

Through Inclusion to Excellence – An Analysis of the Responses

The Report of the Steering Group for the Strategic Review of the LSC's Planning and Funding of Provision for Learners with Learning Difficulties and/or Disabilities across the Post-16 Learning and Skills Sector.

July 2006

Of interest to Providers, local LSCs, Connexions, local Social Services, Local Authorities, health organisations, Strategic Health Authorities, Primary Care Trusts, learners, other Government departments and agencies.

For further information on the report and the consultation process please email LLDD@lsc.gov.uk

i For information

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Through Inclusion to Excellence – An Analysis of the Responses

Introduction

1 This report summarises the responses received during the consultation on *Through Inclusion to Excellence*. It does not attempt to provide an exhaustive guide to the consultation responses, but to highlight the main points raised. It also includes the formal response of the Learning and Skills Council (LSC) to the report's recommendations. This response is included at Annex A.

Background

2 In March 2004, the LSC National Council endorsed the need for a strategic review of its planning and funding of provision for learners with learning difficulties and/or disabilities. A steering group, independently chaired by Peter Little, OBE, oversaw the review between July 2004 and September 2005, when the report was presented to the LSC National Council. Following formal endorsement of the report, entitled *Through Inclusion to Excellence*, it was publicly launched in November 2005.

3 The report made 40 recommendations, the majority of which are for the LSC. Some, however, relate specifically to the Department for Education and Skills (DfES), providers and other key LSC partners. An overarching recommendation and five key recommendations were particularly highlighted.

The Consultation Process

4 A summary and consultation document was produced to assist, and comments were invited on 16 recommendations. Respondents were also invited to comment on any other aspects of the report, its findings and recommendations. Responses were invited by post, fax or email.

5 The consultation period covered 16 weeks from the launch of the report on 8 November 2005 to a revised deadline for responses of 28 February 2006.

6 During this time CDs of the report and the summary document were distributed extensively, to LSC-funded providers, Primary Care Trusts, Local Authorities and local Connexions Partnerships, among others. To encourage participation by a range of learners, a separate 'easy read' document was also made available on the LSC website.

Responses

7 The LSC received 216 responses from a wide range of stakeholders and individuals. There were significant responses from key representative organisations and from partners. Substantial responses were received from a wide range of providers, including many further education colleges, reflecting their predominance in delivery to learners with learning difficulties and/or disabilities. However, it needs to be emphasised that the responses covered the widest range of interests, including residential specialist colleges and work-based providers. A significant number of responses were received from parents/carers of disabled young people and adults, as well as from learners themselves. A breakdown of the type of organisations that responded to the consultation follows.

| Respondent type | |
|-------------------------------|------------|
| Adult learning provider | 11 |
| Children's trust | 1 |
| Employer | 0 |
| Further education college | 58 |
| Further education institution | 3 |
| Higher education institution | 3 |
| Individual | 24 |
| Local Authority | 20 |
| Local NHS Trust | 3 |
| Local Social Services | 7 |
| National organisation | 11 |
| Other | 47 |
| Regional body | 0 |
| Representative body | 7 |
| School | 1 |
| Sectoral body | 0 |
| Specialist college/school | 11 |
| Voluntary organisation | 6 |
| Work-based learning provider | 3 |
| Total | 216 |

8 The national organisations included seven government and public bodies. The category of specialist college/school included 10 colleges and one school. The individual responses included 15 responses from those who had identified themselves as parents, carers or relatives of someone with learning difficulties and/or disabilities.

9 The category of 'other' can be broken down into the following sub-groups:

| | |
|---------------------------------------|----|
| Charitable organisation | 5 |
| Joint response by learners | 1 |
| Learning Disability Partnership Board | 5 |
| Local provider group | 8 |
| Local Connexions service | 16 |
| Multi-agency group | 10 |
| Professional organisation | 2 |

10 A full list of the respondents who did not wish their responses to be confidential can be found at Annex B of this report. In the interest of privacy, individuals, including those who indicated that they were content that their response was public, are not listed.

Headline Messages from the Consultation

11 An overwhelming majority of the 216 respondents welcomed the report and its direction of travel. There were a number of thoughtful, detailed and constructive comments and suggestions, which are alluded to in the summary that follows. The LSC recognises that while the responses generally supported the recommendations, there were also concerns expressed about aspects of implementation and references to 'unintended consequences' of some current policy.

"There is a growing body of evidence emerging that the targeting of resources on the LSC's public-service agreement target is having an adverse impact on provision for learners with learning difficulties and/or disabilities."
(National organisation)

12 In addition, some respondents commented on perceived gaps or imbalance. For example, one respondent considered that the report was overly focused on the cohort of learners with more complex needs, and that insufficient attention was given to learners with mental health difficulties or acquired disabilities. In contrast, another respondent felt that there needed to be more attention on this group of learners which recognised the situation specific to this cohort. The context, however, for both of the examples above is that the organisations strongly welcome the report.

13 In the same way as the report itself is challenging, the LSC will now consider carefully the constructive comments emerging from this consultation response, which is strongly supportive of the report recommendations overall.

Recommendation 1 – Please provide any comments you may have on the key recommendations from the report.

14 A large number of respondents welcomed the drive to develop a national strategy. Some caution was expressed that a national strategy for regional/local delivery may prove difficult to implement because of the need to align objectives with partner organisations. There was very wide support for collaborative working, but recognition of the importance of buy-in from partners such as health, social services, JobCentre Plus and the Department for Work and Pensions.

“The document’s recommendation that the Learning and Skills Council should develop a national strategy for delivery through collaboration with partners is consistent with the views of the National Audit Office and the Committee of Public Accounts on the learning and skills sector as a whole, that there needs to be a more joined up approach.”
(National organisation)

“It is common sense for education, health and social services to work together around the needs and aspirations of people with learning difficulties and/or disabilities. However, research into collaboration indicates very clearly that it is an incredibly complex challenge.”
(Independent specialist college)

15 Some specific issues were mentioned concerning delivery of this strategy, including the need for alignment with the LSC’s wider *agenda for change*. The need for LSC staff with relevant and current experience and knowledge of this area of provision was highlighted. It was further felt that it was important for providers and agencies to work closer together at regional and local levels to share expertise and knowledge.

“This should be closely aligned to the already well established SEN regional partnerships for schools, and consideration should be given to developing this structure of expert groups co-ordinated by DfES. Aligned to the *agenda for change* we would welcome the development of regional expert groups that provide a coherent planning tool related to business planning activity.”
(Work-based learning provider)

“The only way to get it right for these learners is for agencies to work together, supporting each other to support the learner. This includes agencies other than educational providers taking on some of the

responsibility for funding the costs that are not directly educational. The LSC should fund learning and support for learning.”
(National organisation)

16 Many welcomed the enhanced LSC regional role, noting the importance of having the right structure and individuals in post. Some were concerned that this might make provision less responsive at local level. Others wanted assurance that there would be no loss of consistency and individual entitlement.

“A regional structure with regional priorities for this work is welcomed.”
(FE college)

“One of our most serious concerns is that regional arrangements will lead us back to the days before the Further Education Funding Council (FEFC), when a learner’s postcode often mattered more than their need or entitlement.”
(Representative body)

“High-quality, local, learner-centred provision needs to be available to learners and safeguarded against reduction of funding. There must be consistency of approach by regional LSCs and consistency in the quality and availability of provision for learners in each region.”
(Adult learning provider)

17 The key recommendation for DfES and the LSC to give greater prominence and clarity to this provision being a priority was universally welcomed.

“We agree that greater prominence and clarity should be given to provision for learners with learning difficulties and/or disabilities being a priority. We would want to go further and suggest that improving participation and achievement rates for these learners should be a major success criteria in the LSC’s annual evaluation of provider performance.”
(Voluntary organisation)

Recommendation 2 – DfES and other government departments to consider and propose appropriate transport legislation for those learners over the age of 19 with learning difficulties and/or disabilities.

18 A large number of respondents were positive about this, with many stating that transport was “essential” or “very important” for learners to access provision – for 16+ as well as 19+ learners.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|----------|------------|
| 165 (98.2%) | 0 | 3 (1.8%) | 48 |

19 Flexible arrangements were emphasised to respond to learners’ needs, and as such it was felt to be essential to enable if more adaptable, collaborative, person-centred, experiential opportunities for adult learners are to be realised.

“Transport issues constitute one of the biggest barriers to accessing learning for learners with learning difficulties and/or disabilities.”
(FE college)

Recommendation 3 – DfES and the LSC, in collaboration with appropriate partners and in consultation with the Disability Rights Commission, should agree to share common data sets based on common definitions and terminology to be used throughout compulsory education and into post-16 education and training.

20 This was widely and strongly supported by the majority of respondents.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|----------|------------|
| 157 (94.6%) | 1 (0.6%) | 8 (4.8%) | 50 |

21 Some doubts, however, were expressed, such as:

- the feasibility of agreeing common definitions and terminology
- the ease and willingness of sharing data and the need to be timely
- ensuring data quality
- the transitory nature of some disabilities (for example mental health)
- the individual’s right not to disclose such information will always be an issue for data quality
- adhering to the Data Protection Act.

22 There were many thoughtful and helpful points, such as the importance of considering learners’ personal preferences in terminology. This was also related to changes in the use of language over time, and the need to adapt terminology in response to preferences of different disabled client groups.

“Absolutely. We have asked for this for some time.”
(FE college)

“Strongly support this recommendation and would stress the need to differentiate clearly between learning disability and learning difficulty. It would also be helpful to distinguish between those with a severe or profound learning disability and those with a mild or moderate learning disability.”
(Voluntary organisation)

Recommendation 4 – Providers should consider the quality improvement needs of their provision for learners with learning difficulties and/or disabilities during their self-assessment and development planning processes.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|------------|------------|
| 133 (85.3%) | 0 | 23 (14.7%) | 60 |

23 Evidently, this was another widely supported recommendation; however, there was a certain amount of uncertainty among providers about how this would be implemented and supported. Some notable points raised included:

- this was an essential part of planning
- processes need to be applied consistently across all provision, and not focused predominantly on specialist provision
- reduced inspection cycles and limited number of inspectors with expertise in provision for learners with learning difficulties and/or disabilities have implications for a large range of general and discrete FE provision
- many providers lack levels of expertise to judge improvement needs of most complex learners
- should quality improvement be directly linked to funding?

“There are tensions between the light-touch inspection arrangements and ensuring high-quality provision for this group of learners. It is important that the LSC includes school sixth forms in this process. Schools receiving the sixth-form funding from the LSC must be required to show how they are working towards high-quality provision.”
(Voluntary organisation)

“Without an appropriate framework of progression in place, providers will be hindered in their ability to improve their provision. Learners will be stuck in a revolving-door provision with no aim.”
(Representative body)

Recommendation 5 – The LSC, in conjunction with other key agencies such as the Quality Improvement Agency, should develop a culture of self-improvement and peer referencing and actively support provider networks as ways of developing and improving quality of provision.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|-----------|------------|
| 146 (90.1%) | 0 | 16 (9.9%) | 54 |

24 This was widely supported, although there were some concerns raised over how such networks would be operated, resourced, funded and staffed. It was also suggested that models used within social services commissioning may provide a useful model, rather than requiring the LSC to ‘reinvent the wheel’. It was noted that the development of the learning and skills sector to become more proficient in owning and improving quality was essential.

“Strongly agree. The LSC should actively support the provider networks through funding. Developing a culture of self-improvement and peer referencing is important.”
(FE college)

Recommendation 6 – The LSC to collaborate with LLUK, CEL and other agencies in the development of occupational standards and appropriate qualifications for all staff working with learners with learning difficulties and/or disabilities.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|------------|------------|
| 147 (89.1%) | 0 | 18 (10.9%) | 51 |

25 This was one of the most strongly supported and endorsed recommendations. Where respondents commented, this recommendation generated overwhelming enthusiasm and excitement. The key theme was the recognition of the delivery of this recommendation as a necessity to ensure high-quality provision. This was also seen to be essential at every point of the delivery chain.

26 Significant points were made, relating to the increased demands on the workforce including the need to avoid duplication of qualifications (for example NVQs and the Learning Disability Awards Framework).

“The sector is concerned that recommendations throughout the document make assumptions about levels of competence, both in the LSC in the allocation of places and resources, and in the skills of staff in colleges to delivery. Clearly more thought needs to be given as to how competence can be raised and maintained. There is currently a proliferation of standards; care must be taken that a simple and coherent set of standards is developed that has application in all circumstances. These need to be translated into workman-like training programmes,

ideally unit-based, that allow for incremental and continuous development of and specialisation by practitioners.”
(Representative body)

“Independent specialist colleges are being challenged by ever greater complexity, particularly from those learners with emotional and behavioural difficulties and learners with mental health needs; if providers are to meet the needs of learners then sustained improvement in training and development of staff will be required.”
(Representative body)

“This is essential. It is important that all staff working in education and skills provision are able to include learning-disabled people. People with learning disabilities and family carers are a rich resource for staff training. This approach is now used in the social care, health and schools education sectors.”
(National organisation)

Recommendation 7 – The LSC to develop and propose to DfES appropriate performance indicators with regard to participation and achievement for learners with learning difficulties and/or disabilities.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|------------|------------|
| 108 (66.3%) | 0 | 55 (33.7%) | 53 |

27 Respondents were generally positive about this recommendation, but a significant number expressed concerns about how the performance indicators would be defined and measured. The Recognising and Recording Progress and Achievement in non-accredited learning (RARPA) system was strongly supported. It would be important to measure performance across the whole sector with equality, as follows:

“Work-based learning is often measured by progression, where FE is often measured by achievement of qualifications. Qualification achievement on its own does not progress people through to employment.”
(Representative body)

“It is essential that colleges and adult education and training providers measure the outcomes for learners with learning difficulties and/or disabilities, and that there are targets for progression and improvement.”
(National organisation)

“Need to have clarity to address the conflict between aggregated performance indicators and person-centred learning and achievement. The Qualifications and Curriculum Authority (QCA) works on the development of a Foundation Learning Tier in the qualifications framework should also assist this.”
(Independent specialist college)

“This needs careful consideration. Progress and achievement of [these] learners do not fit neatly into achievement data tables – nor should they. The LSC must not lose sight of this and try to fit achievements into neat boxes, otherwise nothing will change.”
(FE college)

Recommendation 8 – The LSC to develop inclusive measures of success, to be used by providers and to be used by the LSC in agreeing, monitoring and reviewing provider plans.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|------------|------------|
| 117 (75.5%) | 1 (0.6%) | 37 (23.9%) | 61 |

28 As with the previous recommendation, respondents were generally positive, with a number expressing concerns about how the measures would be developed and used. Many stated they would like the development to be done in conjunction with experienced providers.

“Suggest that what is defined as an achievement is carefully considered. Some concern over participation target, as there are so many influencing factors. There needs to be a transparent framework, so that valid judgements can be made that are transferable across a range of providers.”
(FE college)

“A distinction must be made here between participation and achievement. Provider performance indicators with regard to participation rates would be valuable for all learners with learning difficulties and/or disabilities, as such setting target participation rates for providers. However, for some learners, including some blind and partially sighted learners, performance with regard to achievement should be the same as for general learners.”
(Voluntary organisation)

29 Other comments included the need for consistency across all provision for learners with learning difficulties and/or disabilities. Equality and

Diversity Impact Measures could be expanded to include more reference to disability issues. Any development must be straightforward, user-friendly and must not increase the bureaucratic burden.

Recommendation 9 – In line with the requirements under the Disability Equality Duty, providers should introduce more effective means of capturing and taking account of the views and experiences of people with learning difficulties and/or disabilities.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|------------|------------|
| 139 (84.8%) | 1 (0.6%) | 24 (14.6%) | 52 |

30 Most respondents who expressed a clear view strongly supported this recommendation. There was also a view that parents’ and carers’ views should be taken into account. Others were concerned that it was important to hear the views of those who were in this cohort, but were disengaged and not in education, employment or training.

31 There could be funding implications to support learners at consultation meetings, and some worried about ‘consultation overload’. Others emphasised that consultation with disabled people is a requirement under the new Disability Equality Duty, and must be proactive in decision-making. Finally, different groups of disabled people may have different needs and concerns, and these need to be facilitated.

“Definitely, but as well as listening, act on this, as so quickly frustration and tempers erupt, showing Emotional and Behavioural Difficulties that could be avoided.”
(Parent of learning-disabled adult)

“Absolutely essential. Cross-college surveys get the opinions of service-users on the service they have received, and learners with learning difficulties and/or disabilities are represented on our Board of Governors and the learner representative body. The next step will be to involve [these learners] in planning and developing provision, and this will be included in our Disability Equality Scheme.”
(FE college)

“We think it is good that students with learning difficulties are being asked what they think. We all think it is good to be able to go to college because you meet new people and you learn new things. What we would

like about going to a local college is that we would be able to go home every day and see our parents. We all decided to come here because there are lots of good things too about residential colleges. We think that being away from home helps students to learn to be more independent. Lots of us were bullied at school and we think it would happen to us again at big local colleges. We all think there are lots of good things about going to your local college and some of us hope to do that when we leave here. We think that college courses for students with learning difficulties should help them to get ready for work. We do lots of work experience here and we enjoy it.”

(Learners at an independent specialist college)

“The new Disability Equality Duty should be used as a powerful lever for change, and commissioners and providers need to be able to demonstrate that they are properly meeting the needs of people with a learning disability.”

(Voluntary organisation)

Recommendation 10 – The LSC and DfES to clarify planning arrangements for schools to enable a single planning process for providers delivering to post-16 learners.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|------------|------------|
| 125 (82.8%) | 1 (0.7%) | 25 (16.5%) | 65 |

32 Respondents were positive about this recommendation, however a large number admitted they needed to know more about its proposed ‘single planning process for providers’. Others knew less about current planning arrangements for schools, and felt they could not comment. This probably reflects the low profile of these mechanisms among much of the rest of the sector. The key role of Connexions in transition planning was highlighted.

“A single planning process needs to be aligned with real, practical and impartial advice for all learners and their parents. Much work needs to be done to ensure transitions are far smoother than currently.”

Recommendation 11 – DfES, with appropriate input from the LSC, should undertake a review of statements of Special Educational Needs (SEN) in relation to post-16 learners.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|------------|------------|
| 118 (78.1%) | 3 (2%) | 30 (19.9%) | 65 |

33 The majority agreed that a review of SEN would be positive. A few respondents either stated a strong preference for retaining or ending the statementing process. A significant number of respondents noted the reluctance of some Local Authorities to give out statements because of resource implications. Concerns were also expressed about the time-consuming and bureaucratic nature of the process.

"The issue seems to be that SEN transition processes are not being followed and that the dual system may inadvertently encourage this. Person-centred approaches need further encouragement to result in clear implementation. There are many examples of good practice on transition and just as many bad examples."
(Voluntary organisation)

"Agreed. It was strongly advocated in our group that there should be legislative clarification of responsibilities, shared responsibilities and where responsibilities might pass from one agency to another."
(Local multi-agency group)

Recommendation 12 – The LSC explores the possibility of allowing 'not for profit' providers to opt for 'grant in aid' status or, if this is not feasible, the LSC, to ensure parity, should explore a new contracting system for 'not for profit' providers.

| Agree | Disagree | Not sure | No comment |
|------------|----------|------------|------------|
| 78 (73.6%) | 0 | 28 (26.4%) | 110 |

34 This recommendation was generally welcomed; however, a large number of respondents chose not to comment, or stated that they did not have the

knowledge or experience to agree or disagree. For some 'not for profit' providers, however, this was a key recommendation.

35 Some expressed concerns on quality aspects and the costs of spreading provision too thinly without adequate support systems and structures in place, reflecting that it might possibly reduce the potential for local/regional economies of scale.

"Funding and the continuity of funding are the biggest headache for voluntary and community sector (VCS) providers like us. In the longer term, if we survive the loss of European funding, we would certainly welcome this recommendation and another recommendation to consider a common funding approach across the whole of the post-16 sector. Action along these lines could help provide some much-needed stability and continuity concerning funding for VCS providers."
(Charity)

"Whatever their status, all providers need to be subject to the same quality standards. Colleges believe that 'grant in aid' changes of status would require legislation and may be difficult to achieve."
(Representative body)

"We feel this will be essential if LSCs are to benefit from the new common approach to funding emerging from the *agenda for change*.
(Representative body)

Recommendation 13 – The LSC, the inspectorates, the Quality Improvement Agency and other funding partners should investigate, as appropriate, the benefits to the learner and any financial benefits associated with provider co-location.

| Agree | Disagree | Not sure | No comment |
|------------|----------|------------|------------|
| 98 (74.2%) | 2 (1.5%) | 32 (24.3%) | 84 |

36 As with the previous question, it was generally welcomed, but a large number of respondents chose not to comment. Some respondents raise a number of concerns that this may be pursued primarily to save money, and may 'ghettoise' this provision. Some smaller providers with unique approaches to local issues could be taken over by larger providers. Other respondents wanted a workable action plan to ensure that co-location starts to happen regionally and locally.

“The needs of the learner must be paramount, and some concerns have been raised that provision for LLDD may be ghettoised in a co-location approach, rather than the integrated mainstream approach, providing this is properly resourced. More detail of the proposed role of agencies is needed here.”
(Representative body)

“This would depend upon local circumstances, development opportunities and existing provision, and should not be seen as a one-size-fits-all approach. Integration of services could be achieved by other methods, such as staff sharing and collaborative programmes.”
(Independent specialist college)

“We definitely agree. We are working closely with our local college to set up a co-located provision for our 16–19-year-olds.”
(Special school)

Recommendation 14 – The LSC to ensure that employment-related provision is accessible and actively encourages participation of those with learning difficulties and/or disabilities.

| Agree | Disagree | Not sure | No comment |
|-------------|----------|------------|------------|
| 136 (84.5%) | 0 | 25 (15.5%) | 55 |

37 This was a widely supported recommendation, but a large number highlighted the challenge in implementing it. Notable points raised included the huge challenges in funding access-to-work and work experience programmes. The role of employers was also highlighted. Some advocated incentives, while others pointed out that the role of supported employment providers is undervalued and unrecognised in terms of potential contribution to this agenda. A key issue was the need to reflect the levels of support that may be needed in the workplace, at least during the transition period.

“We strongly support this recommendation. Linkage and involvement with supported employment providers will provide immediate access to such learners and will provide a seamless support service to individuals as they progress through the stages of transition, with a strong emphasis on employment throughout.”
(National organisation)

“Definitely! It’s terrible that work experience without pay seems to go on forever – for years!”
(Parent of learning-disabled adult)

38 Many respondents highlighted that it would be more appropriate to fund learning within a workplace environment and accredit skills development than to pretend that pre-vocational provision will enhance learners’ employability. Concerns were further expressed that the LSC should not fund established providers with little or no experience of delivering supported employment services. In these circumstances it was stated that the LSC needs:

“... to be more outward-looking and for education providers to work more collaboratively with local partners.”
(National organisation)

“More disabled people should be given ways of learning skills while in paid work, and should be told about ways to get jobs. This should be part of their education. This includes people on incapacity benefits.”
(A local Learning Disability Partnership Board)

Recommendation 15 – The LSC to consider how their reformed planning and funding arrangements can safeguard and strengthen access to Level 2 achievements and employment outcomes for these learners.

| Agree | Disagree | Not sure | No comment |
|----------|----------|----------|------------|
| 79 (56%) | 0 | 62 (44%) | 75 |

39 This recommendation generated the most concern from respondents, although the majority supported it. The concerns centred around the inappropriateness of Level 2 provision for some of these learners, and the possible detrimental effects resulting from too great a focus on achieving Level 2. Others commented that for some learners, education is more than a recognised qualification; acquiring social and life skills can add considerably to quality of life. Likewise, progress at lower levels should not be undervalued. The importance of recent QCA developments, including the Foundation Learning Tier, was also highlighted as crucial.

“In relation to coherent programmes of study, learning to Level 2, we welcome recent work on Foundation Tier Learning by QCA and the LSC that provides a much more holistic and coherent programme that may be particularly useful in meeting the individual needs of learners with learning difficulties and disabilities. Funding for this Tier needs clarification. We agree that consideration must be given to safeguarding and strengthening access to Level 2, while also acknowledging that this will be an inappropriate aspiration for some learners with more profound difficulties.”
(Representative body)

40 Respondents noted that providers ought to be able to set slower-paced learning goals within courses at levels appropriate to learners’ abilities and aspirations.

“It is important that learners with learning disabilities are able to access the full range of provision so that they can live fulfilling lives in their communities. Many people will be learning at pre-entry level. However, this should not mean that they are denied access to the whole curriculum. It is essential that people’s learning is acknowledged and accredited.”
(National organisation)

“Many low-skilled learners require ‘step-up’ learning to move towards Level 2. The LSC explained its commitment to protecting and increasing funding for people with learning disabilities up to 2008 at a hearing of the Public Accounts Committee late last year.”
(National organisation)

“While we support this recommendation, we believe it is also important that learners should be able to access NVQ Level 1 where appropriate, and increase the range of their skills at this level, as well as progressing to elements of Level 2 qualifications as appropriate. For learners for whom Level 2 might be unattainable but employment would be realistic, alternative means of access to employment are needed, for example through supported employment schemes in each locality.”
(National organisation)

Recommendation 16 – Please provide any comments you may have on the findings of the report and any recommendations that are not outlined above.

“An excellent and most important report. Everything within it has been identified as an issue for provision for learners with learning difficulties and/or disabilities provision for many, many years. It now needs courage

and commitment from the LSC and central government to make things happen with clear timescales. These issues must not rumble on for another four or five years.”
(FE college)

41 The respondents offered a range of comments, which are outlined below:

- Many respondents would have liked more clarity over the funding arrangements that would be used to fund the recommendations.
- Parents, carers and independent specialist colleges were strongly in favour of retaining the right to access specialist provision.
- Many respondents were concerned that the apparent focus on local provision will encourage cheaper, ineffective provision at local institutions rather than more costly independent specialist provision.
- It is important that those with profound and challenging support needs are not disadvantaged by a sole focus on targets or outcomes (and therefore funding) at a higher level (for example at Level 2 or in employment).
- There was concern that the report’s recommendations would not serve well learners who have a low incidence disability – concern about the viability of small groups of learners accessing specialist provision.
- There was concern that if the LSC stops paying for health and care costs, somebody will have to put together funding ‘packages’ from different service providers in order to fund provision for each learner.
- This also has the potential to impact on the costs of Primary Care Trusts and Local Authorities. It is essential that they have additional ring-fenced funding in order that young people’s needs are met and that there is adequate provision.
- Issues concerning ethnic minority communities and the link towards equality and diversity in relation to learners with learning difficulties and/or disabilities should have been considered more.
- Transition to higher education is important and should not be overlooked.

42 It is to be noted that two contradictory themes emerged among the comments: some respondents wanted the report to be more strategic, setting out a vision of **what** provision should be; other respondents wanted greater operational detail about **how** the recommendations would be implemented.

43 The large number of relevant and thoughtful comments will help to inform the LSC's implementation and dialogue with partners as this agenda is taken forward.

"This report is timely in its publication. With this report the LSC has been offered a wonderful opportunity to move through inclusion to excellence. We are hopeful they will take the challenge head on."
(National organisation)

Annex A – The Formal LSC Response to *Through Inclusion to Excellence*

1 On 21 September 2005, the Learning and Skills Council's (LSC's) National Council received *Through Inclusion to Excellence*, the report of the steering group for the strategic review of the planning and funding of provision for learners with learning difficulties and/or disabilities. The National Council unanimously endorsed the report. The report was then made publicly available for consultation between 8 November 2005 and 28 February 2006. The following is the LSC's response to the recommendations made. This response will focus on the key recommendations and, therefore, does not incorporate detailed discussion of other proposed actions.

2 *Through Inclusion to Excellence* mirrors our aspiration for a balance of national consistency and local flexibility to deliver provision that is both innovative and offers parity of experience for all people – wherever they access learning. Thus, the LSC warmly welcomes the report, which has succeeded in the core ambitions of the terms of reference of the review, that is to inform and shape the LSC's work so it can better meet growing demand and secure the very best learning opportunities for people with learning difficulties and/or disabilities. The review's purpose was to be strategic in nature, and thus to provide a framework within which the LSC can improve its planning and funding processes. The report provides this framework and an underpinning philosophy to drive forward the proposed changes.

3 The LSC commits itself to delivering all of the report's recommendations for which it has direct, or part, responsibility. In addition, *Through Inclusion to Excellence* names several other key agencies as responsible for delivering recommendations. The LSC will support and work collaboratively with these partners, and others as necessary, to implement the recommendations.

4 The report has considerable congruence and overlap with our own *agenda for change* programme. It

is notable that the report also mirrors the themes of *Further Education: Raising Skills, Improving Life Chances*. It may also directly support the LSC in any role it may have in supporting Jobcentre Plus and the Department for Work and Pensions in delivering the outcomes from *A new deal for welfare – empowering people to work*.

5 The LSC welcomes the overarching recommendation that our organisation should develop a national strategy for the regional/local delivery, through collaboration with partners, of provision for learners with learning difficulties and/or disabilities across the post-16 learning and skills sector that is high-quality, learner-centred and cost-effective.

6 The LSC commits itself to a national strategy. This will be complemented by each region presenting its emerging vision and initial strategies within the context of its strategic commissioning plan. These plans will be available from autumn/winter 2006, and will be used to inform and complement the annual cycle of planning. Our Annual Statement of Priorities outlines our headline drivers to inform local planning discussions; we believe that these strategies will provide the necessary additional detail to inform dialogue.

7 The LSC is committed to the policy of 'Investment for Change'. Working within the budget granted to us by DfES, we shall, in 2006/07, introduce targeted investment activity, on a regional basis, to begin to engender systemic change. This first year will enable us to identify effective activities and thus allow investment in subsequent years to have a continued impact. We shall continue to support this process within wider policy agendas and will ensure that the provider network is not destabilised and, most importantly, that learners are not disadvantaged.

8 As indicated in the report, the majority of the recommendations arising from the review are for the LSC. This is unsurprising, given its remit. The LSC has considered those recommendations which relate directly to its internal structures. We agree that the LSC should have consistent regional staffing structures to enable strategic and operational oversight of the development of appropriate, coordinated, collaborative and consistent provision for learners with learning difficulties and/or disabilities. Consistency within regions is a key element of the seventh theme of the *agenda for change*: internal LSC transformation. These recommendations are already being implemented as part of the seventh theme.

9 *Through Inclusion to Excellence* makes particular reference to the idea that there should be a designated individual at a senior level whose role it is to provide the necessary operational oversight. The LSC has created this role. There is now an LLDD Manager for each region. This individual will be supported by a team of LLDD Advisors, the numbers of which vary due to regional need. These roles will be complemented and supported by the regional Directors of Learning, Planning and Performance, who will have responsibility for the strategy for implementation, and also by the Partnership Directors, who will be responsible for implementation at a local level. The effectiveness of the arrangements will be kept under review.

10 The LSC is confident that the structure will be fit for purpose and will enable our organisation to be effective in ensuring excellence in its activities to secure and improve learning provision for people with learning difficulties and/ or disabilities.

11 The central recommendation for driving forward and enabling collaborative working indicated that the LSC should consider the development of a common funding approach across the whole of the post-16 learning and skills sector. As highlighted in *Further Education: Raising Skills, Improving Life Chances*, DfES and the LSC are committed to a single, integrated funding system for school sixth forms, colleges and training providers, based on the approach set out in the LSC's *agenda for change*. Development in this area is progressing.

12 *Through Inclusion to Excellence* further recommends that the Minister for Lifelong Learning, Further and Higher Education should raise the issue of the LSC's spend on health/care costs with appropriate ministers in other government departments. Our DfES colleagues have informed us that early action on this has begun. It is anticipated that these discussions may yield an agreement regarding appropriate funding responsibilities and partnership working.

13 The final key recommendation from *Through Inclusion to Excellence* was that DfES, in its Grant Letter to the LSC for 2006/07, and the LSC, in its Annual Statement of Priorities, should give greater prominence and clarity to provision for learners with learning difficulties and/or disabilities being a priority. DfES has actioned this recommendation. Our Annual Statement of Priorities has also given greater prominence and clarity to this being a priority. It clearly states that the LSC will "support all learners to meet their potential, narrowing the gaps in performance by people from different backgrounds."

14 The LSC National Council has delegated the role of monitoring and advising the LSC on the implementation of *Through Inclusion to Excellence* to its Equality and Diversity Sub-Committee on Learners with Learning Difficulties and/or Disabilities. Dr Peter Lavender of the National Institute of Adult Continuing Education (NIACE), in his capacity as a member of the Equality and Diversity Committee, chairs this group. Peter was a member of the steering group for *Through Inclusion to Excellence*. To support continuity, Peter and Shirley Cramer, Chair of the Equality and Diversity Committee, have invited Peter Little, OBE, the Chair of *Through Inclusion to Excellence*, to join the Sub-Committee. This is complemented by clear internal LSC reporting lines, structures and steering mechanisms at executive level.

15 The LSC will report on progress on the implementation to the Sub-Committee and it is anticipated that in 2009/10 the LSC will formally publish a report detailing the progress and successes in taking forward *Through Inclusion to Excellence* over the first two to three years of this new era.

Annex B – List of Respondents

| | |
|---|--|
| Access and Inclusion Service | Bury Metropolitan Borough |
| Aldingbourne Trust | Calderdale College |
| Ashton Sixth Form College | Calderdale Learning Services |
| assa Training and Learning | Cambridgeshire County Council |
| Association of Colleges | Catholic Education Service for England and Wales |
| Association of Learning Providers | Chichester College |
| Association of School and College Leaders | City and Islington College |
| Association of Specialist Colleges | City College, Norwich |
| Barnet College | City of Westminster College |
| Basingstoke College of Technology | College of North East London |
| Beacon Hill Special School | College of North West London |
| Bexley Adult Education College | Connexions Bournemouth, Dorset and Poole |
| Blackburn College | Connexions Central London |
| Bournemouth and Poole College | Connexions Cheshire and Warrington |
| Bournville College | Connexions Cornwall and Devon |
| Brighton and Hove Learning Partnership | Connexions Cumbria |
| British Association of Supported Employment | Connexions Derbyshire |
| Bromley College | Connexions Essex, Southend and Thurrock |
| Bromley Local Education Authority | Connexions Greater Manchester |
| Burnley, Pendle and Rossendale Primary Care Trust | Connexions Herefordshire and Worcestershire |
| Bury Adult and Community Learning Service | Connexions Norfolk |

| | |
|---|--|
| Connexions Northampton | Halesowen College |
| Connexions South London | Hampshire Learning Disability Partnership Board |
| Connexions Tees Valley | Harlow College |
| Connexions Tyne and Wear | Harrogate College |
| Cornwall College | Harrow College Consortium |
| Coventry and Warwickshire Travel to Learn Forum | Hastings College of Arts and Technology |
| Cumbria City Council | Henshaws College |
| Cumbria WBL Providers Forum | Herefordshire Council |
| Department of Education, University of Lancashire | Hereward College |
| Derbyshire County Council | Hertfordshire County Council |
| Derwen College | Hill Road Sixth Form College |
| Devon and Cornwall LSC Working Group on SEN Strategy Issues | Kent and Medway LLDD Strategic Management Steering Group |
| Devon Social Services | Kent Consortium of Profound, Severe and Complex Needs Schools |
| DfES – Connexions Performance and Transition Team | Kent County Council |
| Doncaster College | King George V College |
| Dudley College of Technology | Kingsley Resource Centre |
| Dunstable College | Kirklees Metropolitan Council |
| East Berkshire College | LDD managers in Devon FE colleges |
| East Devon College | LDD/SEN Sub-Group of Herefordshire 14–19 Strategy Group |
| East Riding College | Learning and Skills Development Agency |
| Essex County Council | Learning Disability Task Force (incorporating the Valuing People Support Team) |
| Essex Transitions | Leeds City Council |
| Exeter College | Leicestershire Adult Learning Service |
| Farnborough College of Technology | Lewisham College |
| Foundation for People with LD | |
| Greater Peterborough Primary Care Partnership | |

| | |
|---|--|
| Lifelong Learning and Employment Sub-Group of Westminster City Council and Royal Borough of Kensington and Chelsea Learning Disability Partnership Boards | North East Worcestershire College |
| Linkage College | North Shropshire District Council |
| London Borough of Ealing and Primary Care Trust | North Shropshire District Council – Paul Lewis-Grundy |
| London Borough of Waltham Forest CLaSS | North Tyneside Adult Learning Alliance – Adult Basic Education Service |
| LSC Cumbria Equality and Diversity Advisory Group and the Learners with Learning Difficulties and/or Disabilities Advisory Group | North Tyneside Education and Cultural Services |
| LSC North East Consultation Event Collective Responses | North West Connexions Partnerships |
| LSC Suffolk | Norton College |
| Manchester Learning Disability Partnership | Oaklands College |
| Medway Adult and Community Learning Service | Oldham College |
| Medway Council | Oldham Lifelong Learning |
| MENCAP | Opsis – National Association for the Education, Training and Support of Blind and Partially Sighted People |
| Mid-Kent College | Orchard Hill College |
| Milton Keynes Strategy LDD Group | Our Celebration |
| National Association of Disability Officers | Pan London LLDD Quality Network |
| National Audit Office | Papworth Trust |
| National Extension College | People in Action |
| National Institute for Mental Health for England | Percy Hedley Foundation |
| National Institute of Adult Continuing Education | Physical and Sensory Support Service, Surrey County Council |
| National Star College | Plumpton College |
| New Horizons | PLUSS |
| Newcastle City Council | Qualifications and Curriculum Authority |
| Newcastle College | Rathbone Training |
| Newham Sixth Form College | Reading Adult College |
| North Devon College | Remploy |
| | Royal National College for the Blind |

Royal National Institute for the Blind

Ruskin Mill Educational Trust

Salford Plait – a joint forum of Eccles College, Pendleton College and Salford College

SENSE East

Sensory Support Service, Norfolk

Sheffield College

Six Learners at Fairfield Opportunity Farm

Skill, the National Bureau for Students with Disabilities

Solihull College

Somerset County Council Local Authority Strategy Groups for 16–19 PMLD Provision in South Somerset and West Mendip

Somerset Learning Disability Partnerships Board

South East Essex College of Arts and Technology

South London Learning Partnership SEN/LLDD Network

South Thames College

St Helens College

Staffordshire Social Care and Health

Stanmore College

Stockport College

Stockport Metropolitan Borough Council – Children and Young People’s Directorate

Stockton Riverside College

Suffolk College

Sussex Downs College

Swindon College

Tamar Local Authority

Tameside Learning Disability Service

The Harrington Scheme

U Can Do I.T.

University of Worcestershire

Valence School

Valuing Medway People Learning Disability Partnership Board

Visual Impairment Association

Wakefield College

Wakefield Local Authority

Warrington Borough Council

Warrington Collegiate

Warwickshire College

West Kent LLDD Collaborative Group

West Nottinghamshire College

Westminster Kingsway College

Worcester College of Technology

Writtle College

York College

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