



# Consultation outcome

## Further education and skills inspections and outcomes: a report on the responses to the consultation

Updated 24 June 2021

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## Introduction

In January 2020, Ofsted published a [consultation on changes to the publication of statistics on further education and skills inspections and outcomes](#). The consultation was seeking the widest possible range of views to ensure that our statistical publications meet the needs of users with an interest or expertise in further education and skills. The consultation closed in late January 2021.

We proposed 3 changes to the 'further education and skills inspections and outcomes' statistical data.

We proposed to:

- make changes to provider types and provider groups, so that similar types of providers delivering similar provision are grouped more effectively together
- carry out a one-time data cleanse for around 50 providers to remove their inspection histories from before they came back into funding and came back into scope for Ofsted inspection
- introduce more detailed reporting and deeper insights into the quality of education programmes for young people, adult learning programmes, apprenticeships and provision for learners with high needs across England

In total, we received 35 responses to the consultation. This report summarises those responses and our response to them.

## The consultation exercise

The consultation ran from 27 November 2020 to 22 January 2021. It was open to the public and promoted through social media and our website.

We published our [further education and skills inspections and outcomes as at 31 August 2020](#) statistical release alongside the consultation. We incorporated the proposed new provider types and groups to this release and removed historical inspection data for those providers that had a prolonged break in funding. We also published experimental measures on quality of provision alongside the [consultation on changes to the publication of statistics](#). This was to enable users to see the impact of the proposed changes on the data as at 31 August 2020 and the trends over time.

## Quantitative and qualitative data

The findings in this report are based on quantitative data gathered through the 35 responses to the consultation questionnaire, as well as qualitative feedback gathered through:

- free-text comments received through the online questionnaire
- submissions from representative organisations and a union

We analysed all responses to enable us to gain a clear understanding of the issues being raised. A summary of the responses to each of the consultation proposals is set out in the following section.

## The full findings

We have analysed all consultation responses. The consultation included 3 questions about whether the proposed changes would be welcome and meet respondents' needs. We also asked whether respondents would welcome the proposed additional reporting on quality of provision being broken down by provider group. In addition, a free-text box after each question and a final free-text box for general comments on the consultation gave respondents the opportunity to make detailed comments on the proposals.

### Respondents

We received responses from a range of different user groups. 'Further education and skills providers' were the largest group of respondents (40%). The next largest groups were 'person with an interest in Ofsted data' and 'parent' (20% and 17% respectively).

Note that we asked respondents to self-identify as a respondent type and it is possible that some may not have done so accurately.

Figure 1: Respondent categories

Respondent type	Number	% of responses
Further education and skills provider	14	40
Person with an interest in Ofsted data	7	20
Parent	6	17
Other	4	11
Research organisation	2	6
Professional organisation	1	3
Government department	1	3

### Proposal 1: Would the proposed changes to provider types and groups be welcome and meet your needs?

Just over half of respondents welcomed the proposed changes to provider types and groups. Around one third did not welcome the proposed changes.

One respondent commented that 'the proposal would make it easier to compare similar types of provider and identify suitable providers to benchmark against'.

However, we received strong representations from the professional bodies representing institutes for adult learning and adult community education. The feedback was that specialist designated institutions should not be moved into the 'colleges' provider group. The respondents were of the view that institutes of adult learning offer very different provision to further education colleges, with a different ethos and business model, and are therefore not comparable. They are more comparable with local authorities.

Figure 2: Responses to proposal 1

Responses	Number	% of responses
Yes	19	56
No	11	32
Don't know	4	12

#### What we will do in response to the consultation findings for proposal 1

In view of the concerns raised about moving specialist designated institutions into the 'colleges' provider group, we will not be implementing this change.

The provider types 'local authority provider' and 'specialist designated institution' will continue to be in the same provider group. We will name this group 'adult community education providers'. We will also change the provider type name from 'specialist designated institution' to 'institute for adult learning'.

We will proceed with the reclassification of not-for-profit organisations as 'independent learning providers'.

We acknowledge that users wish to identify and benchmark themselves against providers offering similar provision. As a result, we will provide users with an interactive chart. This chart will enable users to look at inspection outcomes for different provider groups delivering different types of provision. For example, a user could select independent learning providers delivering apprenticeships and 16 to 19 provision, from which they would be able to see the proportion judged good or outstanding.

The table below displays a summary of the questions on the proposal that we received and our response to them.

Figure 3: Summary of questions relating to proposal 1

Respondents questions	Ofsted's response
Why not sub-group into levy and non-levy providers?	Many providers receive both levy and non-levy funding.
Why are you keeping employer providers in the same category as independent learning providers? Respondents commented that these are materially different. They believe it blurs the reality of apprenticeship reforms, from which employer providers have massively grown.	Both employer and independent learning providers are delivering apprenticeship provision. The charts, tables and underlying data published with the main findings allow users to look at inspection outcomes over time for both provider types separately.
If changes go ahead and data to track improvement/benchmark standard is lost, how would data still be useful for providers?	We recalculated the data for previous years and published this with the official statistics. We will republish a revised dataset as at 31 August 2020 with the new provider groups by the end of March 2021.

### Proposal 2: Would the removal of old historical inspection information for providers with a prolonged break in funding be welcome and meet your needs?

The majority of respondents welcomed the proposal to remove the inspection history. Those respondents that disagreed were concerned about losing the historical inspection information and that learners would not have enough information to make an informed choice. Respondents were also concerned that improvements over time could not be measured. One respondent commented that cleansing the historical data may reflect more positively on those institutions that have poorer quality histories.

Figure 4: Responses to proposal 2

Responses	Number	% of responses
Yes	21	60
No	12	34
Don't know	2	6

#### What we will do in response to the consultation findings for proposal 2

We will go ahead with the removal of inspection histories for those providers with a prolonged break in funding.

This is a one-off data cleanse. In January 2020, we changed our methodology so that providers that were not directly funded and had not delivered education, training and/or apprenticeships for a period of 2 years would be marked as closed on our system. If a provider becomes publicly funded and starts delivering education, training and/or apprenticeships again after being closed, it would be given a new Ofsted unique reference number (URN). This new URN will not be attached to the previous inspection history.

We have published a transparency data set with the ['Further education and skills inspections and outcomes as at 28 February 2021'](#) official statistics release. This will include the inspection history for those providers that are part of the data cleanse. Users will continue to be able to read historic inspection reports on our reports website. The website always displays a full inspection history for each URN.

In addition, each autumn we will publish a list of providers that have been closed on our system during the academic year.

The table below displays a summary of the comments on the proposal that we received and our response to them.

Figure 5: Summary of questions relating to proposal 2

Question	Ofsted's response
What do you mean by prolonged break?	Under our new methodology introduced in January 2020, providers that are not directly funded and have not delivered education, training and/or apprenticeships for a period of 2 years are marked as closed on the system.
How do you capture context if you are wiping something that is then disappeared? Time lags do not mean that history does not matter.	The previous inspection reports will remain on our reports website.
How do you justify allowing the provider back into the funding system, if there is nothing to compare to and show that the quality of provision has improved?	The decision to allow the provider back into the funding system is not made by Ofsted. The Education and Skills Funding Agency is responsible for decisions relating to the funding of further education and skills providers.
Could you not just separate it? Perhaps using transparency data?	We will publish a transparency dataset alongside our next official statistics publication containing the historic inspection information for the affected providers.

### Proposal 3: Would you find it helpful to have these new measures broken down by provider group?

Figure 7: Responses to proposal 3 – new measures by provider group

Responses	Number	% of responses
Yes	30	91
No	2	6
Don't know	1	3

There was very strong support for the proposal to introduce additional reporting on the quality of provision and for these new measures to be broken down by provider group. Respondents welcomed the proposal as a way to improve standards and enable a greater degree of transparency.

#### What we will do in response to the consultation findings for proposal 3

We will introduce additional reporting on the quality of provision.

However, we recognise that the methodology we used in our experimental statistics excluded those providers that have received a new provider monitoring visit but not yet had a full inspection.

We will publish further experimental statistics on the quality of provision in June. These measures will include information on full inspections, new provider monitoring visit outcomes and those providers that have not had either a monitoring visit or full inspection. We will carry out a further consultation on these experimental statistics and seek feedback on the methodology used.

Update: We are not publishing the experimental statistics on the quality of provision in June. These will be released in late summer 2021.

## Issues outside of Ofsted's remit

Some respondents raised issues that are outside Ofsted's remit or the scope of the consultation.

For example, respondents wanted Ofsted to publish evidence of why a provider had been given public funding again. The issue of funding is the responsibility of the Education and Skills Funding Agency.

One respondent expressed concerns about LGBTQ+ groups promoting gender identity in the further education and skills sector and possible related safeguarding issues. We would like to reassure the respondent that all further education and skills inspections look at safeguarding matters.

## Equality, diversity and inclusion

As part of the 'changes to the publication of statistics on further education and skills inspections and outcomes' consultation, we published a draft [equality, diversity and inclusion statement](#).

We considered that we had given full and appropriate consideration to all elements of the Public Sector Equality Duty. We did not anticipate that the proposed new arrangements would have a disproportionate impact on individuals or groups who share protected characteristics.

We have carefully considered all responses received from the consultation process. No stakeholder has raised any concerns that the proposed changes would have a disproportionate impact on individuals or groups who share protected characteristics. Therefore, we will not be making any changes to the equality, diversity and inclusion statement published with the consultation.

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