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COLLEGE AEB UNDER DELIVERY REVEALED AS 1 IN 5 MISSED GENEROUS 68% TARGET



EXCLUSIVE

Page 11

ESFA DIRECTOR WANTS 'MORE POWER' AS COLLEGE OWNERSHIP BATTLE RAGES

- Civil servants inadvertently shared major policy rift to MPs at PAC hearing
- Top DfE official challenged junior colleague's 'desire for ultimate power'
- Conservative MP says it 'exposed' government doesn't think system working

Page 7

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Functional skills 'portfolio' solution proposed to lift 30,000 apprentices out of limbo



Page 4



Spending review speed read: the main take-aways for the FE sector

Page 12



'Hold your heads high': the winners at the National Apprenticeship Awards 2020

Page 15



Yes, but... no, but... the case for clear detail on next summer's assessments

Page 25

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Functional skills 'portfolio' solution proposed to lift 30,000 apprentices out of limbo

BILLY CAMDEN

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Exclusive

Talks are under way to replace functional skills exams with "portfolio evidence grading" for apprentices who are unable to sit the tests due to Covid-19 restrictions, FE Week can reveal.

Around 30,000 work-based learners, mostly in the health and care sectors, are currently estimated to be stuck in limbo and unable to complete the English and maths programme because their employer will not release them to attend test centres or allow onsite visitors in an attempt to limit the spread of the virus.

Many awarding bodies have struggled to create remote invigilation and testing solutions, while Ofqual and the government has ruled out a return to centre-assessed grades, despite pleas from the sector.

Following a crunch meeting with awarding bodies, Ofqual and the Association of Employment and Learning Providers last week, skills minister Gillian Keegan has said she is "more committed than ever to finding a solution".

AELP has now been given the green light to explore with Ofqual a "portfolio of evidence" solution to allow apprentices to progress. Discussions began this week.

Under the proposal, students and their training provider would submit evidence, such as initial and on-programme assessments, marked mock documentation, evidence of teaching and learning through a learning platform, workshop or group sessions, and any one-to-one sessions with trainers.

A "professional discussion" would follow. Awarding organisations would then carry out a "remote sample check to ensure that consistent and fair assessment judgments are



being made by centres".

Ofqual said it was now reviewing the proposal but could not say when it would make a decision on whether or not to sign it off.

A Department for Education spokesperson added: "We continue to work closely with Ofqual, awarding organisations and sector representatives to monitor the situation and agree how we can, together, identify and support apprentices that are unable to take their functional skills exam."

AELP managing director Jane Hickie said she hopes "for the sakes of the apprentices and their frustrated employers" that agreement on a way forward can be reached as soon as possible, warning that the "logjam" of apprentices unable to complete their programmes is "growing bigger".

Jill Whittaker, managing director of independent provider HIT Training, has hundreds of such apprentices and told FE Week she has seen a "huge increase" in reported "mental health concerns in our learners" as the uncertainty around their programmes is "adding to the strain on them", particularly in care settings.

She said that she "fully supports" the AELP proposal of introducing portfolio evidenced grading for functional skills learners until normal testing is available again for all.

"It would be unthinkable to delay GCSE, A-level and degree students' grades for months and months, with no end in sight, until a solution for testing could be

found. It should be equally unthinkable for apprentices and other FE and work-based learners," Whittaker told FE Week.

Hickie said the government's initial response to the functional skills issue was "disappointingly slow", and while DfE and Ofqual have tinkered with the system to ease the situation, Whittaker says the solutions put forward by officials have been "insufficient".

In October, the ESFA extended the end dates for legacy functional skills qualifications, set to end on December 31, 2020, through to July 2021. The agency also temporarily suspended the requirement within the apprenticeship funding rules for level 2 apprentices to attempt level 2 functional skills assessments.

And earlier this month, the ESFA expanded its "examination support service" to allow apprenticeship providers to book Covid-secure exam space, and invigilators, and to claim additional funding where this exceeds their normal delivery costs.

Hickie said that while the AELP welcomes the "effort to move things forward", the authorities have "acknowledged our concerns about employers not releasing apprentices from the workplace to attend test centres and so this doesn't really represent a step change in their approach".

England's biggest awarding bodies are continuing their developments of remote functional skills tests to help the affected learners, but it could still be months before they're made available.

Pearson is currently working on an online proctoring solution, while City & Guilds is running trials for remote invigilation solutions and they plan to launch "further scalable solutions over the next few months".

Whittaker said HIT Training is part of a pilot for an online testing solution put forward by NCFE, but this is "only just starting and is not yet ready".

Some awarding bodies have, however, been successful in rolling out "at-home" functional skills tests. These include Open Awards and Highfield, which involve remotely invigilated online assessments using technology such as screen share, webcams, digital audio and a tethered smart device (like a mobile phone).



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Public Accounts Committee grills DfE officials on college finances

ESFA director wants 'more powers' of intervention

FRASER WHIELDON
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Top civil servants have inadvertently exposed a rift at the top of the Department for Education over the future of college independence, ahead of a delayed FE white paper.

In a Public Accounts Committee meeting on Thursday the Education and Skills Funding Agency director, Matthew Atkinson, told MPs he would "definitely like more power" to intervene in the running of colleges.

He had already told the influential committee the Hadlow College and West Kent and Ashford College insolvencies would probably cost the taxpayer over £60 million – and £6 million had already gone towards paying administrators their hourly fees (see page 8).

Meanwhile 64 colleges are at risk of running out of cash, said Atkinson, who also revealed the government would spend around £70 million on emergency funding for colleges this year, "more than we thought" would be needed (see page 9).

However, he was quickly forced to backtrack on his call for more powers after his more senior fellow panellist Susan Acland-Hood, permanent secretary of the Department for Education, disagreed with him.

Quipping that she "appreciated Matt's desire for ultimate power", Acland-Hood urged caution in "increasing DfE powers to intervene and act, as opposed to trying to support good-quality college capacity, and build it up".

"I'm not sure I would frame it in terms of the

independence of the sector being a barrier to its health and sustainability.

"I think it's really important, given the amount of public money going in, where there are real difficulties and failures, we can both support and intervene."

She said the "most powerful thing" the government had done was supporting "really good" college leaders to take on and bring forward improvements in colleges.

"My starting point wouldn't be that we should focus on continually adding powers as the solution to all of these challenges."

Atkinson then attempted to downplay his own comments as "slightly flippant," saying: "It is not actually necessary to have more powers."

"It is helpful to have the insolvency regime as an absolute fallback because it tends to make people behave a bit better."

Yet their exchange has inadvertently lifted the lid on a tug of war going on between the department and its agency about whether colleges should be stripped of some of their independence.

Speaking to FE Week after the hearing, committee member Sir Geoffrey Clifton-Brown, the Conservative MP for The Cotswolds, said it was a revealing exchange as: "It exposed the fact the government obviously don't think the system is working properly."

"I mean, he wouldn't have said that unless he felt he needed more powers."

FE Week was first to report in May that the DfE was working on a plan to bring colleges back under public ownership, as part of the FE white paper.

The third civil servant giving evidence to the PAC was the chief executive of the ESFA, Eileen Milner, who under repeated questioning appeared to confirm a likely delay to the publication of the white paper, which she now hoped would be published before April 2021.

The FE Commissioner's annual report for 2018-19, released last February, detailed how the number of colleges entering formal intervention had risen by two-thirds on the previous year, mostly as a result of leaders' and governors' "weak decision-making".

Two influential reports from former local government boss Dame Mary Ney and the National Audit Office censured the government



Matt Atkinson

for how it intervened with struggling colleges.

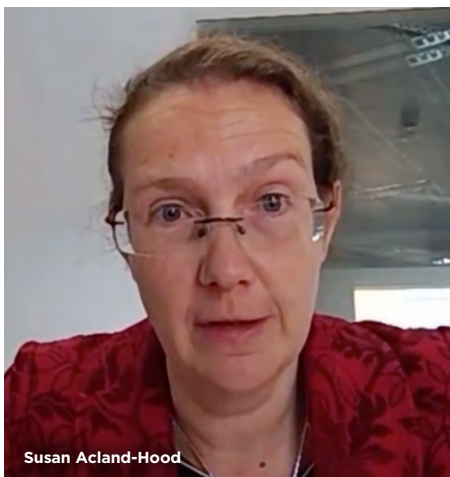
Ney's report, commissioned by the DfE and released in July, said a "lack of a sector-wide strategy" and cuts to the ESFA's staffing and resources had created a relationship between government and colleges that is "largely contractual" and "focused on financial failure, which inhibits colleges being transparent with government".

She recommended ESFA staff become "active participants in nurturing college development" and called for a "long-term consideration" of a "new regulatory regime".

The NAO report from September, which revealed the government was intervening in 48 per cent of colleges as of last February, recommended an evaluation and improvement of the effectiveness of the DfE's intervention regime.

The FE sector has attempted to pre-empt a grab by the government on its independence, with the Association of Colleges-backed Independent Commission on the College of the Future proposing earlier this month that colleges ought to create their own networks which would have powers over the funding and accountability of individual colleges.

The association's chief executive, David Hughes, said colleges were keen on the proposal and the commission had reached "a consensus with employers, government, students and colleges about the system needed to get the most out of colleges over the coming years".



Susan Acland-Hood

Public Accounts Committee hearing continued...

'Gut wrenching' £6m spent on accountancy fees to dissolve college

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A "gut wrenching" £6 million was spent on administrators' fees alone for England's two college insolvencies.

The Education and Skills Funding Agency's director of provider market oversight Matthew Atkinson told MPs on the Public Accounts Committee the cost of putting Hadlow College and West Kent and Ashford College through administration "will probably run to over £60 million".

Of that, he said, £6 million has been spent on the hourly rates of administrators from BDO.

The £6 million figure stunned MPs, with committee chair Meg Hillier commenting: "I can just imagine principals around the country gasping as we are."

The department's permanent secretary Susan Acland-Hood replied: "I agree with you, if I'm completely honest, it is a gut-wrenching amount of money."

Speaking to FE Week after the hearing, Richard Holden MP, committee member and former special advisor to education secretary Gavin Williamson, called it "mind-boggling that £6 million has already been sprayed on insolvency accountants for one FE group".

He said the senior leaders which got the colleges into the mess "clearly have very serious questions to answer".

"While the government is clearly now heading in the right direction on FE, unbelievable failures like Hadlow show that the government's white paper needs to have management, but mostly, clear oversight and accountability of the FE sector at its core".

Acland-Hood and Atkinson protested that using the insolvency regime, which so far just Hadlow and WKAC have been through, saved the taxpayer more than £20 million.

Acland-Hood continued: "Having an insolvency regime in place... is quite an



Mark Lumsdon-Taylor and Paul Hannan

important component in doing exactly what you say, which is to try and make sure we can intervene earlier and more effectively."

The two colleges collapsed after falling into what FE Commissioner Richard Atkins described at the time as an "extremely serious financial situation".

The principal of both, Paul Hannan, and his deputy, Mark Lumsdon-Taylor, both resigned after the colleges' problems came to light, as did both chairs and several governors.

Hadlow and WKAC were placed in administration in May and August of last year, respectively.

Their provision has now been split up between Capel Manor College, North Kent College and EKC Group (formerly East Kent College).

Atkinson told the committee that a "large amount" of the £60 million was related

to capital costs "to bring that estate up to reasonable standards, so not technically a cost of us doing any merger but a condition of us providing that support".

"These colleges were losing money day by day," he said, adding that Hadlow College had 52 "pressing" creditors.

"That's how badly it had been run."

During the hearing, Holden raised FE Week's story from last week about Lumsdon-Taylor returning to work at auditor MacIntyre Hudson, and asked if the government was looking at taking any action against him or Hadlow's other leaders.

Atkinson highlighted the administrators' investigation into the conduct of directors prior to their appointment, and, while adding he did not want to prejudice that investigation, said: "If there is sufficient evidence of wrongdoing, we will seek whatever sanction is available to us."

Public Accounts Committee hearing continued...

64 colleges risk of running out of cash

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Sixty-four colleges are at risk of running out of cash, a top Education and Skills Funding Agency director has said, admitting the number of colleges needing emergency funding was "more than we thought" this year.

The agency's director of provider market oversight Matthew Atkinson told MPs on the Public Accounts Committee that his team had been monitoring colleges' cash days to identify more quickly which were at risk during the Covid-19 pandemic.

Through this, the government had identified 64 colleges that had issues with cash days, so the ESFA has been "devoting most of our time towards those, because they would seem to me to have the most imminent issues".

The government has set aside a pot of emergency funding to bail out colleges, of which Atkinson said: "We will spend around £70 million this year... That is more than we thought."

He added: "Some of these issues are definitely Covid-related."

"If you're a college more exposed to apprenticeships or commercial income, so, say, over the summer holidays you haven't been able to generate commercial income, you're more exposed to Covid."

"Some of the cases we see were already problems and that has been accelerated because of Covid."

However, he did add that colleges have been "very good at mitigating when things go wrong, they're highly adaptable businesses".

ESFA chief executive Eileen Milner told the

committee they had asked colleges in July to give an early indication of the impact of Covid, and will be re-running the exercise this month, and hope to get the data next week.

As well as cash days, Atkinson said they had asked colleges in July to provide an indicative financial health grade, which was not moderated.

The largest movement in those grades had been from 'outstanding' to 'good', he said, rather than at the lower levels of the scale.

Skills minister Gillian Keegan revealed in September that the Department for Education had tasked a team of officials to work with every college which had needed financial support.

At that time, the team was working with 40 colleges, and five had needed "financial assistance".

FE white paper pushed back to 2021?

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The much-anticipated FE white paper might not appear until next year, the Education and Skills Funding Agency's chief executive has revealed.

Eileen Milner, taking questions from the Public Accounts Committee, was quizzed by chair Meg Hillier on when the white paper would be published. "You have talked about how important the FE sector is, but the white paper is pretty critical."

Hillier then asked if it would be published "this year, this financial year, this calendar year, next six months?"

"We would certainly hope this financial year," Milner answered.

The Department for Education, including education secretary Gavin Williamson, have long said the "revolutionary" white paper would be published in the autumn of 2020.

Asked yesterday whether it was still the plan to publish the paper in 2020, the DfE said it was working to publish "this year". FE Week asked the DfE to clarify whether this is calendar or financial, but did not receive a response at the time of going to press.

The department's permanent secretary Susan Acland-Hood, also speaking at the hearing, implied the sector would not look dramatically different after the white paper, saying there would be a "continuum" of what the department is doing already, "rather than a moment where for the first time ever we're doing something strategic on the FE sector".



Houses of Parliament

She said it had been difficult for Williamson to set out how he would make FE a focus of his department until the spending review this week. "It was working towards making sure we had the right things in the spending review, then setting out the strategy that followed on from that."



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College AEB under delivery revealed

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Exclusive

One in five colleges will be allowed to keep close to one-third of their allocated adult education budget despite failing to deliver any courses for the funding last year, FE Week can reveal.

Figures shared by the Education and Skills Funding Agency show that 33 colleges missed a generous 68 per cent funding performance threshold, introduced in response to the impact of Covid.

Of the 33 colleges, 27 face a maximum clawback valued at the gap between their actual delivery and the 68 per cent threshold. For example, if a college's performance was 60 per cent then the agency will consider recovering only eight per cent of the allocation.

The remaining six colleges have submitted a business case in the hope of being allowed to further reduce or simply cancel any clawback.

All colleges that reached 68 per cent of the allocation have retained 100 per cent of their 2019/20 adult education budget funding allocation.

ESFA chief executive Eileen Milner said during a Public Accounts Committee hearing on Thursday that no clawback had yet been taken and that they are offering the opportunity for colleges to submit a business case to show why funding shouldn't be repaid – insisting they are

not simply "seizing" the money.

While the agency would not name the six, Shaun Bailey, the MP for West Bromwich West who sits on the PAC committee, revealed during Thursday's hearing that Sandwell College is concerned about the possibility of AEB clawback.

Milner said she was in "very close contact" with Sandwell's principal, Graham Pennington, about the issue. She added that the college does "absolutely excellent work to support students, particularly the most disadvantaged and have done so throughout the pandemic" and she wants to "celebrate what they are doing at the most difficult of times".

After the hearing, Pennington would not be drawn on how much funding clawback Sandwell College currently faces but told FE Week that colleges "need all the funding they have available in order to support their students in these difficult times".

The ESFA first told the sector in March that they would not force repayment of AEB funds this year owing to Covid-19. But officials changed their mind in July and announced that colleges would retain their full 2019/20 allocation only if they delivered 80 per cent of activity in the whole year.

Following a sector backlash, the ESFA withdrew these plans one week later. But then, in September, the agency backtracked again and said it would "consider reconciling any under delivery up to 68 per cent" unless

the provider can justify why they shouldn't by submitting a business case.

Speaking at a PAC hearing, Milner revealed that when the agency proposed to not take clawback they had "quite a lot of correspondence from colleges who felt it was unfair and a disincentive in fact to not take money back for underperformance".

"We are walking a tight line between understanding the particular circumstances and at the same time being able to fulfil that reasonable test of spending public money," she said.

Milner told the committee that the agency is currently looking "carefully" at a "very small number of colleges" that have so far flagged they want to put a business case in to keep their full allocation despite underperformance, and it is "only then that we will consider taking money back".

She added that the agency is doing this through "conversation and opportunity, not by bureaucratic approach to seizing money from people".

Data published on Thursday by the ESFA showed that the number of enrolments on to adult education courses in the months following lockdown dropped by half compared to the same period last year.

There were 208,790 starts on adult programmes between March 23 and July 31, 2020 compared to 420,910 in that period in 2018/19.

RoATP not reopening until April at the earliest

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Applications to the government's register of apprenticeship training providers will not reopen until at least April 2021.

And when it does restart, there will be a "new service" for firms to apply through.

The Education and Skills Funding Agency closed the register to new bids on April 15 to "review our future approach".

Officials have since remained tight-lipped about when it would reopen but tweeted out a digital apprenticeship service "road map" on Thursday which revealed their current timeline.

Under a column for April to June 2021, the

road map says there will be a "new service for providers to apply to join the register online".

The Association of Employment and Learning Providers told FE Week that they receive an "enquiry every other week" about when the register will reopen so it is a "significant issue".

"The register has been shut since April and so we are now looking at it being closed for a year, which is way too long, bearing in mind that these days all subcontractors need to be registered as well," AELP chief policy officer Simon Ashworth said.

Before the ESFA closed the register, applications were made through the agency's e-tendering portal Bravo, which was shut earlier this year. The agency did not respond to requests for comment about the "new service" at the time

of going to press.

The ESFA's review of the register is likely to include plans to require providers to be "accredited" for the apprenticeship standards they offer, as former apprenticeships director Keith Smith told FE Week's Annual Apprenticeship Conference in March.

Any restrictions would form the second phase of the ESFA's attempts to strengthen its register of apprenticeship training providers, which was relaunched in 2019 following a host of problems with the original application process.

One-man bands with no delivery experience were, for example, being given access to millions of pounds of apprenticeships funding.

Spending review speed read: the main take-aways for the FE sector

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The chancellor Rishi Sunak this week launched his spending review, which sets out how public services will be funded in the 2021-22 financial year.

Here is what it includes for FE and skills.

£83m for surge in 16-19 college places

The chancellor's spending review document said that £83 million will be provided in 2021-22 to "ensure that post-16 providers can accommodate the expected demographic increase in 16-to-19-year-olds".

Earlier this month, the Association of Colleges warned that around 20,000 "unfunded" 16-to-18-year-old students are studying in colleges this year following a flood in enrolments due to Covid-19.

The Education and Skills Funding Agency uses a lagged funding model to pay colleges each year. While its 16-to-19 funding system does have mechanisms to allow colleges to apply for in-year growth if they have a spike in student numbers, the AoC pointed out that this is based on affordability and feared that requests would not be funded.

FE base rate to be maintained

A total of £291 million is included in the spending review to "ensure that core funding for 16-to-19-year-olds is maintained in real terms per learner" in 2021-22.

The FE base rate increased in August 2020 for first time since 2013, to £4,188.

Apprenticeship levy improvements

Following longstanding sector-wide concerns that the levy is too restrictive on employers, Sunak announced how the government plans to "improve the way the system works".

From August 2021, employers who pay the levy will be able to transfer unspent levy funds "in bulk to small and medium-sized enterprises (SMEs) with a new pledge function".

Unspent levy funds will still expire after 24 months but the government will also introduce, from the same month, a "new online service to



Rishi Sunak

match levy payers with SMEs that share their business priorities".

From April 2021, employers in construction, followed by health and social care, will be allowed to "front-load training for certain apprenticeship standards".

And during 2021-22, the government will "test approaches to supporting apprenticeships in industries with more flexible working patterns, including consideration of how best to support apprenticeship training agencies".

Apprentice incentives extended and minimum wage increased

In the chancellor's summer statement, he revealed that from August to January, any firm that hires a new young apprentice aged 16 to 24 will receive £2,000 – on top of the existing £1,000 incentive for 16 to 18s – while those that hire new apprentices aged 25 and over will be paid £1,500.

Sunak has now extended this incentive scheme to March 31, 2021.

He also announced that the national minimum wage for apprentices will increase in April 2021 from £4.15 to £4.30 per hour.

Chunk of the National Skills Fund to be released

The government's national skills fund totals £2.5 billion over five years and £375 million of it will be used in 2021-22.

Of that, £138 million will be used to fund "in-demand technical courses for adults",

equivalent to A-level, as part of the prime minister's level 3 entitlement in his "lifetime skills guarantee", and to expand the employer-led boot camp training model.

Elsewhere, £127 million will be used to continue the chancellor's summer Plan for Jobs, including funding for traineeships, sector-based work academy placements and the National Careers Service.

Then, £110 million, including £50 million of capital investment, will be used to "drive up higher technical provision in support of the future rollout of a Flexible Loan Entitlement to test and develop innovative models for local collaboration between skills providers and employers".

Capital promises followed through

The chancellor confirmed that the government will provide £1.5 billion over six years to deliver their commitment to bring all FE college estates in England up to a "good" condition.

More than 180 colleges are sharing a slice of £200 million from the pot this year, and a further £100 million will be released in 2021-22.

T Level and Institutes of Technology cash confirmed

As previously announced, £162 million will be provided in 2021-22 to support the rollout of T Levels wave 2 and 3, while £72 million will be released next year to support the commitment to build 20 Institutes of Technology.

Seven things we learned from the ESFA's latest apprenticeships data release

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New-look apprenticeship and traineeship statistics were published by the Education and Skills Funding Agency on Thursday and captured final year-end data for 2019/20.

Here are seven things we learnt.

1 8,000 claims worth over £15 million for new employer incentive by mid-November

Under an incentive scheme, running from August to March 2021, any firm that hires a new apprentice aged 16 to 24 will be paid £2,000 – on top of the existing £1,000 incentive for 16-to-18s – while those that hire new apprentices aged 25 and over will receive £1,500.

The cash is paid in two instalments if the apprentices stay for a least a year and is limited to ten apprentices per employer per region in England.

As of November 12, 2020, the number of incentive claims totalled 8,000. Of these, 33 per cent were for level 2 apprentices, 44 per cent for level 3, and 23 per cent for level 4 or higher.

The vast majority, 6,450 (81 per cent), of claims were for 16- to 24-year-olds.

2 Total apprenticeship starts down 18%

The number of apprenticeship starts for the whole of 2018/19 totalled 393,400, but this dropped to 322,500 in 2019/20.

Of those starts in 2019/20, 47 per cent were from apprentices aged over 25, while 25 per cent were for higher apprenticeships.

Starts for both level 2 apprenticeships and under-19 apprentices dropped.

3 Traineeship starts also down 18%

Starts on traineeships took another dip in 2019/20, falling to just 12,100 from 14,900 the year before.

Take up of the pre-employment programme, introduced in 2013, hit a high of 24,100 in 2015/16 but has been dropping since.

The government hopes to triple traineeship starts to over 40,000 for this academic year, with a higher funding rate for 19- to 24-year-olds, employer incentives and a tender to find extra providers among new measures.

4 Progress to public sector apprenticeship target is at 1.7%

Public sector bodies in England with 250 or more staff have a target to employ an average of at least 2.3 per cent of their staff as new apprentice starts over the period April 1, 2017 to March 31, 2021.

Figures for the first three years of the target show an average of 1.7 per cent of employees started an apprenticeship.

The armed forces were by far the largest employer of apprentices, with an average of 7.9 per cent of employees starting an apprenticeship since April 2017, while the police have the lowest rate of apprenticeship recruitment, averaging at 0.7 per cent over that same period.

5 7,670 transfers of apprenticeship funds

Since April 2018, levy-paying employers have been able to transfer up to ten per cent of the annual value of their funds to other organisations via the apprenticeship service. This increased to 25 per cent from April 2019.

As of November 16, 2020, there have been just 7,670 transfers approved.

Of those, 34.1 per cent (2,610) were transfers to levy-paying organisations and 65.9 per cent

(5,060) were transfers to small and medium-sized businesses that do not pay the levy.

6 1,190 redundancies since August

The ESFA added a new function to its digital apprenticeship service at the end of July to record any apprentice who has been made redundant.

From August until November 12, 2020, the number of apprenticeship redundancies reported was 1,190.

Of these, 22 per cent were under-19s, 35 per cent were aged 19 to 24, while 43 per cent were for 25s and over.

However, the ESFA says this data currently does not capture all apprenticeships as not all non-levy employers will be using the apprenticeship service until April 1, 2021.

7 Apprenticeship vacancies significantly fall

Latest apprenticeship vacancy data, from the government's Find An Apprenticeship website, has also been released and shows a considerable drop.

Vacancies in August, September and October 2020 were 6,920, 8,150, and 8,170 respectively.

For the same months in 2019, vacancies stood at 10,490 for August, 9,760 for September, and 9,900 for October.

And for the same months in 2018, vacancies stood at 14,060 for August, 12,050 for September, and 14,260 for October.



Poor performing new provider hoping for apprenticeships lifeline

FRASER WHIELDON

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A new apprenticeship provider blames the impact of Covid for a second poor Ofsted report and is hoping to be given a rare lifeline by the government.

Doncaster Conferences, Catering and Events Limited (DCCE) could be kicked off the Register of Apprenticeship Training Providers (RoATP) after the inspectorate found it had made 'insufficient progress' in consecutive monitoring visits between February and October 2020.

But the provider contests that the restrictions placed on the hospitality industry due to the coronavirus pandemic "hampered" its ability to deliver the progress required.

When asked whether DCCE would be removed, the ESFA equivocated by saying that, while it "will always take action to protect apprentices if a training provider is not fit for purpose", they were "currently assessing Ofsted's findings" and would contact the provider to set out what actions they will take "in due course".

In DCCE's latest report, published on Monday, inspectors pulled the provider up on how: "Almost all the apprentices that remain on their programme are beyond their planned end date and are making slow progress towards achieving their apprenticeship."

The report says DCCE had 20 apprentices at the time of writing, all of whom were employed by the charity that owns the provider, Doncaster Culture & Leisure Trust, which runs several leisure facilities in the town.

At the time of the visit, ten apprentices were studying a customer service practitioner programme at level 2, six were studying a level 3 leisure duty manager or team leader/supervisor programme, and four were on a level 5 operations/departmental manager apprenticeship.



A "great majority" of them, the report reads, "have not acquired substantial new skills or knowledge since the previous monitoring visit".

Furthermore, DCCE's staff had not ensured apprentices receive their entitlement to off-the-job training, so the provider's delivery "still does not meet the principles of an apprenticeship".

Apprentices who were beyond the end date for their apprenticeship are "yet to be provided with any work" to prepare them for their assessments in English and maths, the report continues.

The apprentices were put on furlough following the UK's first lockdown in March, and inspectors found once they returned, tutors had been "too slow" to make contact with them, limiting the progress the apprentices have made.

DCCE has protested that when the apprentices returned to work in July or August, their position had changed "significantly" due to the changes put upon the leisure and hospitality industry because of

Covid-19.

A spokesperson told FE Week: "It is fair to say the lockdown period and then the restrictions placed on our industry have undoubtedly hampered our ability to deliver the progress required at this point."

DCCE has since moved to improve its apprenticeship programme, saying it has already completed a structural review of teaching, and recruited a trustee with school governor experience.

There was also a further review to ensure its programme is "fit for purpose".

Providers who receive 'insufficient progress' ratings at two consecutive monitoring visits are "normally" pulled from the Register of Apprenticeship Training Providers, according to ESFA rules.

This means that, although the provider can continue to deliver to its existing apprentices, it cannot start any new apprentices and must wait at least 18 months from the date of the monitoring visit report that judged them to have made 'insufficient progress' before reapplying to the register.

'Hold your heads high': the winners at the National Apprenticeship Awards 2020

FRASER WHIELDON
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"Outstanding" employers and individuals have been recognised at this year's National Apprenticeship Awards – including a Great Ormond Street Hospital apprentice who has been on the frontline in the battle against Covid-19.

The ten winners and 18 highly commended finalists were named at the awards, which are in their 17th year and took place on Wednesday evening at an online ceremony, hosted by BBC Breakfast presenter Dan Walker.

Education secretary Gavin Williamson gave his congratulations to the winners, saying: "The National Apprenticeships Awards are a brilliant opportunity to showcase the power of apprenticeships to transform lives and businesses, while helping people of all ages and backgrounds to get ahead.

"It's fantastic to see so many excellent examples of employers of all sizes continuing to embrace the benefits apprenticeships have to offer, and all the apprentices who have gone above and beyond."

The awards are organised by the government and decided upon by a panel of judges, which this year included Health Education England's national programme manager for apprenticeships Lucy Hunte and BAME apprenticeships advocate Isa Mutlib.

The winners of the individual awards, which cover the different levels of programme such as intermediate or higher, include apprentices from the Ministry of Defence, a local council, leading technology company IBM, and pharmaceutical giant GlaxoSmithKline.

While the winners of the employer awards, which cover different sizes of employers such as small-to-medium enterprises and large employers, include operators of the new Crossrail network MTR Elizabeth Line, defence company BAE



Systems, and County Durham and Darlington Fire and Rescue Service.

The fire and rescue service's head of people and organisational development Katherine Metcalfe said they were "absolutely delighted" to have been recognised "for our commitment to apprenticeships across our organisations".

They were the first fire and rescue service in the country to offer firefighter apprenticeships and are about to start their fourth cohort of apprentices.

Metcalfe added: "To see our programme be successful makes us feel extremely proud."

In addition to the individual and employer awards, the efforts of apprentices to tackle the Covid-19 pandemic were also recognised

with a special recognition award, which was run in association with the armed forces.

Employers could submit nominations for the award, which eventually went to Great Ormond Street Hospital apprentice healthcare support worker Amber James, who the Department for Education said had worked on the frontline as a clinical support worker at London's Nightingale Hospital at the city's ExCel centre.

She is now due to start a degree apprenticeship in registered nursing.

The Education and Skills Funding Agency's director of apprenticeships Peter Mucklow called her "a wonderful example of how apprentices have contributed during the pandemic and she thoroughly deserves her special recognition award".

He continued: "The number and quality of entries this year was outstanding, demonstrating the importance of apprenticeships for employers and individuals alike."

Mucklow thanked all of the over 1,100 entrants for "taking time to share their apprenticeship journey".

Chancellor of the Exchequer Rishi Sunak said: "With such strong competition in businesses right across the country, the winners of this year's National Apprenticeship Awards should hold their heads up high."

EMPLOYER CATEGORIES	WINNER
The BCS, The Chartered Institute for IT, Award for SME Employer of the Year	Troup Bywaters + Anders
The British Army Award for Large Employer of the Year	WEC Group Ltd
The QA Award for Macro Employer of the Year	BAE Systems plc
The Accenture Award for Recruitment Excellence	County Durham and Darlington Fire and Rescue Service
INDIVIDUAL CATEGORIES	WINNER
The AstraZeneca Award for Intermediate Apprentice of the Year	Maisey Hammond, Stroud District Council
The BT Award for Advanced Apprentice of the Year	Chris Jones, J.C. Bamford Excavators Limited
The Royal Navy Award for Higher or Degree Apprentice of the Year	Laurie Weatherall, GlaxoSmithKline
The Lloyds Banking Group Award for Rising Star of the Year	Howard Jackson, IBM UK Ltd
The Royal Air Force Award for Apprentice Champion of the Year	Jenny Taylor, IBM UK Ltd
	WINNER
Special recognition award	Amber James, Great Ormond Street Hospital

Crisis-hit college in Portsmouth agrees merger plans with local sixth-form

BILLY CAMDEN

BILLY@FEWEEK.CO.UK

A crisis-hit college has agreed to merge with a neighbouring sixth form as it continues its road to recovery.

Highbury College, which has been led by interim leadership since its principal quit last year following an expenses scandal and government intervention, is set to amalgamate with Portsmouth College following an FE Commissioner-led structure and prospects appraisal.

In a joint statement, the colleges said that subject to ministerial approval, plans will move to the next stage of consultation with stakeholders including current staff, students, parents, local employers, universities and secondary schools.

A date for completion of the merger has not been set and while the new-look leadership of the group has not been finalised, it would involve Highbury's interim principal Penny Wycherley leaving the role.

Wycherley, who took over from former principal Stella Mbubaegbu in December 2019, is currently contracted to continue leading Highbury until August 2021.

“We are delighted to be developing our partnership with Portsmouth College”

Commenting on the potential merger, Wycherley said: “We are delighted to be developing our partnership with Portsmouth



Highbury College

College and moving to combining further our strengths.

“The next stage includes all the detailed checks and discussions that are necessary in bringing together two organisations who are so important to the City.”

New chair of Highbury, Paul Quigley, added that the move is an “opportunity to build a stronger, more sustainable college”.

Quigley became the college's permanent chair earlier this month, replacing ex-chief executive of the Association of Colleges Martin Doel, who was also parachuted in to help the college last December.

Highbury's former chair Tim Mason and principal Mbubaegbu stepped down after FE Week revealed how £150,000 was spent on Mbubaegbu's corporate college card in four years, including extravagant items such as numerous first-class flights, stays in five-star hotels, a boozy lobster dinner and a £434 pair of designer headphones.

Around the same time the college had to make redundancies, scrap its A-level provision and dropped from Ofsted 'outstanding' to 'requires improvement'. Highbury has also been stuck in a legal battle with a Nigerian state following a failed

technical education project.

Just a month after Doel and Wycherley took over at Highbury, the pair discovered the college was running out of cash and had to secure a £1.5 million emergency bailout to keep it running.

Nick Wynne, chair of Portsmouth College, said the merger with Highbury is a “wonderful opportunity to bring together two great complementary colleges that will enhance the quality and choice of courses for the learners in and around our city”.

Simon Barrable, principal at Portsmouth College, and who would eventually lead the new group, added: “These are inspiring times for post-16 education and training in Portsmouth and we now have the chance to realise a ‘one city, one college’ vision.”

As revealed by FE Week earlier this month, Highbury is paying back its government bailout and has made its first staff pay award in years after receiving a £3.5 million exit dividend from an international venture in Saudi Arabia.

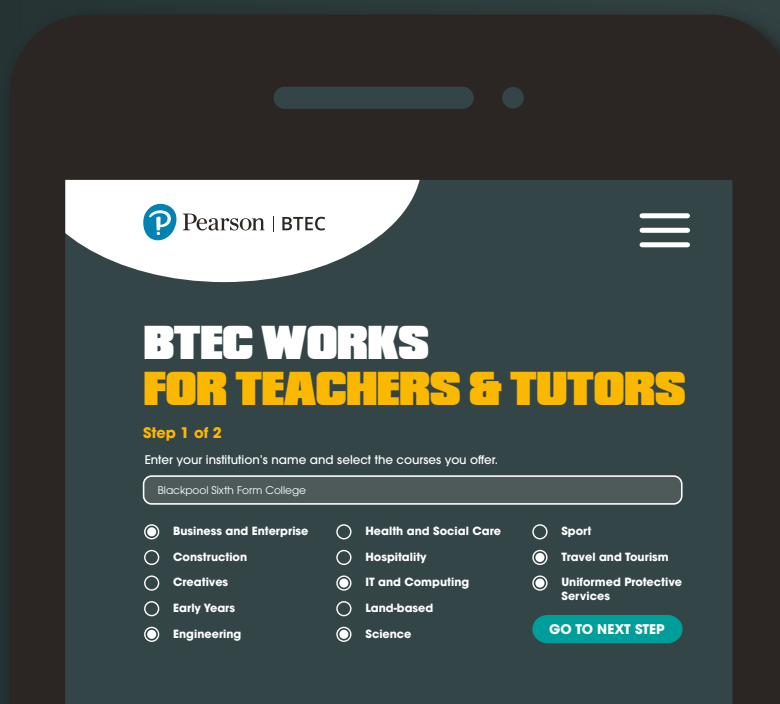
Portsmouth College is currently rated 'good' by Ofsted and posted a surplus of £69,000 in its latest accounts for the year-ended July 31, 2019.

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This is a challenging time. You will be committed to maintaining excellence, developing and delivering a locally determined learning offer, ensuring the Institute plays its full role in supporting the post COVID recovery.

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Interviews to be held in **January 2021**.

For further information and an application form, please visit our website www.redbridge-iae.ac.uk

We only accept applications on our standard application form which must be emailed to staffing@redbridge-iae.ac.uk or posted to be received by **5.00pm Friday 18th December 2020**.



Job title: Employment and Skills Manager

Salary: £35,745.00 - £38,890.00

Deadline for applications: Monday 7th December 2020.

The E & S Manager will be responsible for the day to day delivery of the LCC Apprenticeship Employer Provider programme.

Specific responsibilities within this role include managing the delivery and development of the apprenticeship programme; line management responsibilities for Apprenticeship Tutors and Project Support Officers; designing and delivering high quality apprenticeship programmes and curriculums; reporting on programme performance and quality improvement matters; ensuring compliance with ESFA/ Ofsted requirements and managing the contracts of providers in the city to ensure targets are met.

The post holder will also liaise

with a range of stakeholders and with colleagues across other local authorities to support the programme and service targets.

Applicants must have experience of managing externally funded programmes with knowledge of national government funding bodies e.g. Education and Skills Funding Agency and Ofsted.

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Department
for Education

Further Education Advisers – Further Education Commissioner Team

Further Education Advisers form a key part of the team of FE experts who work with the FE Commissioner, a role created in 2013 as an independent adviser to ministers at the Department for Education (DfE). FE Advisers are generally either finance or curriculum and quality specialists and we are looking for outstanding candidates from both backgrounds to help grow our team.

As an FE Adviser, you will support colleges through carrying out Diagnostic Assessments, to help them improve the quality of education, strengthen financial resilience, improve the quality of leadership and reduce the risk of interventions. You will undertake interventions when serious weaknesses and risk of failure have been identified and make recommendations to secure improvement. Your work will help to determine the best way FE can be delivered in any given area.

You will work as part of the DfE's overall approach to intervention, within the context of the Education and Skills Funding Agency (ESFA) case management approach, working with teams within the ESFA, as well as the wider DfE and Ofsted.

We want you to apply for this post if you can show you can lead and influence complex change within an educational context, including developing and implementing quality and improvement and finance strategies. You will have outstanding analytical, written and verbal communication skills, including the ability to write clear, concise reports. You will be able to influence, persuade and engage stakeholders, demonstrating excellent management and interpersonal skills. You will be able to show you can work effectively with ministers, civil servants, college leaders and other stakeholders. If you are a finance specialist, you will have a chartered accountancy qualification and will be able to demonstrate extensive senior level experience of managing college finances successfully.

Closing Date: 11am Wednesday 2 December 2020.

How to apply: Please visit https://bit.ly/FE_Adviser to download a candidate pack.

Interviews will take place virtually on 12, 13 and 21 January and you will need to make yourself available for these dates.

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Reference: HUL/20/0429

Location: Hull

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To find out more or to apply visit www.hullcc.gov.uk/jobs and search 'Engineering Manager'

Closing Date: 14 December 2020

Profile

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Introducing...

TOBY PERKINS

Shadow apprenticeships
minister

**'I'm more of a doer and
a talker, than a reader
and studier'**

JESS STAUFENBERG
@STAUFENBERGJ

'No one has given me this on a plate, I've earned it.' The shadow minister for apprenticeships and lifelong learning explains his unconventional route to the front bench to Jess Staufenberg

Toby Perkins, shadow minister for apprenticeships and lifelong learning, comes into focus on my screen with a huge, unidentifiable flag behind him.

I know the Yorkshire flag, but apparently I don't know the Derbyshire flag, which the county, not to be outdone by its neighbour and cricketing rival, had specially designed some years back.

When Perkins also tells me, with his ruddy cheeks and a big grin, that "Derbyshire Food Day" is also a great parliamentary event, I anticipate an interview with a man strongly proud of his northern roots. But he has just the gentlest Sheffield twang, and, it turns out, is perhaps prouder of his own personal path than his geographic roots.

An A-levels drop-out, he has taken a road not entirely expected by his university academic parents, and as a small business owner and former recruitment consultant, is also perhaps not the usual shoe-in for the Labour Party either. If Starmer wins in 2024, and Perkins keeps his post, this will be the man pushing policy for FE.

The past decade must have been a curious ride for the Chesterfield MP before Starmer's arrival. He supported, successively, centrist candidates David Miliband, Liz Kendall and Owen Smith in each of the leadership contests, at a time when

Profile

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the party was moving closer to its left wing. But Perkins clearly has a pragmatic streak and, like his colleague in the shadow education team Emma Hardy (who largely handles the higher education brief), seems mainly committed to “Team Labour” and whatever it takes to win an election. He spent only three months on the backbenches as a new MP in 2010 before serving on the front bench under Ed Miliband, and then took the defence brief under Jeremy Corbyn and later offered to serve him again in 2017 having backed his challenger. With Starmer now steering the party back towards the centre, one can imagine that Perkins’ time has maybe come.

“If T Levels are a success, they won’t look like they do now”

His current further education brief came as a surprise to him, he says; but listening to him, there is a certain overlap of his story with that of many college leaders: sixth form didn’t fit, academia wasn’t necessarily his thing, and a training programme set him on the right path. His father worked as a film lecturer, first in FE at the now-closed Bulmershe College in Reading and then at Warwick University, and his mother lectured in sociology at the university too. After his parents split up, a 16-year-old Perkins and his mum moved to Sheffield. Thankfully, he doesn’t try to ham up any working-class roots. “I was expecting Sheffield to be this real inner-city experience and it really wasn’t. The school I was at was a middle-class

school. After a few months of A-levels, I decided I didn’t want to do them and dropped out.”

Conscious of having to “explain to my grandmother at Christmas why I wasn’t in school”, he went down to the job centre and joined Margaret Thatcher’s youth training scheme which, a bit like the current Kickstart scheme, saw 16- to 25-year-olds taken on by employers for £25 a week on a six-week job placement. He took a sales role. What did his parents think?

“I think they were a bit disappointed in one regard, but in a way, this was my way of rebelling.” Unlike his parents, he was “more of a doer and a talker, than a reader and studier”. He says he supported the Labour Party in those days like he did Sheffield United – mostly around election time, cheering for his team.

A couple of life changes caused Perkins to follow politics more closely and raise his eyes towards a parliamentary seat. First, an admired boss “got me into self-improvement” through audio tapes and the like. “Positive self-enforcement, you know – I like myself, I’m a good person, that kind of thing.” This included thinking about his own childhood and “the kind of parent I wanted to be”.

Parenting was soon in full swing, with Perkins a relatively young father to his son at 27 years old, and later adopting a daughter. He and his wife had tragically previously lost twins in childbirth. Feeling the family pressure to earn, Perkins had become an area manager in recruitment, overseeing 30 people, but now turned his attention to politics. His interest was



A young Perkins in 1981

fall to the Liberal Democrats in 2001, following the retirement of heavyweight left-wing incumbent Tony Benn. By 2003, Perkins had bagged a seat on the council.

“I think at this point, I had half an idea of becoming an MP. I was someone from the private sector, who hadn’t been to university, hadn’t got a trade union background, hadn’t been a spad. So it was quite unusual to become an MP,” he says, following up, quite frankly, with: “So I partly thought being a councillor would be a route to becoming an MP. And I also wanted to make a local contribution.”

In the 2007 election, he watched Labour lose his constituency again by about 3,000 votes. Again speaking frankly, he observes: “My personal view was that I could do a better job of being the candidate.”

At this point Perkins set up his own business selling rugby kits (he’d always been into sport) in order to free up time for a political career. As new prime minister Gordon Brown “ummed and ahed” about an election in 2007 – eventually deciding against – Perkins took the time to build up his local reputation ahead of the 2010 election. He managed to fight off the UKIP threat in the post-industrial, largely white town and won the seat. “Labour lost 80 seats that day, and I

particularly piqued after watching Chesterfield



General Election announcement in 2015



The Derbyshire flag hanging behind Perkins at his desk

was one of the very few that turned the tide! On arriving in parliament, I came in very much thinking, ‘No one has given me this on a plate, I’ve earned it.’ I went in with confidence.”

His very first

Profile

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role was in the education team as shadow children's minister overseeing social care and youth services under shadow education minister Andy Burnham. "I hadn't necessarily asked for the education brief and at first it seemed like a square peg in a round hole. But I actually found I knew a lot more than I realised, especially as an adoptive parent." When he was later moved into the business team, he found the opposite was true: "I thought I'd know a lot and found there was a huge amount I didn't."

"Having been a 17-year-old on £25 a week, I know what it's like to be a nobody"

Since then, Remain-supporting Perkins has witnessed the rise and fall of Corbyn, whose leadership he says he was "deeply concerned" by. But again with surprising frankness, he admits to admiring the support the left-wing leader inspired among many. "You couldn't dismiss the fact he generated a huge amount of enthusiasm. So I thought, maybe there's something in this that could lead the party, and I decided to be on his front bench when a lot of my colleagues chose not to." Perhaps it is this flexible (as well as ambitious) nature that explains why Perkins is damning of his experience with Corbyn in 2017 after he'd backed Smith in the leadership

challenge the year before. "There was a moment there where he could have chosen to be the bigger man [...] I went to see him straight after the election and offered my services, but he didn't take that approach. I think the approach he took was to double down on seizing control of the party. It was unnecessary." The splits in the party continue to rumble on, with Corbyn-supporting members of Labour's governing body staging a mass walkout of a Zoom meeting just this week. One can imagine Perkins has little time for it.

Not that Perkins has never been involved in conflict and controversy himself: just this year he apologised after his campaign materials said he was "disgusted" that traveller communities were "extorting" thousands of pounds in illegal camps. He had also previously said he wouldn't want travellers living near him - and has since said sorry for his "inappropriate" and "careless" language.

We move on instead to what he would do in Gillian Keegan's shoes, rattling off a list of policy priorities; focusing on massively expanding apprenticeships instead of its "poorer cousin" the Kickstart scheme; a "huge renewed investment in adult education and the value of



Perkins addressing Hollingwood Primary School in Chesterfield

careers guidance"; and, inspired by his old boss Burnham in Manchester, "a greater recognition of the role devolution can play". Meanwhile, he supports T Levels in principle but accuses the government of being "complacent" about whether they are a path to university. "There's a real danger here the government has got a new toy and will spend a huge amount of time on something that will have microscopic take-up. Almost certainly if T Levels are a success, they won't look like they do now."

There's something about Perkins that almost reminds me of education select committee chair Robert Halfon: certain of his own mind but not overly dogmatic, committed to helping individuals, and really most comfortable in the centre of their respective parties. One could even imagine Perkins in the committee chair role, if Halfon ever relinquishes the reins.

Only at the end of our chat does Perkins return me with a sudden passion to his roots. "Perhaps unlike many in politics, having been a 17-year-old on £25 a week, I know what it's like to be the lowest of the low in a company, and be a nobody. I know what it's like to go to the ATM and wonder if it's going to be able to give you any money, or run your own business and have any food tomorrow [...] A lot of the people I meet in politics did great at school and got great university degrees, they were important from the moment they left university, or even important when they were at university. This is an entirely different perspective on life."

If there was an FE flag, I'm pretty sure Perkins would have it on his wall. Perhaps he'll have one by 2024.



Playing rugby for the Gentlemen of Derbyshire XV against the House of Commons and Lords at Twickenham

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SALLY
ALEXANDER

Principal, Milton
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(prison services)



Here are the two top tips for MPs looking into prison education

Changing legislation so prisoners can do apprenticeships would be truly transformative, writes Sally Alexander

While there has been a lot of media focus on school pupils missing learning because of the coronavirus, there has been less attention on further education learners missing out – and particularly, learners behind bars in prison.

That's why, as a provider with 30 years' experience delivering prison education, I was particularly interested to hear the influential House of Commons education select committee is launching an inquiry into the challenges facing prison education.

The announcement last week by Robert Halfon MP, the committee's chair, acknowledges that teaching provision has been "significantly impacted for those in custody" because of the pandemic.

It certainly has. Our team has been working around the clock preparing paper-based packages of learning which prisoners can then complete, to continue developing their skills for when we all return to normal.

While this ensures that learners are able to continue to access their learning, we know that nothing can substitute for face-to-face learning, which is designed to replicate an FE college. This is particularly important since learners currently spend so much time in their cells.

In March we were able to flip students on Milton Keynes' College



campus into virtual learners overnight. However, prison IT infrastructure meant this just wasn't possible.

So first of all we would like to call on MPs to consider how we can better extend education services into cells, so learners can continue learning outside the classroom.

If an iPad- or Chromebook-style device is available in cells for a greater number of prisoners, they can access courses, modules, homework, a research portal and more, and be much better prepared for release.

This would improve their skills for the digital world, which is good news for rehabilitation. According to a joint report by the Ministry of Justice and the Department for Education, prisoners involved in any sort of education have a significantly lower reoffending rate on release compared with their peers.

We don't know how long this pandemic will continue and it is important that we make positive innovations now. It's a win-win for everyone – learners and society.

In a possibly even more exciting area, we would encourage MPs to look closely at the current restrictions on prisoners doing apprenticeships with employers. This could be potentially ground-breaking.

"Prisoners involved in any sort of education have a significantly lower reoffending rate"

At the moment, the existing legislation doesn't allow us to offer apprenticeships to learners in prison because they are unable to have a contract of employment.

If parliament changed that legislation, prisons would be able to explore commissioning the Prison Education Providers, such as Milton Keynes College, to develop apprenticeship pathways. This would link prisoners up with employers and set them on a path to employment on release.

We know how transformative apprenticeships can be. A change in legislation would be a great first step towards convincing employers to take on former offenders, with companies like The Timpson Group already showing what can be achieved.

Meanwhile, having digital devices in cells would allow them to do the off-the-job training element of the apprenticeship smoothly too. That's why it's important these two changes are considered hand-in-hand.

Encouragingly, it looks like Robert Halfon MP and his team are already thinking about this. The committee's announcement asks whether "apprenticeships could form an integral part of the rehabilitation process, acting as a bridge from prison to working life on the outside, while simultaneously helping the country address its skills gaps".

Yes, they could. We would be delighted to see this introduced.

My final plea to MPs would be to talk to us. For instance, the committee raises other important questions, including whether special educational needs and disabilities are being properly met.

Actually, I think prisons have developed innovative solutions already in this area that could be shared more widely with the FE community.

Meanwhile, if MPs can begin with those two areas – apprenticeships for prisoners and access to a digital device inside cells – they will have made an encouraging start.

Opinion

DO YOU HAVE A STORY?
CONTACT US NEWS@FEWEEK.CO.UKBILL
WATKINChief executive,
Sixth Form Colleges
AssociationYes, but... no, but... the case
for clear detail on next
summer's assessments

The Department for Education can't delay any longer – contingencies and adaptations for next summer's exams must be published immediately, writes Bill Watkin

We are getting uncomfortably accustomed to a diet of divided opinion, it seems. Brexit, Trump, even wearing masks and lockdown, have all split views and raised the temperature in homes across the country.

And, of course, there are next summer's examinations. There are passionate advocates of exams and hardened opponents, both sides now battle-scarred by their experiences last summer.

So, should exams take place, or shouldn't they?

It's not a straightforward question, and for many, the conversation ends up taking the form of a yes, but... no, but... discussion.

On the one hand, exams are widely acknowledged to be the simplest, apparently most objective, and certainly the most accepted method of terminal assessment.

Yes, but (I argue with myself) exams are unreliable at the best of times! There is evidence to suggest that the grade you were awarded could easily have been one higher or one lower if the wind had been blowing in a different direction.

Even if exams can take place – and they almost certainly will – they would be inherently unfair. Young people won't have the same



learning opportunities this year.

No, but the alternative to exams last summer was something of a disaster. Some centres are still embroiled in legal challenges from disappointed students, there was grade inflation, some students reached aspirational destinations with potentially inadequate preparation.

Yes, but we have learned the lessons: right from the start, Ofqual said we should rely on teachers' professional judgement. We know now that we mustn't worry excessively about grade inflation.

No, but employers, universities and colleges need to be clear about what a young person knows and can do! Only an exam can provide that objective benchmark that allows us to feel confident about that.

Yes, but sixth-form colleges and universities can put on foundation years to get young people up to standard. Except that the third year of sixth-form funding is 17.5 per cent lower than an already low rate. And university students

will balk at paying £3,000 more in tuition fees.

“There are passionate advocates of exams and hardened opponents, both sides now battle-scarred”

Yes, but we can still deliver a grading system without exams – we just need to agree some contingencies and adaptations. We can't afford to rush to a decision.

No, but we are already well into the school year. We could reduce the content to be tested and say in advance which topics might be in the exams. And we could compensate students for lost learning by allowing aids in the exam, such as set texts and formula sheets.

Yes, but this can be counter-productive – the more material

there is, the greater the danger of cognitive overload. It won't help those who need it most.

No, but Ofqual could also use comparable outcomes to ensure that this year's students would be treated as “generously” as candidates in 2020.

Yes, but that applies to all students and does nothing to level the playing field and compensate those who have had a tougher time of it this year. And some students will be ill or self-isolating in the summer and won't be able to take all of the exams.

No, but if the timetable allows for a time gap between the different papers in each subject, and if there is an extra chance to take the exam later, it is very unlikely that a student would be unavailable for every window.

Yes, but even one young person missing an exam means we need a back-up plan. We can't just rely on exams.

No, but we can bring back ranking. Not all students, just those who have not done any papers.

Phew. As we can see, the Holy Grail that is “fairness” is proving elusive, and the opinion divide is not surprising.

But now is the time for the Department for Education to decide once and for all what contingencies and adaptations will be introduced this summer.

Teachers and students need to know what they are preparing for and how to prepare for it. We are almost at the end of term one and every lesson counts.

HELEN
DYKEEmployment lawyer,
Irwin Mitchell

What colleges need to know about clinically extremely vulnerable staff

Even though clinically vulnerable staff are strongly advised to remain at home by the government, there are important exceptions colleges need to be aware of, writes Helen Dyke

Last week, the government updated its guidance on shielding and protecting people who are clinically extremely vulnerable (CEV) from Covid.

The update reads: "You are strongly advised to work from home. If you cannot work from home, you should not attend work for this period of restrictions."

It's important colleges understand their legal duties in this area.

There are two ways a person is classed as clinically extremely vulnerable. Either they have one or more conditions listed in the government guidance, or have been added to the shielded patients list by a medical professional.

If employees can perform their role from home, it is both reasonable from a management point of view to require them to do so, and it complies with current regulations.

However, if an employee claims they can't work from home, colleges will need to look into the reasons for this. For example, they may say that working in isolation at home adversely affects their mental health, or that they aren't properly set up for home working.

If they are working from their sofa on a laptop, colleges will need to ask whether they have a table

they can work from (or space for one) and may in some cases need to loan them equipment.

If the issue is mental health, colleges need to look at making reasonable adjustments. For example, colleges may have to consider allowing clinically extremely vulnerable employees to come into work if they are willing to do so, including because of the risk to their mental health.

However, this requires careful consideration. The college must comply with the "Covid secure" guidelines for learning environments. The college should first of all undertake a specific risk assessment for each member of staff to ascertain the risk to their health of performing their usual duties and put in place steps to minimise these.

College leaders should then discuss their findings with the member of staff and consider whether they can take any additional measures, such as moving where they work so they have minimal exposure to other

people or students, or amending their working hours.

It's sensible to make an accurate minute of the meeting and ask the employee to sign this. This means it's on record that the college has been through the risks with the member of staff and they themselves have expressed their preference to return to work - despite the very clear message from the government that they should remain at home.

"It's sensible to make an accurate minute of the meeting and ask the employee to sign this"

If a member of staff cannot perform their role from home, the college may also be able to furlough them. Just remember - they must have been on the payroll on or before October 30, 2020.

However, there are important restrictions around organisations with public funding. The guidance says: "If you have staff costs that are publicly funded (even if you're not in the public sector), you should use that money to continue paying your staff, and not furlough your staff."

"Organisations can use the scheme if they are not fully funded by public grants and they should contact their sponsor department or respective administration for further guidance."

Take advice if you're not sure whether your college qualifies for the furlough grant.

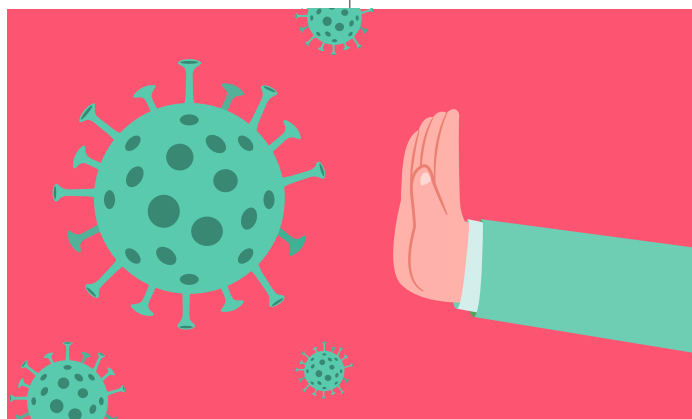
Staff may also be eligible for statutory sick pay, employment support allowance or universal credit.

If employees are in roles that cannot be done from home and they refuse to be furloughed, they may be entitled to remain at home on full pay. Again, take legal advice if you're not sure.

Another key point to remember is that many clinically extremely vulnerable employees with underlying conditions are likely to meet the definition of disability under the Equality Act 2010.

Colleges must not treat these employees less favourably and should make reasonable adjustments, which could include transferring them to another role in a lower-risk area.

Good communication with staff is key. Ultimately, colleges must speak to staff individually and agree specific arrangements.





READER'S REPLY

College commission calls on DfE to force principals into multi-academy trust-style accountability structures

Can't believe this recommendation is even featured in the report. Very limited consultation with the sector and it seems wide of the mark. I've read the report five times now and I still don't understand what they are actually proposing. The document also pays very little attention to ITPs, who make up a significant part of the skills system.

Bob Smith, website

Adult education budget tender delayed again

This isn't going to happen, is it? It's been conveniently knocked back into January when we're no longer governed by EU procurement law. With everything that's happened with Covid, the ESFA will no doubt say it's reasonable under British Public Contracts Regulations to extend contracts. There's no way they'll want another legal battle over "successful providers" for a one-year contract, especially when they have the National Skills Fund to procure before April.

Terry Bentley, website

Are lifelong learner accounts back on the cards?

I think this is a really interesting idea and a step in the right direction. Firmly believe adult education should be a lifelong part of being in society. We all sign up for a GP/dentist/electoral roll – why isn't education treated in the same way?

Michael S Byrne, Twitter

DO YOU HAVE A STORY?

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REPLY OF THE WEEK

The government mustn't scrap ESOL qualifications

You're right to point out how complex it is to learn a new language. The level of competency required to pass a level 1 ESOL exam is roughly equivalent to CEFR B1, the same level required to achieve an A* at A-level in a foreign language. But in my experience, level 1 ESOL learners need much higher competence in their target language than foreign language A-level students. So shouldn't level 1 ESOL be re-branded as level 3 at least?

I understand the argument is that English is a basic skill required for work and other qualifications. But the problem is that ESOL qualifications at level 1 and 2 are still not accepted by colleges and universities as equivalent to GCSEs and functional skills. Why would learners want to spend a year doing a level 1 or 2 ESOL qualification, just to have to do another level 1 qualification at the end of it? A recognition of the difficulty and skills required to pass ESOL qualifications would go a long way to increasing the take-up at higher levels.

ESOL teacher #1, website

Could this be the next important step in moving to a learner-led system for adult education? Virtual paper exercise, though, unless learners would be able to select a provider of their choice from a framework rather than being restricted by allocations and caps

Simon Ashworth, Twitter

ILA = Flexible Lifelong Loan Entitlement?

Mark Corney, Twitter

Revealed: the sectors excluded from PM's new 'lifetime skills guarantee'

This is terrible – it's an attack on arts, culture, social sciences, anything that makes life worth living. I am guessing it is all tech and STEM subjects that Boris supports.

Dr Karenza Moore, Twitter

It does seem like an April Fools with some of the areas??

Susanna Lawson

Bulletin

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Movers & Shakers

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



Peter Donnelly

Business development and commercial manager, Northern Skills Group

Start date November 2020

Previous job

Employer engagement coordinator, Middlesbrough College

Interesting fact

In recent years, he has bungee-jumped off a bridge and competed in a boxing match, for charity



Kate Parker

Chair, City & Guilds' employer industry board for construction and building services engineering

Start date November 2021

Concurrent job

Senior regeneration manager, Procure Plus

Interesting fact

She lived and worked in Central Asia in her 20s



Dr Neil Bentley-Gockmann

Trustee of WIG (The Whitehall & Industry Group)

Start Date November 2020

Concurrent Job

Chief executive, WorldSkills UK

Interesting fact

He helped to design his own eco-house

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