

**LSDA responds**

**Reviewing performance:  
arrangements for colleges  
and other providers**

**LSC circular 02/05:  
Quality and standards**

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## **General comments**

- 1 Arrangements for raising standards in post-16 learning depend critically on the capacity to establish effective working relationships between providers (as primary agents for improving quality and standards), the Learning and Skills Councils (as facilitators of continuous improvement) and the new inspectorates (as final arbiters of judgements about the quality and standards of provision).
- 2 The LSC's provider performance review process is pivotal to these new arrangements by:
  - offering an early warning system of providers failing to achieve (or work towards) required standards
  - supporting development needs (at provider, local or national levels)
  - identifying, rewarding and disseminating good practice.Performance review therefore has a key role to play in supporting strategies for *continuous improvement*.
- 3 We welcome the declared intention to develop and operate the performance review process in partnership with providers and in a way that complements the inspection process. This will require effective protocols for integrating the quality improvement processes of providers, the LSC and the inspectorates. It will also require consistent criteria and standards for assessing provider performance. As a general observation, perhaps too much of the consultation document is concerned with demonstrating how provider review differs from the inspection process and too little on how it complements, supports and informs inspection.
- 4 Progress on these matters will do much to promote confidence and trust in the performance review process. We address these points further in our response to the seven questions set out in the consultation document.

### Question 1

*Do you consider that the purposes of performance review, as stated in paragraph 23, are appropriate?*

#### Quite appropriate

- 5 The purposes of performance review are clearly stated and adequately reflect the LSC's remit for planning, funding, monitoring and improving the quality of post-16 learning. The role of the LSC as both a contractor and 'critical friend' to providers will need to be carefully managed in relation to these wide-ranging responsibilities.
- 6 Provider review has a potentially critical role to play in supporting the continuous improvement of post-16 provision. Its effectiveness will depend on the capacity to draw on and feed into quality improvement processes of providers on the one hand and the processes of inspection on the other. Good judgements will also be necessary to ensure that the LSC's powers of external intervention (for planning, funding and support purposes) are properly balanced against the responsibilities of providers for planning, managing and improving their own provision.
- 7 The LSC will need to establish good working relationships with providers and other agencies in order to support the dissemination of good practice (including good practice within local LSCs). We assume that one of the purposes of performance review should be to identify and reward good practice. If so, the rewarding of good practice should be added to the list of objectives in paragraph 23.
- 8 The publication of revised guidance on provider review should ideally include a glossary of terms. Specifically, the LSC should clarify whether the term 'performance review' includes or excludes the ongoing monitoring arrangements that inform the formal review and assessment of provider performance.

### Question 2

*Do you support reducing the formal reporting of reviews from three times a year to twice a year?*

#### Support

- 9 We agree that the LSC's intervention in the work of providers should be in inverse proportion to the confidence placed in those providers. We believe that this principle should be extended to include the frequency of the provider reviews. In supporting proposals to reduce the reporting of reviews to twice per year, we also recommend a progressive shift towards annual reviews for all providers deemed to be 'effective' or 'outstanding'. This need not compromise the normal process of monitoring visits to providers.
- 10 There is still some uncertainty about the scope and purpose of monitoring visits between formal review exercises. Guidelines should be issued to introduce more consistency and certainty to this process. It should be stressed that monitoring visits have an important role to play in identifying and sharing good practice.
- 11 If provider review is to have an improvement function, all providers (not just those causing concern) should receive comprehensive feedback on the assessment of their performance, as well as an overall grade.

### Question 3

*Do you consider that streamlining the performance review framework into three key performance areas provides an adequate basis for the Council to make an overall assessment of performance?*

#### Agree

- 12 We support measures to refine and simplify the framework for reviewing provider performance. The reduction in the number of assessment categories is a positive contribution to this end. However, questions remain about:
- the overall focus of the review framework
  - the relationship between the three categories for performance assessment
  - consistency with performance criteria used in the Common Inspection Framework (CIF).
- 13 The coherence of the Common Inspection Framework is established through reference to a single question – ‘how effective and efficient is the provision of education and training in meeting the needs of learners and why?’ All seven sub-questions of the CIF are linked to this overall question, which gives focus to the inspection process. Inspection also seeks to examine:
- the relationships between leadership and management (question 7)
  - the quality of education and training (questions 2–6)
  - achievement and standards (question 1).
- 14 A similar set of underpinning principles is necessary to ensure the coherence and integrity of the provider review framework. While the LSC is rightly keen to avoid a mechanistic approach to the weighting of the three proposed performance areas (or to the weighting of evidence sources within each area), it should have a clear understanding of the relationships between these areas when assessing provider performance. Could, for example, a provider be assessed as having an acceptable performance for ‘learner experience and performance’ while giving cause for concern for ‘management’? What would be the implications for overall judgements on provider performance?
- 15 The key policy drivers of the LSC should also be reflected in the review process. While ‘equality and diversity’ figures prominently as one of 10 categories in the current review process, we are concerned at perceptions that this aspect of provision has been diluted in the revised framework. We are concerned, too, that equality and diversity is only cited under the ‘management’ of provision. Clearly, equality issues are just as relevant when considering widening participation, guidance and learner performance.
- 16 Further work will also be necessary to ensure that the criteria set out in the provider review framework (and the standards derived from these criteria) are broadly consistent with those set out in the CIF.
- 17 The criteria for provider review will also need to be linked to other quality improvement measures used by the LSC. In this context it should be noted that the recent consultation paper *Measures and targets for the Quality Improvement Strategy 2002–03 and 2003–04* included no measures for learner participation and recruitment – one of three key areas for provider review.

#### Question 4

*Do you agree that the proposed types of evidence are suitable for assessing performance of the key areas?*

#### Agree

- 18 We welcome the preliminary listing of the types of evidence that will be used to support the provider review process. We look forward to the publication of a more definitive list of indicators as the review process develops further. We believe that the lack of clear criteria for assessing provider performance has been an important factor contributing to problems experienced during the first round of provider reviews.
- 19 We welcome the recognition of the provider's self-assessment report and development plan as key sources of evidence for the review process. We believe that provider review should be pre-eminently about establishing confidence in the self-improvement processes and outcomes of the provider. This should be reflected in a more explicitly declared methodology for provider review, which (reflecting differences from inspection) is essentially one of *quality audit* rather than quality assessment.
- 20 Proposed indicators for *participation and recruitment* are noted and supported. Evidence of market research (the provider's understanding of learner / employer / community needs) could be added to this list. Links should be established to the LSC's quality measures and targets consultation paper for 2002/03 and 2003/04 (see response to question 3 above).
- 21 Assessment of the *quality of the learner experience* is largely reliant on proxy measures. In addition to evidence from learner satisfaction surveys, LSC staff should have authorised access to learners during monitoring visits, to corroborate other sources of evidence, including statements in self-assessment reports. LSC staff will also need to develop competences for the interpretation of evidence on teaching, learning and guidance if they are to address such matters as part of their response to self-assessment and inspection reports.
- 22 Indicators of *learning performance* can be closely aligned to inspection measures. There is a need for the LSC (and the inspectorates) to develop more reliable and consistent approaches to the measurement of value-added and value-for-money.
- 23 There is no clear model of *management* to underpin the review framework. It is unclear, for example, how the suggested evidence base is to be interpreted in relation to the view of leadership and management presented in the CIF. Additionally, we believe that the quality and rigour of self-assessment and development planning should be central to judgements about the overall management of the learning process.

### Question 5

*Do you agree with the proposed use of evidence from inspection reports within the performance review process?*

#### Agree

- 24 We support measures to develop the review process in a way that complements the inspection process. In particular, we welcome proposals to:
- use inspection findings (and the adequacy of the provider response to these findings) as a critical part of the evidence base for performance reviews
  - encourage regular meetings between link inspectors and LSC staff to assist with the interpretation of inspection evidence (particularly on teaching and learning matters)
  - share information on overall categorisation of provider performance to assist with the planning of inspection programmes.
- 25 As a general observation, however, we believe that the consultation document does not say enough about how provider review complements, supports and informs inspection.
- 26 To achieve an integrated approach to continuous improvement in post-16 learning, it is important that the LSC and the inspectorates should develop not only complementary processes for quality improvement but consistent criteria and standards for assessing provider performance. This will require a clearer definition of the relationships between the framework for provider review and that used to support the inspection process. It will also require the more systematic use of findings from the review process to inform the evidence base for all inspection visits. There should be no surprises at inspection if the provider review system is working effectively.

### Question 6

*Do you agree that the performance review framework should categorise performance on a five-point scale?*

#### Strongly agree

- 27 For reasons given in sections 40–42 of the consultation document, we support the proposal that the performance review framework should categorise performance on a five-point scale. Proposals to differentiate provider review from inspection through the use of different assessment scales or categories disguise the issue at hand. Over time, the aim should be to establish confidence in the capacity of the LSC and the inspectorates to make broadly consistent judgements on provider performance.

### Question 7

*Do you consider that there are other activities that will help to ensure that performance review assessments and follow up with providers are consistently effective?*

- 28 We welcome proposals to improve the transparency of the review process. In this context we support proposals to establish an advisory group, which would involve external stakeholders (including providers) to advise on further refinements to the review framework.
- 29 We look forward to the opportunity to work closely with the LSC in addressing development needs identified through the review process.

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