider of T-levels".

In addition, the DfE confirmed last month that it will also "make a decision in due course" on whether United Colleges Group, which was lined up to offer the digital and construction courses, should be kicked off the programme after receiving a grade three from Ofsted.

The department has promised to consider each case individually and reach a mutual decision with the providers before a decision is made; and the time invested by institutions and the work done to prepare students may impact on the decision.



Roy O'Shaughnessy

Grades received by general FE colleges after the introduction of the new Education Inspection Framework

Provider name	Grade	Date of inspection	Date of publication	Length of inspection
Newcastle and Stafford Colleges Group	1	25/10/2019	14/11/2019	Full
Bedford College	2	26/09/2019	28/10/2019	Full
Brooklands College	2	13/12/2019	16/01/2020	Full
Cheshire College – South & West	2	15/11/2019	10/12/2019	Full
Derby College	2	04/12/2019	07/01/2020	Short
East Riding College	2	04/12/2019	18/12/2019	Short
Leeds College of Building	2	25/10/2019	12/11/2019	Full
North Warwickshire and South Leicestershire College	2	27/09/2019	25/10/2019	Full
Petroc	2	07/11/2019	29/11/2019	Short
Reaseheath College	2	05/12/2019	08/01/2020	Short
Salford City College	2	04/12/2019	16/01/2020	Short
Shiplay College	2	30/01/2020	10/02/2020	Short
Tyne Coast College	2	11/10/2019	29/10/2019	Full
Warrington and Vale Royal College	2	11/10/2019	08/11/2019	Full
The Windsor Forest Colleges Group	2	29/11/2019	06/01/2020	Full
Chesterfield College	3	28/11/2019	24/01/2020	Full
City of Bristol College	3	15/11/2019	11/12/2019	Full
Coventry College	3	20/09/2019	25/10/2019	Full
Greater Brighton Metropolitan College	3	11/10/2019	18/11/2019	Full
National College for the Creative and Cultural Industries	3	11/10/2019	13/11/2019	Full
Nottingham College	3	17/01/2020	07/02/2020	Full
St Helens College	3	17/01/2020	07/02/2020	Full
Stoke-on-Trent College	3	11/10/2019	11/11/2019	Full
Suffolk New College	3	15/11/2019	13/12/2019	Full
The Sheffield College	3	27/09/2019	25/10/2019	Full
United Colleges Group	3	13/12/2019	29/01/2020	Full

and senior leaders had ensured they continued to serve their local communities "well, with a broad and relevant curriculum offer" since the merger, with leaders and managers working with local employers and partners to plan and review provision so that it was "focused on current industry practices".

Despite this, the inspectorate also found that while leaders had made improvements, "the rate of improvement has been too slow in a few areas".

Moreover, Warrington and Vale Royal College, which formed in 2017, improved its pre-merged college grades.

North Warwickshire and South Leicestershire College retained North Warwickshire and Hinckley College's and South Leicestershire College's 'good' ratings after the two merged in 2016 and a further grade two was received by Bedford College.

In total, 27 general FE colleges have been inspected so far under the EIF, including CCCG's verdict.

FE Week analysis shows that more than two-fifths (12) of these have been hit by grade threes.

One provider was declared 'outstanding', while more than half (14) were considered 'good'.

None has been found to be 'inadequate'.

News

New Boris adviser would 'take a flam

Professor Alison Wolf is now working three days a week advising Number 10 on FE policy ahead of the Budget next month. In October she criticised "target-led policy", called for the introduction of adult education "lifetime allowances" and said the Department for Education should step aside because "you have to put far more of the power and decision-making in the hands of the individual". FE Week's editor, Nick Linford, looks at what it could mean for the adult education policy and the DfE if Wolf wins the argument.

Little did we know that when Baroness Alison Wolf gave evidence to the education select committee last October she would be appointed to advise the prime minister from within the Number 10 policy unit.

As FE Week reported last week, Wolf is on a sabbatical from Kings College London and is now working for the PM three days a week in the run up to the budget next month.

Perhaps the move should not have really come as a surprise given the help the government urgently needs to reform the apprenticeship levy, implement T-levels and invest in adult skills post-Brexit.

And Wolf is an obvious pick given she was appointed by Michael Gove in 2011 to undertake an independent review of vocational education from which most recommendations were implemented. Then in 2015 she joined a group of select few on the Sainsbury Review that introduced the T-level plan and again, there she was on the panel writing the Augar Review in FE and HE funding last year.

"I hope I am going to be able to make a pitch for lifetime allowances"

Looking back at what she said when MPs asked how she would improve adult education policy, it seems obvious she has already played an important part in the manifesto that promised £1.8 billion for college capital. She said in the month before

the manifesto was published that "the main problem is that we have completely destroyed any sort of easy infrastructure of proper institutions in all towns where you can go to evening classes briefly, where you can go for a while, come out and go back. That used to exist in every town in this country. The ghosts of it are there, but it needs to be revived", something exposed in our feature this week on pages 12 and 13.

"A vast amount of the money does not actually go on frontline provision to learners"

And when the Conservatives published the manifesto with a commitment to £600 million per year for a National Skills Fund, it was accompanied with a press release that said this would be the "first steps" towards a "Right to Retrain".

Could this policy be what Wolf meant when she told MPs "adult citizens should have a right to a certain amount of education" and made "a pitch for lifetime allowances"?

She said: "You have to put far more of the power and decision-making in the hands of the individual and that you get better skills for the economy not by asking a government department to organise courses for people that they are sent on but by giving them far greater ability to learn skills when they think they want to."

And when it comes to adult education, colleges need both the money and the freedoms according to Wolf: "I think you have to make the colleges a very central part of this. They have also been tremendously

weakened and one of the things we said in our [Augar] review was that the government had to stop doing this and had to put money back in."

She saved her strongest criticism for the government machine: "The simplest thing you could do would be to basically take a flamethrower to the way the whole adult and further education budget has all these pots."

This will have been sweet music to the ears of Dominic Cummings, chief policy adviser to Boris Johnson and former adviser to Michael Gove when he was education secretary.

It is well known that Cummings has regular run-ins with civil servants and recently said he wanted to find advisers that are "weirdos and misfits with odd skills".

Wolf also said an "obsession with targets, outcomes and making people do things in a way where you can tick things off, has been very harmful".

"You have to put far more of the power and decision-making in the hands of the individual" and "I think you have to make the colleges a very central part of this"

"One of the problems with this target-led policy that we have had for a long time is that you find, yes, if you get a degree you earn



more, if you get anything at what we call level 3, or skilled crafts, you definitely earn more, and if you get a good apprenticeship you definitely, definitely earn more, but just shelling out for lots of little courses does not automatically translate into productivity."

So, with Wolf at Number 10 and the secretary of state, Gavin Williamson returned to the DfE after the reshuffle and eager to develop policies to spend the manifesto pledges, civil servants at the Department for Education could be in for a shock.

"I think, alas, devolution does not help. It simply adds another layer of bureaucracy and arguing about who gets what"

'Flamethrower' to adult education policy



Devolution

Wolf was in no doubt that the devolution of the Adult Education Budget has been a mistake.

Lucy Powell MP asked: "What other things do you think might help us to both increase the spending and spend it better? What about devolution and some of those issues?"

Wolf replied: "I think, alas, devolution does not help. I wish it did, but judging by what is happening in London it simply adds another layer of bureaucracy and arguing about who gets what.

"The simplest thing you could do would

be to basically take a flamethrower to the way the whole adult and further education budget has all these pots. I do not know as much about the local authorities, so I will stick to the adult education budget going to the colleges. If you could get rid of all these silly little divisions and special programmes, and just hand them the money – and also allow them, as happens in other countries, to have a certain amount of carryover between years – I think overnight you would increase by 30 per cent the amount of money that went straight through to the classroom."

Online learning

Civil servants at the Department for Education have over many years been looking for ways to increase the access as well as reduce the cost of adult learning, but with little success when it comes to government funded online learning.

It is thought that they are having another go, through very limited National Retraining Scheme pilots, but Wolf appeared not to be a fan of delivering education over the internet.

Ian Mearns MP pointed out that

"every town has a university—it is called the Open University." At which Wolf shot back: "That is true, but it has been pulling back from having bricks and is more and more virtual. I personally think that was a big mistake."

Mearns then asked if there is "a particular problem with the National Retraining Scheme about an overemphasis of online learning" to which Wolf simply said "Yes".

National Retraining Service

Wolf made it clear she was not a fan of the little known National Retraining Scheme that already has its own department within the DfE.

Ian Mearns MP asked: "How effective do you think it will be in terms of helping adults to upskill or retrain—are we ready to go?"

Wolf replied: "You kind of know what I am going to say: do we need another specialised pot? It is one of these ideas

where you think, how could you be against it—how could you be against giving adults help with retraining? Of course, you should not be."

"The trouble with having something that is specialised and specific and that goes through employers is that it is going to be another pot. It is going to have its own regulations. It will work fine if you have a large employer with a trade union that can see what is coming along the road. However, I cannot see how it can actually enable the population as a whole to access the flexible opportunities it needs.

Tenders

Wolf seems to be strongly of the opinion that having colleges apply for lots of "little pots" of funding is "extraordinarily wasteful."

The University of Edinburgh's Professor Lyn Tett was on the panel and told MPs: "Another problem, especially at the community level, is that most people are sustained by applying for grants—they could be from the local authority, from the big lottery or whatever—so they spend an awful lot of their time getting money in so they can provide a service, instead

of providing the service."

Wolf added: "I agree, really. Partly it is the level of funding, and to a considerable degree it is the way the funding is sent out. It is divided into little pots that mean that it is, amazingly, true that you have fantastic FE colleges that struggle to spend the adult part of their grant. It is hugely wasteful because, again as Lyn has said, a vast amount of the money does not actually go on frontline provision to learners; it goes on the administration, the collection of data and the grant applications. It is extraordinarily wasteful."

Could Alison Wolf persuade th

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Exclusive

Part-time evening courses were once a route that allowed tens of thousands of adults to retrain. But government funding cuts have seen this long tradition begin to fade away. As one champion of the provision enters Downing Street, Billy Camden delves into the current offer in colleges across England and questions whether this form of education could soon be resurrected

Night schools might be in for a revival following Baroness Alison Wolf's appointment as a skills policy adviser to the prime minister.

The academic, who advises Boris Johnson three days a week, gave evidence to the education select committee just four months ago in which she raised the issue in the context of declining adult education numbers.

"The ghosts are there, but it needs to be revived"

"The main problem is that we have completely destroyed any sort of easy infrastructure of proper institutions in

all towns where you can go to evening classes briefly, where you can go for a while, come out and go back," she told MPs.

"That used to exist in every town in this country. The ghosts of it are there, but it needs to be revived."

In its 2019 report on education spending in England, the Institute for Fiscal Studies (IFS) found that adult learner numbers have fallen from 4.4 million in 2004-05 to about 1.5 million in 2017-18.

Funding for classroom-based and community learning peaked at around £4.1 billion in 2003-04, falling by nearly two thirds by 2018-19.

The IFS said there has been a "large and deliberate shift from classroom-based to apprenticeship training" in that time.

Evening courses, which are typically run between 6pm and 9pm, have reportedly borne the brunt of this.

It is an issue that has reached the House of Commons in recent years. Labour MP David Lammy held a parliamentary debate on the topic in 2017 in which he called for their return.

But there is little research that specifically shows the numbers of evening courses currently on offer, and how that compares to previous times.

FE Week spoke to colleges with large adult education budget allocations in the biggest cities in England to gain an insight into how their night school offer has changed over the years – including one in London that has bucked the trend of declining numbers.

But starting in the west, City of Bristol College said that it put on over 350 courses in the evening which had more than 3,730 enrolments in 2013/14, but this dropped by almost half to just over 1,900 enrolments in 2018/19 when 217 courses were offered.

"The appetite for learning in adults is huge, the barrier is cost"

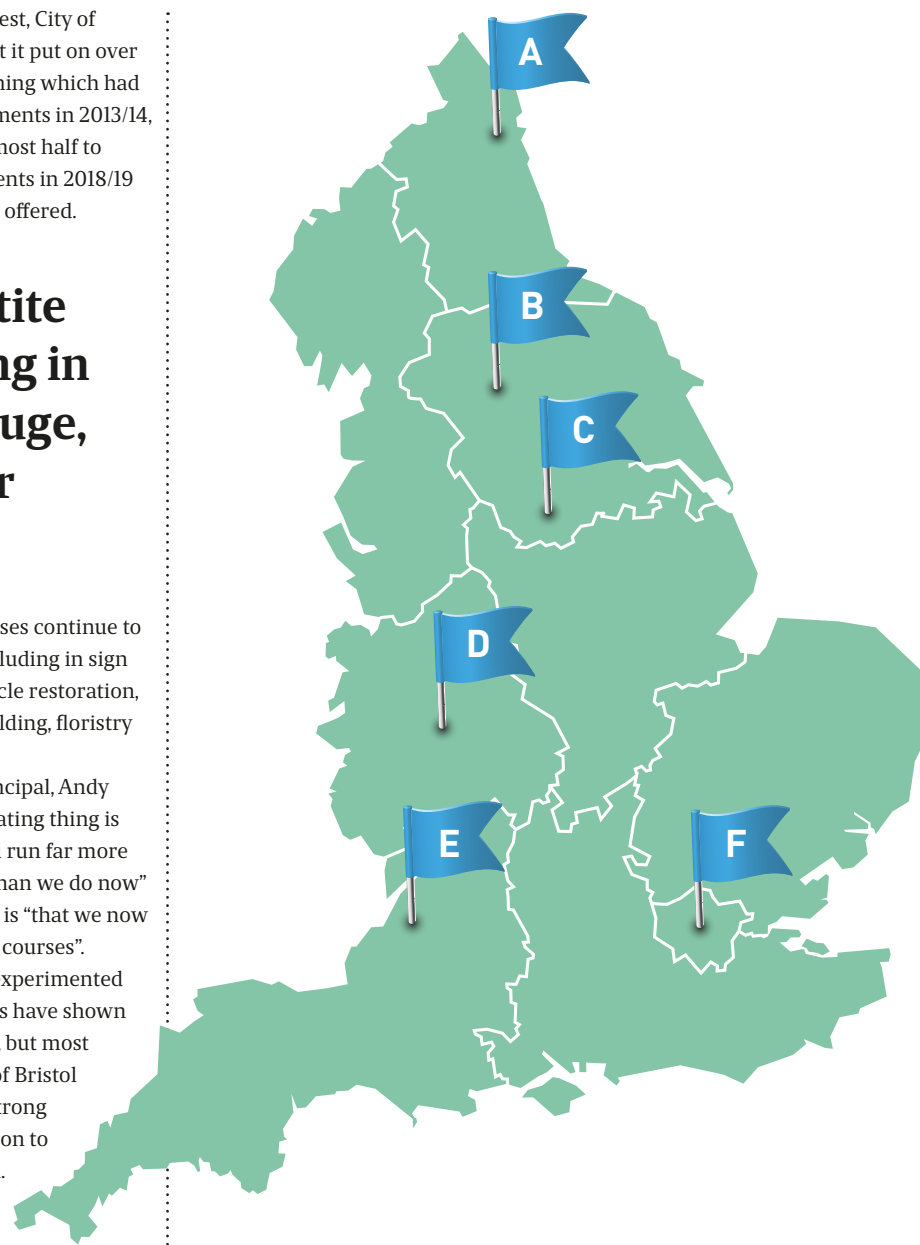
A range of night classes continue to be offered this year including in sign language, biology, vehicle restoration, marketing, HR, law, welding, floristry and graphic design.

But the college's principal, Andy Forbes, said the "frustrating thing is that we know we could run far more adult evening classes than we do now" and the biggest barrier is "that we now have to charge fees for courses".

"Colleges that have experimented by running free courses have shown how big the demand is, but most FE colleges – like City of Bristol College – are not in a strong enough financial position to take the risk," he added.

"We need funding to do this properly."

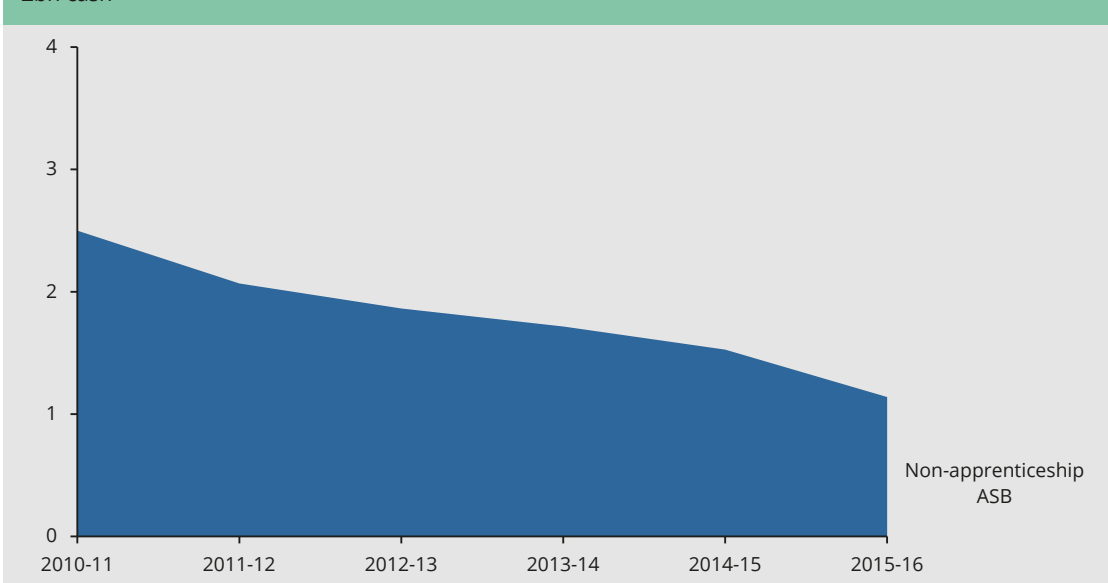
Ann Marie Spry, vice principal for adult education at Leeds City College, said they are



- A** NCG
- B** Leeds City College
- C** Nottingham College
- D** South & City College Birmingham
- E** City Of Bristol College
- F** CCCG

19+ FE & SKILLS EXPENDITURE

£bn cash



House of Commons briefing paper on adult further education funding in England since 2010

"proud" to offer over 100 adult evening courses currently, including in areas like start your own business, languages for beginners and Tai Chi.

While the college couldn't give an estimate of numbers in previous years, "we did have to reduce the number we offer" owing to "cuts in funding".

A spokesperson said: "Supporting low skilled workers and adults with mental health issues is an integral part of our work, and it's important that we continue to be responsive to local community needs.

"We would welcome additional public funding to widen our scope and create a sustainable and robust adult offer."

South and City College Birmingham said it reduced evening and weekend classes "substantially when the adult funding was cut and the rules on funding changed, as part of the austerity measures".

A spokesperson said: "Adult funding rates are 60 per cent of 16 to 18 but young adults are provided with the same education and training in the

Can the PM to revive night schools?

same classes as 16 to 18 year olds.

“We would definitely re-introduce evening classes if there was funding to do so.”

Nottingham College said while it does still offer a range of courses in the evening, including in ceramics, photography, counselling and computing, there are “fewer than in previous years”.

“We would re-introduce evening classes if the funding was there”

“This could be attributed to less demand, changes in funding, the focus on employability and end-of-course outcome, and a decline in many of the courses that people would term hobbies or leisure.”

Liz Bromley, chief executive of NCG, said her college group still offers a range of evening courses in management and professional subjects, creative industries and education, as well as adult English and maths.

But “yes, we have reduced the number,” she told *FE Week*, adding that a steep decline started at the time of the introduction of advanced learner loans – a policy which has struggled to get off the ground since its introduction in 2013.

“Changes to funding eligibility also



added to this decline,” Bromley said.

“The reluctance to take up the adult learner loans seems to be linked to a lack of disposable income – i.e., once the course is complete, I will have to pay back my loan, and if I have not had a pay rise, then I’m financially worse off.”

She added: “We would like to see much more flexibility around the eligibility criteria for funding of course that have a direct link to the local skills agenda.”

There is one college group which is stemming the tide of declining evening courses: Capital City College Group (CCCG).

One of its divisions, The College of Haringey, Enfield and North East

London (CONEL), ran fewer than 10 evening classes three years ago, but last year they ran 142 in areas including the trades, ESOL, sports massage and accounting.

What’s more, all of them up to level 2 are “free” of charge.

In June 2018 the Greater London Authority announced that adults in the capital who earn less than the London living wage will have their training fully funded from 2019/20 for courses up to level 2.

After experiencing what it calls “significant success” with the GLA’s policy – it saw in excess of one-third more adults enrolling – CCCG extended this offer to all adult learners.

Kurt Hintz, the principal of CONEL, said: “The appetite for learning in adults is huge, the barrier is cost. When it’s free, it’s full.”

“Colleges running free courses have shown how big demand is”

But, he added, level 3 continues to be an issue: “Current funding stops at level 2. Many adults are discouraged from progressing to level 3 as they

have to take out a loan.

“It is at level 3 and above that incomes start to increase significantly. By not funding courses at this level, members of our community are prevented from maximising their potential.”

David Hughes, chief executive of the Association of Colleges (AoC), summed up by saying evening provision “still exists but is smaller in volume, adding that many of the ‘leisure’ courses, so popular for evening programmes, have significantly decreased in number”.

“AoC would welcome policy changes and funding to accompany it which allows for the most responsive and flexible provision.”



Liz Bromley



Andy Forbes



David Lammy

News

Northern Powerhouse Partnership director tells education ministers they've 'run out of time'

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The director of George Osborne's Northern Powerhouse Partnership has called for skills policy to be fully devolved from Whitehall, claiming the government has "failed" to deliver the system the north needs.

Henri Murison, speaking at the launch of the Northern Skills Network in Leeds, pinned the failure on the Department for Education's officials and said whoever the education secretary is after this week's cabinet reshuffle "needs to listen to us, not their officials".

In the meantime, he said, the department has "run out of time" so "universal control of our skills system" must be given to the north.

"That's why we're going to have mayors in every region of the north, in the Humber, in West Yorkshire, in Chester, Warrington, then Lancaster – and we're not going to stop."

The Northern Powerhouse Partnership is chaired by former chancellor of the exchequer George Osborne and represents businesses and politicians from across the north.

The adult education budget has already been devolved to certain mayoral combined authorities in the north, including Greater Manchester and Tees Valley. The government is also working with Sheffield City Region and North of Tyne combined authorities with the aim of devolving the AEB to those two in September.

Murison said his call for greater devolution has been provoked because the department took "years" to deliver money which had been promised to the north, and they are "not welcome in the north of England with that promise anymore".

The vote to "take back control" in the Brexit referendum and the collapse of the so-called "Red Wall", where Labour MPs across the north were replaced by Conservatives in the December election, added fuel to this

fire, he explained.

"I don't think they were just voting about Brexit. I think they were voting about their towns their places, and skills is vital to that."

"Where is the ambition," he asked the audience, "to mirror those like British Airways and what they invest in skills in Barrow," which puts 1,000 apprentices through their factory every year, according to Murison.

Having previously worked for the West Yorkshire Police and Crime Commissioner and Newcastle City Council, he also targeted ire at the government's announcement this week of HS2, a high-speed rail line connecting London with the north and midlands.

Without greater skills devolution, "all the train lines in the world will make no difference on their own," he said.

His call for greater control over skills policy in the north comes as the Northern Skills Network, which is aiming to provide a "single voice



Henri Murison

for skills" for over 300 providers, announced it had entered into a strategic partnership with awarding organisation NCFE.

This partnership will involve NCFE representatives sitting on the network's board and means they will become "the 'go to' organisation for insights and advice on the skills and education issues affecting the north," according to the awarding body's

executive director for customer and commercial strategy Sian Wilson.

The partnership, according to network chair Mike Smith, will help them promote the value of technical and vocational skills to employers and stakeholders, as well as support leaders of all ages to achieve the qualifications they need to advance their chosen careers and increase their social mobility".

Reappointed education secretary Williamson pledges to 'deliver skills country needs'

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Gavin Williamson is to stay on as education secretary following a post-Brexit ministerial reshuffle.

However, at the time of going to press it was not known whether the MP for South Staffordshire would keep the FE and skills brief he has held since his appointment last July.

Many calls, including from Conservative MPs, have been made for prime minister Boris Johnson to appoint a dedicated minister for the sector – a role that has been vacant since Anne Milton resigned.

Michelle Donelan, who was covering for Kemi Badenoch as children and families minister with some responsibilities for FE while she was on maternity leave, was promoted to universities minister in the Department for Education in the reshuffle. Badenoch moved to the Treasury as a minister.

Donelan did not rule out also taking on the FE and skills brief at the time of going to press.

And FE Week's sister paper Schools

Week understands that Lord Agnew is to leave the DfE.

The junior academies minister took on the responsibility for FE provider market in September.

Downing Street confirmed Williamson, who studied A-levels at Scarborough Sixth Form College, will keep his role at the Department for Education on Thursday.

He later tweeted to say he was "delighted to be reappointed".

"From early years to further education, I will ensure we deliver the skills the country needs," he added.

This week's reshuffle saw a number of his colleagues return to the backbenches.

Sajid Javid quit as chancellor and was replaced by Rishi Sunak.

Several other prominent cabinet members were sacked by Johnson, including business secretary Andrea Leadsom and environment secretary Theresa Villiers.

On Williamson's reappointment, James Kewin, deputy chief executive of the Sixth Form Colleges Association, said: "We are pleased that Gavin Williamson will remain in post. During



Gavin Williamson

his short time in the role, he has already managed to secure more investment for sixth-form education than all of his predecessors combined since 2010.

"He has also engaged very constructively with us and our members – and as a former sixth form college student, has first-hand experience of the sector.

"We look forward to continuing this positive relationship – particularly with a Budget, the conclusion of the level 3 qualification review, and a spending

review all due to take place in the year ahead."

Association of Employment and Learning Providers chief executive Mark Dawe said the decision to keep Williamson on at the DfE was "sensible".

"We hope that the secretary of state will impress upon the new chancellor the need for greater investment in apprenticeships, particularly a separate fund for non-levy payers of £1.5 billion," he added.

And Association of College chief

executive David Hughes said: "I am delighted to see Gavin Williamson confirmed as education secretary.

"He has shown over the past six months that he believes in colleges, and wants to develop a stronger post-16 education and training system."

He added: "I know that the additional funding announced last September was in large part due to his advocacy within the government, and I have no doubt that the capital funding and new National Skills Fund promised in the Conservative election manifesto were also driven by his ambition for the sector.

"We are looking forward to him championing college investment in the budget and the spending review."

Williamson has been a Conservative for most of his life, and served as chair of Conservative Students, the precursor to Conservative Future, while at university.

He worked in the manufacturing industry, as managing director of fireplace firm Elgin & Hall and later as boss of Aynsley China.

He is a former chief whip and defence secretary.

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News

Renewed calls for skills tax credits as budget looms

BILLY CAMDEN
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With the budget less than a month away, and the prime minister confirming the apprenticeship levy needs reform, there are signs that the government could quickly revisit the original tax credit recommendation from 2012.

Education select committee chair Robert Halfon has called for the policy to be introduced on numerous occasions over the past year.

He told an Annual Apprenticeship Awards parliamentary reception last week that he finds it "incredible" that if companies invest in research and development "they get a research tax credit, hundreds of millions of pounds a year".

"Why on earth isn't there such a thing as a skills credit where, if companies invest in skills and apprenticeships, they get a skills tax credit from the Treasury to incentivise businesses to do more, whether it is an apprenticeship, adult learning, or whatever it may be,"

Halfon added.

It is an idea favoured by Baroness Alison Wolf, who now advises the prime minister Boris Johnson on skills three days a week.

In October 2019, during an education select committee hearing, Halfon asked Wolf: "Should there not be a skill or social justice tax credit for businesses if they genuinely reskill their employees?"

The baroness replied: "I think there should – if one can figure out a way of doing it that will not be open to massive fraud. It would be a very good idea.

"As you say, you have double tax credits for research. Why not have double tax credits for training? Off the top of my head I think it is a really good idea, but like so many of these things the question is whether it is actually doable without having either a massive amount of semi-fraud or a massive amount of expensive apparatus looking at it.

"I think it would be a really interesting thing to consider."

The idea of skills tax credits was first mooted in the 2012 Richard Review of Apprentices, which was conducted by



former Dragons' Den star Doug Richard.

He called for employers to pay providers directly for apprenticeship training.

Richard said tax credits, or other forms of government incentives, should then be dished out to employers as the government pays its part of apprentice training.

"Instead of the money for providers

coming from the government, they [providers] now have the more granular challenge of having to collect their money from employers," he explained.

"The employers only get the credit if they show they've spent the money. It means if the employer wants it done, they can't hold the money back from the provider."

He added: "There are differences here,

profound ones, but if you net out the whole system, a provider still largely ends up providing training and getting paid through a government subsidy. But now its customer – as always should have been the case – will be the employer, not the government or one of its agencies.

"It changes who the training provider has as their customer. The customer should have the money – it focuses the mind of the vendor. I feel strongly about this point, and I think it's the heart of the review."

Asked if they were considering skills tax credits in the run up to the budget, a Treasury spokesperson said: "We already provide tax relief for employee training through a 100 per cent corporation tax deduction. We keep all tax reliefs under review."

They added that in order to consider more generous tax treatment, there must be a clear economic case made for government intervention, so that any measures are well-targeted and provide value for money for the tax-payer.

The next budget will be held on March 11.

DfE plans to axe 5,000 quals - but will anybody notice?

BILLY CAMDEN
BILLY@FEWEEK.CO.UK

A consultation on plans to remove funding for more than 5,000 legacy qualifications at level three and below has been launched by the Department for Education.

Those at risk are courses that are currently not being studied by any learners, or have cohorts of fewer than 100 and are coming to the end of their three-year operation.

More than 200 BTECs are on the list. The plan is to switch their funding off by August 2021.

Reviewing and removing funding for qualifications with few or no enrolments used to be an annual task undertaken by the Skills Funding Agency, but the last full review of this sort was conducted in 2015.

Education secretary Gavin

Williamson believes the announcement will help "make sure students have a clearer choice" of what is on offer as there is currently a "confusing" market of 12,000 qualifications at level 3 and below.

But Tom Bewick, chief executive of the Federation of Awarding Bodies, said his members will have few concerns with a "genuine housekeeping exercise" that removes qualifications that are "obviously no longer needed by learners and employers".

"The vocational training marketplace evolves all the time, so there are bound to be obsolete qualifications on the register that will discontinue in future," he added.

The DfE claimed that this week's announcement is part of the government's two-stage review that aims to crack down on "poor-quality post-16 qualifications", which has been quietly delayed.

The first "review of post-16 level 3 and below qualifications" consultation ran from March to June 2019 and was supposed to be released before the turn of 2020, along with the launch of a second stage.

But the DfE has now told *FE Week* it will not be forthcoming until at least the spring.

The department wants to make A-levels, T-levels and apprenticeships the "gold standard" option for young people after they take their GCSEs from 2020-21.

It will only continue to fund alternative qualifications at level 3 and below – such as applied generals, BTECs and Tech Levels – that do not overlap with them and are "high quality, are necessary, have a clear purpose, and lead to good outcomes".

James Kewin, deputy chief executive at the Sixth Form Colleges Association, said he agrees that funding

for qualifications with low or no enrolments should have their funding reviewed.

But, he told *FE Week*, colleges and schools are "much more concerned about an issue that involves a very high number of students – and that is the future of applied general qualifications".

"Removing funding for unpopular qualifications is one thing, but removing funding for popular and highly effective qualifications like AGQs is quite another, and we will continue to make the case for these qualifications playing a vital role in the future," Kewin added.

A spokesperson for Pearson, the organisation that offers BTECs, said: "It's important that the 16-to-19 phase continues to offer young people a range of options to support access for a diverse cohort of learners with differing starting points and

requirements – an academic pathway, a career-focused pathway and more specialised occupational routes."

On the announcement, Williamson said: "Trying to decide what course will put you on the path to a great career is hard enough, but with over 12,000 qualifications available and many in the same subject – it can feel like a needle in a haystack.

"Removing funding for qualifications that have no or low numbers of enrolments will help make sure students have a clearer choice of the qualifications on offer, and ensure they get the skills they need to progress."

But Bewick warned: "We know from past experience, that some really adverse effects can arise where a top-down exercise in Whitehall leads to learners being cut off from valuable and relevant opportunities in their local communities.

"There are hundreds of niche qualifications with low enrolments or that serve those with special educational needs that could be axed by this exercise if government does not proceed with some caution."

The deadline for submissions to the consultation relating to the 5,000 qualifications is March 27. Visit <https://bit.ly/2SKGKYP> to see the full list.

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Profile

Introducing...

EMMA
HARDY*Shadow Further Education
and Higher Education Minister***JESS STAUFENBERG**
NEWS@FEWEEK.CO.UK**Jess Staufenberg meets the shadow minister for further education – once a teacher – whose father and grandfather were both sacked for unionising**

When shadow minister for further education Emma Hardy was in sixth form college she was told by her formidable history teacher, Mrs Mauer, “You’re a radical Emma, and people are going to read about you in the future.”

The young Hardy was making the case for a nationalised health service to the class. “I didn’t win. But I did convert the most people. We won the argument!” she adds with a guffaw, playfully referencing the Labour leadership’s stoic response to its catastrophic defeat in the December general election. Mrs Mauer’s words stuck with Hardy. “No pressure, then, I thought.”

At parents’ evenings, the young Hardy steered her mum and dad

between teachers who “loved her” and those for whom she was “too opinionated”. These days, during a turbulent time for her party, the 40-year-old has to navigate a similarly careful course without alienating anyone too much. While weighing her words so as to not come across as too partisan, the former primary school teacher lets her stories and feelings tumble out with surprising openness,

“I would describe myself as Team Labour”

It’s a habit that has most likely endeared her to shadow education secretary, Angela Rayner, and which landed her the further and higher education brief on January 7. Hardy calls her approach “Team Labour.”

“I don’t get involved in all of that,” she says when I ask how she

has survived party factionalism and powerful voices in Momentum. We’re having a cup of tea at her office in 1 Parliament Street, and Hardy is sitting attentively opposite me, her phone on the table with a picture of one of her two daughters under the screen cover. Hardy voted for Andy Burnham in the leadership election won by Jeremy Corbyn, and is now supporting Keir Starmer for the leadership (rather than the more Corbynite Rebecca Long-Bailey) and Rayner for deputy.

“I would describe myself as Team Labour. But I’ve also always said whoever is democratically elected as leader is leader.” Hardy rejects the idea that most Labour MPs belong in one camp or another. “If you actually sat down and tried to say who was definitely pro- or anti-Corbyn, you’d only be able to identify a few. Most people just get on with it.”

While regarded as a young radical among her classmates, Hardy says the Parliamentary Labour Party (PLP) sees her as “predictable”, a fact which has served her well. “The way I see it, the Labour Party is bigger than all of us. When Jeremy is gone and I’ve gone and Keir is gone, it will still be here. If you believe that, then the factionalism doesn’t matter.”

Hardy’s appeal to overarching values rather than internal politics may have its roots in her childhood. She was surrounded by influential people



At home in Newbold aged 6

who gave her principles to believe in, but who never demanded loyalty to a particular party. Instead, she has been taught through stories. “My granddad used to tell us how he’d have to line up for work each day. Because he was nearly six feet tall, he’d often get work, but other people didn’t.”

Among the places he worked was Tetley’s tea, though after he told the company’s joint-founder Joseph Tetley that he was going to set up a union not for long. “He lost his job,” says Hardy, dark eyebrows raised.

Her own father worked for WH Smith, though he was sacked after being the only employee to carry out a scheduled strike. “Dad always told me, if you’re going to go on strike, make sure you’re not the only one who does it!” Hardy laughs.

Her father then enrolled at a further education college and went on to train as a teacher, eventually becoming

headteacher at Hardy’s own school.

“That’s probably why I also ended up being a bit left-wing. On Friday afternoons, he used to take all of the school for singing, and we did Bob Dylan, The Beatles and protest songs.”

But Hardy’s biggest smile is reserved for her 92-year-old nanny. “She was a single mother with five children in a council house. She used to tell me about families moving in with no furniture, and say ‘they’re forgetting their roots’. She was always passionate about not forgetting where you came from.”

Her nanny is her firm supporter. “She’s got a picture of me in the house and if anyone comes around, she says ‘that’s who I support!’” Hardy’s laugh is infectious, and I hoot as she goes on to describe her nan as “old-school trolling” less convinced



Celebrating after winning the Kingston upon Hull West & Hessle seat in the 2019 General Election



“You as an individual have a legal right to learn”



family members. “She cuts out articles from the Mirror and sends them saying ‘have you seen what your lot have done now?’”

Hardy describes her 13-year-old self feeling “quite sick” at the 1992 Conservative win, and by the age of 17 she was a Labour member – though still too young to vote in the 1997 election in which Labour won a landslide.

Meanwhile, she was doing her A-levels. After switching subjects halfway through, it took her three years rather than two to get them, and she almost didn’t make it to Liverpool University. Once there, she didn’t get involved in student politics, and the same held true at Leeds University, where she studied for her PGCE. It was only as a primary school teacher that she joined the NUT, which she

deeply praises for “encouraging and developing” her.

Soon her stance on testing put her at odds with the school leadership, and she left to join the NUT as an organiser. Later she was in touch with the then MP for Hull West and Hessle, Alan Johnson. A few years later, Johnson made the surprise announcement he would not be standing in the 2017 election, and Hardy decided to go for the candidacy. Her interview was at Labour HQ at Southside in London.

“I was so nervous. [Then NUT general secretary] Kevin Courtney saw me beforehand and gave me a big hug and wished me luck,” says Hardy. She was up against six other hopefuls, some of them – Sam Tarry, now MP for Ilford South, and senior Corbyn aide David Prescott – with rather more experience than she had. “The press

wasn’t expecting me to win”, she says.

“I remember one of the interview questions: ‘If you’re on the doorstep and someone says ‘Labour can’t afford its policies’, how would you reply?’”

“We need to upskill the country”

You can imagine the teacher in Hardy tackling such tricky moments with aplomb. After the interview, she was taken for a pint by Karl Turner, MP for Kingston upon Hull East. It was in the pub that she got the phone call to tell her she’d been selected. “I was shocked. I remember saying I needed to get the

train home and Karl saying, ‘Wait – you need to stay for another drink to celebrate!’”

When I ask how being an MP compares with teaching Hardy reaches for her timetable. The hours look similar: 8am starts and 8pm finishes. Even with recess next week, she’s working Monday, Tuesday and Wednesday. “You’re used to working really hard as a teacher. I’ve never done a 9 to 5, ever. The difference with this job is you create your own work – you can get involved as little or as much as you want.”

Hardy has laid out her key foci for FE already – mainly increased funding and smoothing issues with the apprenticeship levy. But one of her notions is particularly striking. “I’m playing with the idea of a ‘right to learn,’” she says.

The government has promised to enshrine workers’ rights in a new employment bill, and Hardy wants an amendment. “It would be that you as an individual have a legal right to learn, and you can ask your employer for time out so you can do that. It makes sense. We need to upskill the country.”

Hardy may not be as recognisable as some of her contemporaries – Jess Phillips, for instance – but ideas like this have got her noticed in the halls of Westminster, if not in the echo chambers of Twitter. As I leave, Hardy shows me a handwritten note from the outgoing Speaker of the House, John Bercow.

It reads: “You made a terrific impact in the 2017 Parliament and are a star in the future.”

Hear, hear.

News

Provider advertises £30k reward in return for their 'achieved learners'

BILLY CAMDEN
BILLY@FEWEEK.CO.UK

Exclusive

A training provider is offering a reward of just under £30,000 for simply adding their data on achieved learners to a government funding claim.

Taking up the emailed offer of a "cohort of achieved learners" from City Gateway, a charity that has trained disadvantaged young people in the London for eight years, would be a clear breach of the funding rules according to an auditor.

"We have exceeded our MCV and so are seeking to subcontract for further learners already on our system"

The email, sent to providers with direct access to funding, asks if they are "interested in the potential to increase your adult education budget (AEB) achievement rates by funding a cohort of achieved learners – available immediately for an AEB or

traineeships subcontract?"

It states that the group has a "current 88 per cent achievement rate (due to exceed 92 per cent when outstanding results arrive)" in English as a second or foreign language (ESOL) and functional skills courses.

They are primarily made up of black, Asian and minority ethnic adult women based in east London "with the data ready to upload". There are also traineeship cohorts aged 16 to 18 and 19 to 23.

The total value of the learners is £143,000 – but Education and Skills Funding data shows City Gateway only has £46,000 in allocations to use for 2019/20.

It also does not have any direct contracts to deliver courses with the Greater London Authority, which had the capital's AEB devolved to it in September 2019.

The provider dropped from a grade two to a grade three in October 2017, with Ofsted claiming: "Trustees, leaders and managers have not taken sufficient action to remedy weaknesses identified at the previous inspection."

City Gateway wants a different provider to take on the learners who have already



Eileen Milner

completed their courses, act as the prime, and subcontract the provision to the charity in order to claim funding.

"We have exceeded our MCV (maximum contract value) and so are seeking to subcontract for further learners already on our system," the email states.

"Where poor subcontracting practice is evident to us we will act decisively"

It adds that the prime would receive a 20 per cent management fee, totalling £10,600 for the AEB provision, £13,000 for the 16 to 18 traineeships, and £5,000 for 19 to 23 traineeships.

ESFA funding rules state that it is "vital" that all directly funded organisations must "properly monitor and control all subcontracted delivery".

And the GLA's funding rules state: "You must manage and monitor all of your delivery subcontractors to

Dear [redacted]

Interested in the potential to increase your AEB achievement rates by funding a cohort of Achieved Learners - available immediately for an AEB or Traineeships sub-contract?

City Gateway have a cohort of learners with a current **88% achievement rate** (due to exceed 92% when outstanding results arrive) in ESOL and Functional Skills. The cohort are primarily made up of BAME women 19+ based in East London with the data ready to upload. We also have Traineeship cohorts aged 16-18 and 19-23.

To discuss this opportunity please contact us on **0203 727 6310** or simply **respond to this email**. If you are not the right person then please forward to your Contracts or Education Team

Opportunities Available

AEB Eligible Cohort aged 19+: worth up to £53,000 total value - we are offering a 20% sub-contract fee worth a potential £10,600 to your organisation along with our achievement rates of 88% expected to exceed 92% with final results due. London based we also have new learners ready to start for future sub-contracting.

Traineeship Cohorts aged 16-18: London based and worth up to £65,000 - we are offering a 20% sub-contract fee worth a potential £13,000 to you. Learners are primarily available for Envelope 1 but also available for Envelope 2 and future funding.

Traineeship Cohorts aged 19-23: London based and worth up to £25,000 - we are offering a 20% sub-contract fee worth a potential £5,000. Learners are primarily available for Envelope 1 but also available for Envelope 2 and future funding.

In case you're not familiar with us, this is what you can expect from City Gateway:

Established provider - with 8 year track record of delivering AEB as a Prime

Prime Traineeship Contract holder for both 16-18 and 19-23 - we have exceeded our MCV and so are seeking to sub-contract for further learners already on our system.

Experienced team at recording and uploading data with robust quality processes.

Thank you

The email sent by City Gateway to providers with direct access to funding

97. You must manage and monitor all of your delivery subcontractors to ensure that high-quality delivery is taking place that meets our funding rules.
98. You must carry out a regular and substantial programme of quality-assurance checks on the education and training provided by delivery subcontractors, including visits at short notice and face-to-face interviews with staff and learners. The programme must:
 - 98.1 include whether the learners exist and are eligible; and
 - 98.2 involve direct observation of initial guidance, assessment, and delivery of learning programmes.

99. The findings of your assurance checks must be consistent with your

ensure that high-quality delivery is taking place that meets our funding rules."

An experienced individual learner record auditor, who did not wish to be named, told FE Week that they have "stripped all the money out for this sort of thing in the past at audit".

The GLA said any subcontracting arrangement would have to meet their guidelines and be approved by the authority.

City Gateway did not respond to multiple requests for comment.

The revelation comes amid a fresh crackdown on subcontracting by the government.

A consultation on radical

rule changes was launched last week. It states that "entering into subcontracting arrangements for financial gain" are not acceptable.

ESFA chief executive Eileen Milner sent a sector-wide letter on October 3 which said: "I am asking that you review your current subcontracting activity and satisfy yourself that it is purposeful, appropriate, and provides added value to learners. We must be confident that you are managing and overseeing it in line with our requirements."

It went on to warn: "I want to make it clear that where poor subcontracting practice is evident to us we will act decisively."

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Closing date: Friday 6th March 2020

Interview dates: Monday 16th and Tuesday 17th March 2020



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You will work closely with the Vice Principal Finance and Professional Services and the College's business development team in fostering a culture of high quality customer service, flexibility and responsiveness, in line with the College's growth strategy for employer-based provision.

You will line manage the Heads of Department of Engineering, Motor Vehicle, Construction, Business,

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The post-holder will support the Vice Principal Curriculum and Quality in the delivery of all relevant targets, in line with the agreed curriculum plan. You will take lead accountability for the implementation of a quality improvement strategy for apprenticeships and employer-based training across FE and HE provision across their remit.

You will provide college-wide leadership on curriculum and quality matters for apprenticeships and CoBC employer-based learning and training in partnership with the Assistant Director for Quality and Standards, and Assistant Principal FE&HE.

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Our new state of the art construction centre is due to open in 2021. It will offer training in construction skills to around 850 learners over the first three years, through Higher Apprenticeships and more traditional learning routes, providing much-needed skilled workers for the city and wider region. The centre will provide a brand-new, 2500m2 training facility at the South Bristol Skills Academy site.

Closing date: 1 March 2020
Interview date: 17 March 2020

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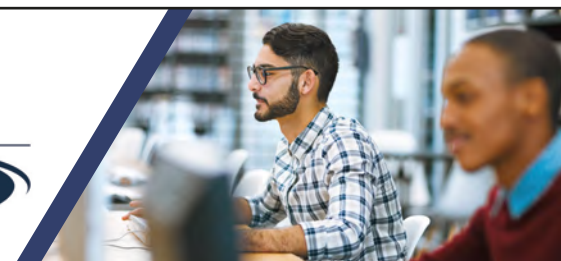
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Interview date: To be confirmed



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supporting students to become independent learners.

In this post you will be part of a team that develops and promotes effective practice in the integration of technology, both within and outside of College. You will provide advice and support to staff and students on a range of basic and more specialist software for teaching and assessment, including the VLE, Virtual & Augmented Reality, Social Networking and other educational tools and resources. You will also be involved in the implementation and administration of cross-College platforms.

Applicants should have experience of implementing and administering learning technologies, strong communication and interpersonal skills. A Degree level qualification, teaching qualification and/or significant digital learning experience would be an advantage.

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Closing date: Sunday 23rd February 2020



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Could free travel drive the sector to new heights?

Fantastic initiative, great article and free travel is not only a game changer for colleges, but will save parents and students in challenging economic times hundreds of pounds a year.

Jo Maher

This is an excellent article, in rural areas travel is a real challenge. In the South West, the cost of student travel is sometimes referred to as 'tax on choice'. Free travel for 16-18 year olds could be a real driver for social mobility, help 'level up' opportunity and mean talent is not limited by postcode.

John Laramy

Free travel, although a significant benefit to those in towns and cities, falls short for rural colleges and their students who suffer from generally poor access

to public transport services. Providing access to this free of charge is only a partial solution. When the first service bus in to college leaves their village at 9:40am and the last service bus back leaves at 3:10 pm the free travel wouldn't help too much, especially when the journey time is about an hour!

Len Tildsley

College leaders brand use of bailout funds 'staggering'

"A @educationgovuk summary of restructuring fund spend shows in total close to £450 million had been spent on bailouts by the end of the last academic year and @ESFAGov accounts reveal more than £100 million in loans have also been written-off" - wow truly eye watering numbers...

Simon Ashworth

Chris Todd is absolutely

right, good financial control by executive management and prudent governance should be rewarded. Bail outs simply send the message that whatever happens and whatever a college does funds will arrive to keep it afloat. Tough to say and the effects upon our learners horrible to contemplate, we need some insolvencies and shutdowns to encourage the others.

Graham Ripley

If FE establishments were funded adequately in the first place, there would be no need for re-structuring funds at all. By systematic under funding of the sector over the last 10 years, the government has pushed the majority of FE providers into some sort of financial distress. It shouldn't take a mathematician to work out that 10 years of year on year increasing costs, versus zero increase in funding would cause problems.

Jon Ninnis

REPLY OF THE WEEK

DfE lobby Treasury with findings that FE can't survive 'as is' without 'relaxing the financial pressure'

Well some of us have been shouting this from the rooftops to a succession of Ministers who always declared how "passionate" they were about FE whilst they presided over year on year budget cuts which have seen the degradation of the physical and digital infrastructure and the depletion and demoralisation of workforce capacity and confidence. The hypocrisy is breathtaking and yet unsurprising sadly.

Bob Harrison

Experts

SHARON BLYFIELD

Senior Manager - Business Partner, People and Culture, Coca-Cola European Partners



The levy: change should be evolutionary – not revolutionary

As an employer of apprentices that has made full use of the levy, I have sometimes found it difficult to understand why more levy-paying businesses haven't taken advantage of the levy reforms, says Sharon Blyfield

Towards the end of last summer, the number of registrations on the apprenticeship service suddenly jumped to nearly 20,000, which represents the vast majority of employers within the levy's scope. Perhaps it has just been a question of time for businesses to realise how widely apprenticeships can be used across the workforce.

At Coca-Cola European Partners (CEP), we have, with our engineering apprenticeships, what people would traditionally associate with the programme, but we also recruit young people into merchandising, field sales and business administration. Continued development for all our apprentices is a major benefit to us

and them, and all are offered the opportunity to go on and do a degree apprenticeship in engineering, supply-chain management or business management. Every day, we witness the transformation that an apprenticeship can bring to someone's life while giving us the skilled workforce we need.

This explains why we don't want to see the government start introducing controls on how we spend our levy, while recognising that the demands on the programme's overall budget are now throwing up some significant challenges.

Talking to our training-provider partners and AELP, it has become increasingly apparent that there was a group of large levy-paying employers, including several household brands, who were concerned that the government's levy review might lead to significant changes. Our consolidated view is to leave the levy alone in terms of what employers can

do with the funding.

This week, 15 big-name employers from the public and private sectors, both in manufacturing and services, signed and published a statement to this effect. We have made clear that any changes should be evolutionary

“Apprenticeships must provide unconstrained entry points into employment”

rather than revolutionary. A top priority is that apprenticeships must provide unconstrained entry points into employment, which will vary from employer to employer, and job to job. For many businesses, level 2 is vital; however, for other employers, it could be any other level up to level 7, or at a

range of levels.

Degree apprenticeships are very attractive to us and without the student debt attached, they have become an inclusive means of progression for many people who have been put off by the traditional higher education routes. Therefore we must find a way of keeping them while making the overall programme sustainable.

For those of us who are using up our levy entitlement, the levy transfer isn't really an option, and in any case, non-levy-paying SMEs are now being moved on to the digital service, where they can access funding. But the imminent levy overspend means that this funding is limited, which is a major concern for us, when so many of these businesses form our supply chains.

Our group is therefore happy to support the call for a standalone non-levy budget of £1.5 billion and we hope that the government will live up

to its promises that skills will feature strongly in the March Budget.

At the same time, apprentices aged 16 to 18 should not be treated differently from other young people of the same age group in the education system; they should be funded separately out of the DfE 16-18 budget, regardless of where they work, or the apprenticeship programme they choose to undertake.

Currently, there is too much bureaucracy within the apprenticeship system. For instance, there needs to be a higher level of trust between levy payers and the government to deliver effective off-the-job training. One suggestion would be for an upfront plan, Ofsted inspections and live reporting from apprentices to replace much of the form filling.

We would welcome steady progress on these fronts to obviate the need for significant reform of the levy and build on the successful foundations achieved thus far.

SIMON ASHWORTH

Chief operating officer, Association of Employment and Learning Providers



It's time to take on the subcontracting profiteers

Subcontractors account for more than 10 per cent of ESFA funding. They need overseeing properly, says Simon Ashworth

It was good to see the ESFA's Peter Mucklow in edition 306 of *FE Week* confirming government recognition that subcontracting plays an important role and that there will be not be a complete ban on it.

Some interesting numbers were published as part of the ESFA's consultation: 674 prime providers subcontract provision to 2,288 subcontractors. The total value of subcontracted provision is £484.5m – or 10.6 per cent of total ESFA funding. These are big numbers, so it's no wonder the regulators are keen to ensure appropriate oversight, quality and robustness of provision.

Unfortunately, the ESFA has yet again missed a trick – by failing to implement a cap on fees and charges which could address 'profiteering'

from subcontracting. They make it clear, though, that they “do not expect funding retained to exceed 20 per cent”, and have linked this to two points previously raised by the Association of Employment and Learning Providers (AELP). Firstly, if more than 20 per cent of the funding is retained, it raises questions about the capacity of the subcontractor to deliver. Secondly, can good quality can be achieved when funding is so reduced?

Apprenticeship subcontracting has already been reformed with the removal of whole programme subcontracting. And the opening up of the Apprenticeship Service to non-levy employers will allow hundreds of providers on the main Register of Apprenticeship Training Providers (RoATP) to access funding directly, without a non-levy contract.

This will impact on those subcontracting relationships – study programmes, traineeships, adult education – which have hitherto been

unable to obtain funding. In the case of AEB, a move to full procurement which rewarded prime providers and subcontractors that actually deliver would also reduce the need for subcontracting.

“To date, Ofsted has not inspected subcontractors directly”

The proposals around geographical restrictions are attracting the most questions from providers. The “no more than one hour away from the prime contractor by car” pledge begs a question: if a prime provider is undertaking the minimum checks as required by the funding rules, then distance should make no difference in terms of oversight of the relationship.

What matters, surely, is that properly checked subcontractors might be based miles from their primes while learners might be on their doorstep.

The ESFA also acknowledged that when working with national employers, a distance arrangement for subcontracting “is beneficial”. The focus on geographical restrictions is more about ‘out of area’ funding, particularly the expectations and justification of grant funding being spent on subcontracting in other far-flung areas of the country. The test is whether provision is supporting the local community or being used to generate additional income.

To date, Ofsted has chosen not to inspect subcontractors directly, and they recently gave me an example of why: a subcontractor that worked with three prime providers, where two-thirds of the provision was good and a third poor. The underpinning rationale was that two of the prime providers had full and suitable oversight and supported

the subcontractor appropriately, while the third prime provider took a management fee and had no oversight. This highlights the importance of considering the role that the prime provider has in the process (rather than looking at subcontractors in isolation). But political pressure will probably require Ofsted to inspect a selection of the larger subcontractors as part of their risk-based approach.

The ESFA certainly don't like managing agent models, and within the sector there are still examples of providers that operate as managing agents in all but name – subcontracting out comparably large portions of their allocations. The ESFA is now proposing a phased transition from all providers to a subcontracting limit of just 10 per cent of their total ESFA post-16 income in 2023-24.

Again, this will be a real challenge for parts of the sector that have for too long relied on subcontracting. Ultimately if the funding isn't being used, let's get it reallocated to providers who can spend it directly.

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Good luck - and happy fundraising!



Max Whitlock,
double Olympic gold
medallist and former
BTEC Sport student.

Bulletin



Claire Foster

Principal and chief executive,
Boston College

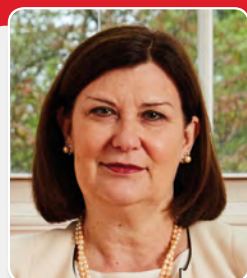
Start date Spring 2020

Previous job

Vice principal of curriculum and higher education,
Grimsby Institute

Interesting fact

She owns and runs a successful café bar, a family business
on Lincolnshire's coast



Wendy Reid

Acting chief executive,
Health Education England

Start date April 2020

Previous job

Executive medical director and director of education
and quality, Health Education England

Interesting fact

She is learning to speak Italian

Movers & Shakers

...

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



Alex Warner

Principal, South Central
Institute of Technology at
Bletchley Park

Start date March 2020

Previous job

Director of technology faculty, Activate Learning

Interesting fact

A former sponsored athlete, he has completed over
15 marathons



Ben Frier

Vice Principal, Haywards
Heath College

Start date April 2020

Previous job

Boarding housemaster, Brighton College

Interesting fact

He was an extra in the Terrence Mallick film Thin Red Line

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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

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

Difficulty:
Easy

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

Difficulty:
Medium

Solutions: See right

Spot the difference To WIN an FE Week mug



Spot five differences. **First correct entry wins an FE Week mug.**
Email your name and picture of your completed spot the difference to: news@feweek.co.uk.



Last Edition's winner: Mo Dixon

Solutions

Turn the paper around to check if your answers match - but no cheating!

Difficulty: Easy

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

Difficulty: Medium

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