

Additional guidance on inspecting employer providers from September 2012

This additional guidance on inspecting employer providers is written for employers who manage and run their own government-funded contracts and for inspectors to use during the inspection of those employers.

This guidance should be used in conjunction with the *Handbook for the inspection of further education and skills from September 2012* and puts into context the types of evidence inspectors may find and the circumstances and differences inspectors need to consider with an employer that delivers their own training programmes.

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Introduction

Employers who manage and deliver government-funded training programmes may use different processes and systems compared with those providers whose main business is the delivery of training programmes. It is recognised that providing training is not the primary business of an employer and this additional guidance has been written to help ensure employers understand how the Common Inspection Framework relates to employer provider provision and to inform inspectors of the key differences in employer provider provision.

Employer providers should familiarise themselves with both parts of the revised *Handbook for the inspection of further education and skills from September 2012*,¹ part one 'Conducting further education and skills inspections' and part two, 'Evaluation schedule for the inspection of further education and skills'.

Inspectors will use the *Handbook for the inspection of further education and skills from September 2012* and, where applicable, they will take into account the following contextual guidance.

¹ *Handbook for the inspection of further education and skills from September 2012* (120061), Ofsted, 2012; www.ofsted.gov.uk/resources/120061.

Context

Employers' contracts with the Skills Funding Agency may result in a variety of different types of evidence and alternative methods of funding and delivering training. For example:

- Employer provision may be funded in different ways and the funding may not be directly linked to individual learners. There may be more learners on the programme than there is funding for and it will not be possible to disaggregate funded learners from unfunded learners.
- The Department for Business, Innovation and Skills is piloting new ways of funding employers to deliver the skills businesses need. Any pilot schemes, such as the Employer Ownership of Skills Pilot and the Large Employer Outcome Pilot, are not within the scope of inspection.
- Alternative documents and methods may be used to plan learning and record progress rather than individual learning plans and progress reviews. Employers may call these processes different things, such as performance reviews or training and development plans.
- Embedded provision occurs when an employer's own training and/or assessment has been formally mapped across to the qualifications offered. Employers may develop their own in-house training programmes to meet the needs of the business and most, if not all, of the requirements of the funded programmes.
- The Employer Recognition Programme allows an employer to achieve awarding body status or work in partnership with an existing body to accredit their own bespoke learning programme.
- A bespoke accreditation scheme exists where an employer's ability to train and develop its staff is accredited to the equivalent of the Lifelong Learning UK standards and qualifications. The employer is accredited and individual employees may not hold traditional training and assessment qualifications.
- Policies and procedures may apply to all employees and not just learners. These may be managed centrally and not within the training team/department. An organisation chart, where available, may help inspectors to understand how a training department links with the wider corporate functions.
- The employer may have a workforce development plan identifying priority groups, the skills they need and how their needs will be met through the delivery of training.

Interpreting the handbook and how it applies to employer provider provision

For each of the aspects inspected – outcomes for learners; quality of teaching, learning and assessment; and leadership and management – inspectors will consider the main purpose of a particular type of provision. All three aspects are interpreted below for the inspection of employer provision where there are contextual differences. Inspectors should use the *Handbook for the inspection of further education and skills 2012* to ascertain how these specific employer provider nuances apply to the key criteria when making judgements. Please note that there are many other aspects of training that are common across remits and therefore not mentioned in the following guidance but are included in the handbook.

Outcomes for learners

Some or all of the following specific characteristics may apply when inspecting outcomes for learners:

- learners' progress relative to their previous experience and knowledge gained at work or through unaccredited courses and training
- additional specialist or internal training courses and/or qualifications to meet specific business/sector needs
- staff turnover for the industry sector and its impact on retention rates
- any variations in attainment of groups from different sites, business units or departments
- learners' attitudes and behaviours towards employment and understanding of the company's beliefs and values
- learners' understanding of how their job contributes to the overall effectiveness of the business
- learners' contracts of employment vary at different stages of the programme and/or they benefit from the employers' reward and recognition scheme
- any additional responsibilities, promotions and/or changes of job role given to learners as they progress in their careers
- provision and its impact on business indicators such as productivity, staff absence and turnover rates.

Quality of teaching, learning and assessment

Some or all of the following specific characteristics may apply when inspecting the quality of teaching, learning and assessment:

- workplace mentors, coaches, team leaders and supervisors have appropriate expertise and knowledge to support, encourage and challenge learners

- learners attend and participate in formal training sessions, use training materials and technology independently and have the opportunity to practice the new skill in the workplace
- employers may have mapped their in-house training and assessment to nationally accredited qualifications so the requirements are embedded in the employer's own training materials and programmes
- learners' availability and workloads change and any planned assessment will need to be flexible
- employers' staff often hold assessor and training roles and they should be made aware of and prepared for their role in training, assessing and supporting learners
- learners may have prior learning from in-house training, unaccredited courses and experience in previous work roles
- employers' own initial assessments are often used as part of a selection process or as a diagnostic tool
- assessments may be conducted in line with special arrangements agreed with the awarding body such as using expert witnesses rather than qualified assessors
- employers' own processes are used to monitor employees' progress
- objectives in an annual appraisal and/or personal development plan should be linked to a learner's funded training plan and progress
- learners should be encouraged to improve their English, mathematics and functional skills in the context of their work
- learners should be clear how the programme fits with their career progression within the company
- learners should receive support from workplace mentors, trade unions and human resources personnel
- learners understand the personal benefits of training as well as how it meets employers' needs.

Effectiveness of leadership and management

Some or all of the following specific characteristics may apply when inspecting the effectiveness of leadership and management:

- employees' training and development should be part of the employer's strategic goals and business priorities
- the provision takes account of the corporate mission, improving business performance and key performance indicators
- operational management supports the training programmes and contributes to their development and improvement
- leaders and managers carefully select and develop staff to support, train and assess learners
- leaders and managers monitor the quality of the learners' experience to reduce variations across different departments, divisions or locations
- employers' own systems, for the organisation as a whole, have a positive impact on the quality of the provision; the term 'self-assessment' may not be used and other quality assurance systems may be used that are not directly related to funded learning
- the views of different user groups in this context may include supervisors/managers, trade unions and the employers' customers
- the provision should take account of current and future business needs and priorities
- programmes should provide opportunities for learners to gain experience and knowledge of different parts of the business and its supply chain
- involvement with the Sector Skills Councils (SSC), Local Enterprise Partnerships (LEPs), City deals and partnerships with other providers ensures training meets industry, learners' and local needs
- employers may form partnerships with schools, Jobcentre Plus and other organisations that encourage children and adults to develop employability skills and possibly seek employment and training
- involvement of learners with company-organised local community projects or volunteering
- the employer must be aware of and monitor the diversity of the employees who access and complete training compared to all employees
- whether training is available for all eligible shifts and job roles
- whether the employer has effective policies, for the organisation as a whole, to keep employees safe and ensure their well-being; note that there may not be specific policies entitled 'safeguarding' or 'child protection' and policies may not relate specifically to employees on funded programmes

- whether appropriate risk assessments have been carried out to protect children on work experience, young employees (16 and 17-year-olds) and vulnerable adults.

Employers are not required to undertake Criminal Records Bureau checks where learners under 18 years of age are employed. However, if any staff are teaching, training, assessing, mentoring or coaching 14 to 16-year-olds on a frequent (once a week or more) or intensive (more than four times in a 30-day period) basis, they are engaged in regulated activity and the employer should require a Criminal Records Bureau check on those staff.