

RAISING STANDARDS IN POST-16 LEARNING

Response to Consultation Further Education Funding Council

Introduction

1 The Council has a strong commitment to raising standards and is actively pursuing a quality improvement strategy. This has resulted in a range of initiatives including regular regional reviews of college performance, the publication of benchmarking data and accreditation by the Council of colleges performing well. The Council is pleased to have this opportunity to respond to the DfEE consultation document which proposes arrangements for the Learning and Skills Council (LSC) to take forward work on standards from April 2001.

2 Overall, the Council finds the consultation documentation helpful. It is encouraged to note that many of its current initiatives are echoed in the proposed arrangements. The document is, however, somewhat complex and not always even in the level of detail it provides. The detail included in table 2, for example, is not matched by equivalent detail about the mechanisms related to provider reviews. The important role of audit in assessing and helping to improve standards is only mentioned in passing.

3 The Council's view is that, at this stage in the LSC's development, it might be helpful to use the current consultation primarily to establish support from providers for a high-level framework for raising standards. This might include, in broad terms, the main mechanisms to be used, what each is intended to achieve and how they might work together. A key task for the LSC will then be to develop a quality improvement strategy employing the agreed mechanisms. This can be consulted on at a later stage.

4 The Council also has some concerns about terminology. It notes that 'supplier' is used throughout the document when, for example, the common inspection framework consultation uses the preferable term 'provider'. The consultation also refers to the LSC 'contracting' with 'suppliers' when other published documents refer to the use of financial memoranda. It is the Council's experience that the use of standard terminology helps to build confidence in the coherence of policy development. This aspect might be reviewed with the aim of establishing a common glossary which can be used for all emerging policy documents associated with the work of the LSC.

5 The following paragraphs comment on each of the questions set out in the consultation document. In each of the responses the term provider is used rather than supplier.

Design Principles

Q1 Do you agree these are the key design principles to underpin the development of the arrangements for raising standards in post-16 learning?

Summary response: Tend to agree

6 The Council considers the design principles to be a generally useful summary of what the LSC should aim to achieve and the consultation document should describe. However, there is little in the language used for the principles to convey any form of partnership between the LSC and providers. The Council's experience is that continuous dialogue with colleges and independent specialist institutions about matters of quality has been very helpful in developing its strategies and specific initiatives. It might be reassuring to include a commitment, in principle, that the LSC will take the views of all providers into account when developing methods for improving standards and/or maintaining them at a high level. It would also be helpful to include a definition of what is understood by standards in general, and high standards in particular, early in the final document. This should be developed in consultation with the inspectorates.

7 The meaning of the third principle, "*the way the arrangements are applied will reflect standards achieved by suppliers and the diversity of delivery situations and of learner needs*", is not clear. The wording might be simplified. It is also not immediately clear how this and the first principle, asserting that "*all suppliers will be subject to the same degree of rigour in assessing the quality of their provision*", will be linked in practice.

8 The Council particularly welcomes the commitment to build on what currently works well, contained in the last principle.

Raising Standards in Post-16 Learning

Q2 Do you agree that these proposals provide clear responsibilities for those involved in raising standards in post-16 education and training?

Summary response: Neither agree nor disagree

9 Although the descriptions of the way various key organisations will interact are helpful, they also bring to the fore significant concerns about the relationship between the LSC and the Employment Service (ES). While it is clear that there is a wish to align the way in which these services operate, it is still evident that many providers will have to deal with two agencies, both of which will operate their own arrangements for contracting and raising standards. The Council would urge the DfEE to do everything it can to ensure that providers have a single point of contact for publicly-funded provision and, from their perspective, are only subject to a single administrative system. This would be a way demonstrably to live up to the declared principle of minimising bureaucracy.

10 From the perspective of further education, there is a range of organisations which have significant roles in the task of raising standards. Amongst these are the Further Education Development Agency (FEDA), the Further Education National Training Organisation (FENTO), the Association of Colleges (AoC), the Quality Assessment Agency (QAA) and the Qualification and Curriculum Authority (QAA). More detail on how the LSC, nationally and locally, will be linked to these organisations would help colleges understand how the work of raising standards will be co-ordinated.

LSC and ES Contracting Arrangements

Q3 Do you agree the proposed contracting arrangements strike the right balance between ensuring high quality provision while encouraging innovation and new suppliers to enter the market?

Summary response: Tend to agree

11 It will be important to ensure that the LSC builds on the work by TECs on encouraging enterprise and initiative. The Council endorses the intention to encourage new providers provided that they are able to attain appropriate standards in their operation and fulfil a recognised need. In this context, the Council's experience confirms the value of professional advice received from inspectors when making decisions about whether to fund new providers. Such advice goes beyond the more straightforward suitability tests, particularly in relation to the prospective provider's ability to deliver its curriculum to a high standard and the sufficiency of its resources. The Council would therefore encourage the LSC to take advice from ALI and OfSTED before agreeing to fund a new provider.

Requirements of Suppliers

Q4 Do you agree with the requirements of suppliers and do they focus effectively on raising standards?

Summary response: Tend to agree

12 Chapter three of the consultation document generally makes it clear that providers will be expected to raise standards and that they will also be required to provide a range of information to the LSC on a regular basis for monitoring purposes. In this regard, the Council strongly supports the use of annual self-assessment against the common inspection framework. The Council also endorses the development by providers of annual development plans as an outcome of self-assessment. The Council would recommend, however, that more work needs to be done to link self-assessments, the use of performance indicators, target setting, development plans and strategic planning processes. At present it is not clear how these interlock.

13 In addition, providers may be concerned about the processes the LSC will use to check on self-assessments and assess progress in meeting actions listed in development plans, particularly if these relate to the quality of curriculum delivery in the years in between inspections. The inspection system will require to maintain an appropriate balance between the inspection of performance in the classroom, and performance in cross-institutional areas, such as governance and management. The consultation document makes it plain that the LSC will not inspect providers, and the Council strongly endorses this approach, but it does not detail how assessments might be made in practice. This is a key area which needs clarifying, to allay any fears of duplicated inspection activity.

Q5 Do they favour any particular types of suppliers at the expense of others?

Summary response: None offered

14 A key objective of a common approach to raising standards must be that the LSC's expectations are seen as compatible, but not necessarily identical, across all providers. This should not only apply when drawing up requirements but also when measuring performance. The Council recognises the imperative of not placing additional burdens on schools with sixth forms and would hope the same principle is applied to colleges as thoroughly. Until more information is available about local education authority practice, it will not become clear whether schools or other providers are favoured by the proposed arrangements. Equally, it is not clear whether, for example, a small independent training provider or Learndirect contractor will need to work to a greater extent than a college in order to provide the data required by the LSC.

15 The Council strongly recommends that proposed data requirements are thoroughly 'field tested' and reviewed, before they are finalised. The establishment of the LSC should provide an opportunity to ensure that data requirements on providers are rationalised and kept to a minimum.

Q6 Do you agree that a statement on post-16 learners' entitlements and responsibilities would be valuable for learners? What are the key issues to be addressed in taking this proposal forward?

Summary response: Strongly agree

16 Statements of entitlement are already commonplace in further education. In most cases, these have been developed by individual colleges on the basis of the Charter for Further Education. A nationally-accepted statement of entitlement would do much to secure standards provided that it included measurable elements. The key objectives should be to ensure that all provider types contribute to the development of such a statement and that any agreed statement takes account of all reforms proposed within the legislation, including those covering areas such as careers guidance and other support services for young people.

17 The Council's recommendation is that any statement of entitlements should cover provision for learners of all ages.

Q7 What are the key issues in developing common measures and evidence portfolios for the LSC/ES and other national agencies to inform quality monitoring arrangements?

No summary response required

18 The goal of establishing common measures of performance and common evidence portfolios has been adopted before and found to be difficult to achieve. The primary cause has been that because agencies have different remits they have different requirements and different ways of analysing data. Providers work hard to satisfy the diverse requirements placed on them and there has been some progress by agencies which liaise, such as the Council and the Training Standards Council in respect of inspection requirements.

19 Despite the difficulties, the Council considers it essential to retain the objective of achieving as much commonality as possible to reduce the burden on providers. In parallel with this, there should be the maximum amount of sharing and transfer of both existing and historic data between agencies, through transactions which are transparent and fully understood by suppliers. In this regard, maximum use should be made of new technologies enabling electronic distribution of data and remote access to databases.

Q8 Do the proposed performance indicators provide an appropriate base to assess quality and continuous improvement effectively?

Summary response: Yes, in general

20 The list proposed in paragraph 19 of chapter three suggests aspects of performance about which information will be gathered, rather than specifying performance indicators in detail. Some aspects, for example, the timeliness and accuracy of data are not included even though they are effective indicators of quality. There are also no references to matters of governance or providers' own audit outcomes which indicate the quality of provision. Further development is recommended, in consultation with providers.

Q9 In what circumstances are published comparative performance information and benchmarking helpful in raising standards? Are there circumstances where such information should not be published?

Summary response: Alternatives do not apply to question

21 The Council endorses the principle of openness in relation to the performance of providers funded from the public purse. In this context, it has regularly published

comparative performance information and has established a range of benchmarking data. Such publications assist public accountability, increase colleges' knowledge of their performance and facilitate quality improvement. However, alongside gathering and validating data, significant attention has to be devoted to contextualising performance information, either to explain its meaning or account for individual colleges' variance from norms. It is also of vital importance to be clear about the purpose and likely impact of comparative performance information before publishing it. Experience has shown, for example, that information published by the Council can have a significant influence on college planning and behaviour.

22 Account also has to be taken of commercial confidentiality and the impact of information gathering on small organisations.

The LSC and ES supplier review

Q10 Do you consider the proposed supplier review will be effective and will identify suppliers who need to improve performance and who need additional support and/or guidance from the LSC and/or ES?

Summary response: Yes

23 The Council believes that providers' performance should be continuously monitored to safeguard public funds and ensure the best provision for learners. The regional review process operated by the Council ensures that colleges are regularly and consistently monitored and assessed. It enables information from a variety of sources to be brought together to assess performance. Regional review is an open process, with colleges being informed of both criteria and outcomes. The Council would strongly encourage the LSC to continue this approach.

24 A key recent development has been to link regional review outcomes to the allocation of funding from the standards fund for further education. This has enabled the Council to assist colleges to take action rapidly when shortcomings in performance are identified, by designating funds or other support.

25 An important issue for the LSC to consider is the role of information on quality in the provider review process. The Council's current arrangements always incorporate the professional advice of inspectors. It is noted that the intention is for the LSC to specify in a provider's contract "*the standards in terms of quality and quantity it expects*" [chapter 4, paragraph 8]. It is clear from this that there will have to be a mechanism for making assessments of the quality delivered in order to inform supplier reviews. If this requires more than numerical data collection and analysis, the implication is that some degree of professional judgement will be called for. It is not made clear by whom such judgements will be made and how reaching such judgements will differ from inspection.

Q11 Should the current accredited and Beacon status of FE colleges be carried forward until the new arrangement are established?

Summary response: Yes

26 Accredited status provides an important incentive for colleges aiming to improve their performance. It is particularly important because it recognises achievements in management as well as curriculum delivery. Equally, recognition as a Beacon college is a significant reward for outstanding provision. The Council strongly favours the retention of these mechanisms and their extension to all providers funded by the LSC.

27 The Council also recommends that colleges which have achieved accredited or Beacon status under current arrangements should continue to be recognised by the LSC. Those with accredited status might be acknowledged in three ways:

- by being permitted to use the Council's accreditation logo until such time as they are reassessed by the LSC
- by being provided at the earliest opportunity to reconfirm their accredited status to the national panel without having to repeat a full application process
- once reconfirmation of their accredited status has been achieved, by delaying any inspection activity.

28 The Council would hope that the LSC will discuss the inspection of accredited colleges with Ofsted before inspection programmes are fixed.

Q12 Do you agree that the award of preferred approved supplier should be available to all types of supplier? If so, what benefits should the status attract?

Summary response: Tend to agree

29 In principle, the Council would welcome equitable treatment of all providers. However, the scale of what this status recognises will have to be carefully thought out in view of the breadth of provision offered by different providers. The gain or loss of the preferred status will have a different impact on a large general further education college and a small single-subject training provider. Equally, control will have to be exercised over the number of designate preferred 'suppliers' if the status is found to constrain a local LSC's ability to respond to changes in local need.

30 In addition, the implications of extending such a status to local education authorities or individual schools will have to be considered. The link between preferred status and other mechanisms for recognising quality (provider review, accreditation, access to dissemination funds, for example) will also have to be resolved.

31 In terms of benefits, the most obvious might include:

- longer term funding guarantees
- access to funds to support dissemination of good practice
- less frequent or 'lighter touch' monitoring
- preferential treatment when responding to curriculum initiatives.

Investing in Raising Standards

Q13 In what circumstances would it be appropriate for the LSC or ES to invest resources to improve marginal or unsatisfactory provision? How should this be done and how should such investments be safeguarded?

No summary response required

32 If the learner is to be at the heart of the new system, the overriding concern of the LSC should be to ensure that learners have the best opportunity to gain access to high quality education and training which suits the needs. This might require intervention where there is a need to secure continuity and/or significant improvement. The experience of the Council is that such interventions might take the form of encouraging merger, allocating funding or providing other kinds of support.

33 Key considerations in devising intervention/investment strategies might be that:

- the criteria for taking action are transparent and consistently applied
- other alternatives are explored and costed before investment is made
- investment should be on the basis of measurable outcomes and, in particular, benefits for learners
- progress should be closely monitored, in conjunction with other agencies such as the inspectorates, where appropriate.

Promoting Good Practice

Q14 What type of support should the LSC and ES provide to encourage new developments and collaboration to improve learning opportunities and the efficiency and effectiveness of delivery?

No summary response required

34 The Council's experience suggests that colleges are generally keen to collaborate and develop good practice. Not surprisingly, targeted funding has done much to promote this attitude. Current arrangements, which recognise outstanding provision and address national issues, are considered to work well and have resulted in significant activity directed towards raising standards across the sector.

35 A key challenge for the LSC will be to extend the kind of arrangements existing for colleges across all providers. Priority might therefore be given to cross-sector collaboration at an early stage. The LSC will also have to consider how best to ensure that initiatives managed at a local level form a coherent and effective national strategy.

36 The Council strongly recommends that agencies already working with the further education sector, for example FEDA, FENTO, the AoC and HEFCE, are fully involved in the development and co-ordination of collaborative initiatives. These bodies, themselves, might also be supported in joint initiatives with agencies working with other types of supplier.

Introduction of the New Requirements for Raising Standards

Q15 What additional support is needed during the transition to help suppliers prepare for the introduction of the new arrangements for raising standards in post-16 learning?

No summary response required

37 The Council would recommend that three points are considered. Firstly, at present, many of the elements described in the consultation document are familiar to the further education sector but will not be so familiar to other providers. A key priority should be to ensure that the proposed mechanisms, expectations and opportunities are widely understood across all providers.

38 Secondly, the individualised learner record will be central to many measurements of quality and standards. Early specification of the record, restriction on changes and practical help in implementing the necessary record management systems would help providers prepare for its introduction and assist work related to raising standards.

39 Thirdly, it would help providers if a clear timetable were published for the introduction of the new arrangements. This should be developed with advice from providers, themselves, and should take account of other initiatives, for example the introduction of new inspection and funding arrangements, and the impact they might have on providers' attention and resources.