

Leading learning and skills

Capital Skills Prospectus

Implementing the Key Priorities of Building Colleges for the Future

Department for Innovation, Universities & Skills

November 2008

Of interest to everyone involved in delivering LSC-funded provision

Further information

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Learning and Skills Council **National Office**

Cheylesmore House Quinton Road Coventry CV1 2WT T 0845 019 4170 F 024 7682 3675 www.lsc.gov.uk



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Foreword

Published earlier this year, Building Colleges for the Future set out our plans for how record levels of capital investment in the further education (FE) estate would underpin our strategic priorities for young people and adults.

One of the most important elements of that strategy is the commitment to invest in building facilities that will best meet the future needs of employers. In this prospectus, we set out a number of strategy updates that will better support and incentivise the FE sector's responsiveness to new skills pressures.

Crucially, the Learning and Skills Council (LSC) is introducing a new Skills Capital Projects Fund and a new Regional Skills Capital Development Fund that will be accessible to providers that have not previously been eligible for FE capital funding. This is intended to offer a wider range of providers the incentive to support facilities for publicly funded training (such as Apprenticeships) in key areas of the economy.

And to ensure that our workforce has the skills it needs to succeed in a rapidly changing world, we still expect all contractors who access public funding to have in place a formal training plan that maximises access to training opportunities. Contractors may well want to avail themselves of the opportunity to take the Skills Pledge and gain recognition of their commitment to their workforce.

Government is investing record amounts in state-ofthe-art buildings and facilities, and - through the updates set out in this prospectus – we will continue to do so, ensuring that investment is made wherever it will give the best results for learners and employers.

John Denham Secretary of State Department for Innovation, Universities and Skills

Introduction and Scope

- 1 Published in March 2008, *Building Colleges for the Future*¹ sets out the main priorities for government capital investment in publicly funded post-16 education in England, recognising that the rebuilding and modernisation of the further education (FE) estate is not an end in itself. Investment in capital is critical to implementing the Government's priorities for young people and adults. It will help to secure capacity for high-quality Diploma programmes, improve employer responsiveness, and build a more specialised and vocationally excellent FE system to deliver the ambitions set out in Lord Leitch's report, *Prosperity for all in the global economy world class skills*.²
- **2** The strategy subsequently set out the following five key priorities for the capital investment programme.
- Ensure that the system is equipped to deliver greater specialisation – capital investment needs to utilise greater specialisation to ensure that businesses have access to a wider range of industry-specific skills development for their current and future employees.
- Extend eligibility for capital funding to voluntarysector, work-based learning and other providers in order to ensure that we can deliver a wider range of opportunities for skills development and allow all providers to respond to the strategic skills needs of the country, it is important that a wider range of providers have the opportunity to benefit from capital investment.
- Improve the sustainability of capital projects all new capital projects will be expected to meet the highest Building Research Establishment standards for environmental performance, and by 2016 we would expect all new college buildings to be zero carbon.
- Use capital procurement to ensure that the
 workforce has the necessary skills to make sure
 that we maximise the value of our capital
 investment, from this year all contractors working
 on projects will be required to have in place a
 formal training plan that maximises access to
 Apprenticeships, work-based learning and other
 training opportunities.
- Ensure that capital investment acts as a catalyst for community regeneration – through the renewal and modernisation programme, we are seeing investment in new college facilities – especially in the more deprived areas – become the catalyst for

- other public and private investment in that area. To encourage this further, the LSC will introduce additional capital project criteria, which will be set out in the revised technical handbook.
- **3** This prospectus follows on from *Building Colleges for the Future* and sets out in more detail how several of the above key priorities will be implemented. In particular, this prospectus will address:
- the requirement for all LSC-funded contractors to have a formal training plan;
- specialisation as a key priority for the LSC's capital programme;
- regional capital funding;
- extension of eligibility to non-college providers;
- responsibilities of providers receiving capital funding; and
- the application process, with an explanation of available support and timescales.
- 4 The new priorities for the LSC capital programme are specialisation and innovation. The existing Further Education Capital Fund is only for colleges that receive mainstream funding, and requires them to target and invest in specialisation. The new Skills Capital Projects Fund and the new Regional Skills Capital Development Fund are for non-college providers, and will support and encourage providers to specialise and innovate to meet the LSC's priorities.
- **5** The LSC encourages all its providers to be creative and innovative in deciding how to use capital investment to better meet the needs of employers and learners, including those who are classified as not in education, employment or training (NEET). Providers who participate in partnerships and networks of all types should consider collaborative proposals for example, 14–19 partnerships and national skills academy specialist networks could link projects that are supported by other types of funding to achieve greater benefit for learners.

6 The LSC's capital investment programmes are part of a larger picture of public investment in education facilities. The Department for Innovation, Universities and Skills (DIUS) and the LSC are working with the Department for Children, Schools and Families (DCSF) and the Higher Education Funding Council for England (HEFCE) to ensure that post-16 capital investment is co-ordinated to achieve the greatest benefit for learners and employers. For example, the LSC and DCSF are coordinating, where appropriate, joint projects supported by Building Schools for the Future and post-16 capital funding. In higher education, DIUS and the LSC are collaborating with HEFCE on employer engagement, to ensure that employers receive coherent information and relevant provision (see Engaging employers with higher education).³ Table 1 below summarises the main capital funds. In addition, some capital funds are distributed through the Offender Learning and Skills Service and the Joint Information Systems Committee (JISC).

Table 1: Summary of post-16 capital funding, excluding higher education

Fund	Eligible providers	Purpose
16–19 Capital Fund	Schools with sixth forms, sixth form colleges, general FE colleges, independent specialist providers	Increase participation
FE Capital Fund	General FE colleges, specialist designated institutions, national skills academies	Specialisation, employer engagement, innovation and sustainability
Skills Capital Projects Regional Skills Capital Development	Non-college providers	Extend eligibility to non-college providers to ensure that infrastructure is in place to support strategic skills priorities, so that businesses can access industry-specific development for current and future employees
Adult Safeguarded Learning (ASL)	ASL providers	Increase adult participation and support community regeneration
Neighbourhood Learning for Deprived Communities (NLDC)	NLDC providers	Engage those not in learning or work

- 7 For the purposes of this prospectus, 'capital expenditure' can include buildings, land, the lease of buildings and/or land, ground works, building works, equipment or educational resources, including proprietary or bespoke software (but excluding those items usually funded from revenue expenditure) that adds significant value. Added-value can be in the form of genuine new learners, the upskilling of existing learners, increased employer engagement (including knowledge transfer and business innovation) and increased employer investment in training. The prospectus offers providers greater latitude to define what is needed, but the LSC will, of course, assess proposals against value-for-money criteria.
- 8 'Specialisation is about a provider playing to its strengths' (Building Colleges for the Future, p.21). By 'specialisation' we mean a focus both on the needs of specific sectors (as defined within sector skills agreements and other sources of labour market information) and on specific skills needs that are not sector specific for example, a construction skills centre specialising in sustainability, a provider's training centre on an employer's site that provides training using leading-edge specialist equipment, or a specialist facility to reduce the number of young people classified as NEET.
- **9** This prospectus refers to some policies, strategies and documents that certain providers, less accustomed to LSC capital funding, may find useful when considering whether to apply.
- 10 Any provider that is considering applying for any type of capital funding should first contact its LSC partnership team to discuss the proposal. The educational case is the foundation for every project. The partnership team will assess the educational case, how it supports LSC priorities and how it aligns with other developments. So it is essential that providers always discuss their ideas with their partnership teams at an early stage.
- 11 One important new requirement with which all recipients of LSC capital support will need to comply is that all contractors working on college and provider projects will be required to have in place a formal training plan that maximises access to Apprenticeships, work-based learning and other training opportunities. And contractors are encouraged to take advantage of the opportunity to take the Skills Pledge and gain recognition of their commitment to their workforce.

12 This prospectus supports programmes and initiatives that are already driving innovation and specialisation. Providers will need to present a clear educational case to justify the proposal, demonstrating how it would further develop such programmes and initiatives. The nature of specialisation will mean that proposals will focus on some areas more than on others; providers will need to discuss with their LSC partnership teams how proposals will develop programmes, initiatives and priorities.

Further Education Capital **Fund**

- 13 Specialisation is about a provider playing to its strengths by continually investing effort in those areas of provision where it is able to demonstrate sustained vocational excellence and market advantage.
- 14 Colleges are well placed to address specialisation for both young learners and adults. As key partners in 14–19 partnerships, colleges have a strong track record of developing effective 14-16 curricula, and are leading and supporting specialised provision in the form of Diplomas. The increasing emphasis on closer, more productive engagement with employers and on new employer-responsive funding programmes such as Train to Gain, will also help colleges address this priority for
- 15 All future capital proposals from colleges that are qualified to receive FE capital grants will be required to demonstrate how their proposals will support the Government's specialisation agenda. The new criteria will encourage capital applications that:
- support the specialist networks growing up around the more progressive national skills academies;
- give employers a role in developing or appraising proposals from providers to develop specialist skills infrastructure in their sectors;
- help to build greater responsiveness among providers and vocational excellence through specialist networks;
- help to regenerate deprived communities through the imaginative use of specialist vocational facilities and expertise; and
- encourage employers to consider the benefits of new or improved facilities on their sites, and also to accept the conditions of the grant for 'over-training', which will benefit their supply chain and staff from other employers. 'Over-training' is a term used in World-class Apprenticeships;4 it refers to training provision that an employer provides for other employers. For example, in return for public funding for capital investment, an employer may decide to 'over-train' workforces of other employers.

- 16 A college will need to provide evidence of both a need for the specialisation and the genuine support of key partners. Evidence of need will comprise the college's market analysis and strong evidence that the proposal has identified and supports the priorities in the local, regional and national plans, including the relevant sector skills agreement, national skills academy (and its network), local authority 14-19 plan, the Regional Economic Strategy, Regional Skills Action Plan, multiarea agreement and/or local area agreement. Within their specialisation planning, colleges will need to show how they plan to increase participation in Apprenticeships, and how they will improve Apprenticeship provision quality as part of the drive towards world-class Apprenticeships.
- 17 Investment in specialisation will improve the capacity of colleges for employer-responsive provision, both on college premises and on employer sites. As the new resources become operational, colleges will be able to make a significant step-change in the degree to which they participate in employer-responsive provision. We hope colleges will work with employers to innovate new provision, including the creation of new facilities on employers' premises.
- 18 Colleges are urged to be innovative and creative in designing new specialist buildings and facilities. There will be a strong case for taking fresh approaches to specialist education, as some traditional approaches become less appropriate to modern methods of teaching and learning.
- 19 Colleges applying for capital funding will need to demonstrate their commitment to employer engagement. In most cases, colleges will need to show that, at the point of application, they have at least applied for the Training Quality Standard (TQS), and they must have achieved the TQS before funding is released. This requirement will apply to other providers of employer-responsive provision as well.

Extending Eligibility

Skills Capital Projects Fund

- 20 The purpose of the Skills Capital Projects Fund (SCPF) is to enable providers to improve their specialist facilities materially, in order to optimise the likelihood of learners and employers being attracted to, and succeeding at, provision that raises the level of skills of learners of all ages. The SCPF extends the eligibility for capital funding to non-college providers, including those in the private and third sectors.
- **21** The LSC encourages providers to be creative and innovative. There is no assumption about the location or type of the capital resource. However, the management of the resource remains the responsibility of the provider, as specified below. Employers hosting publicly funded facilities will need to consider the benefits of the public investment against the commitment to 'overtraining' and supporting access to non-employees.
- 22 For the 2009–10 financial year, £20 million will be available on a matched-funding, pound-for-pound basis, towards the costs of qualifying projects. We anticipate that a similar amount will be available in subsequent years, subject to Machinery of Government changes. The minimum grant amount for any single application will be £500,000. The maximum grant amount for any single application will normally be £5 million. The LSC will consider making larger sums available for qualifying projects of particular merit, especially where funding may need to be phased over more than one year.
- 23 The LSC will manage the SCPF at a national level, so the scope of projects is not restricted to a particular area or region.

Regional Skills Capital Development Fund

24 The purpose of the Regional Skills Capital Development Fund (RSCDF) is to enhance and create facilities to increase participation in, and improve the quality of, employer-responsive provision. Like the SCPF, the RSCDF extends eligibility for capital funding to noncollege providers, such as private and third sector providers, that in the past had not been eligible.

- **25** The RSCDF is for smaller projects with a total project cost of between £100,000 and £1 million, and will be managed within each region. Projects could include minor works, improved equipment, or adapting premises in order, for example, to reach more small employers and thus increase the take-up of Apprenticeships.
- 26 The RSCDF will support the highest-priority employer-responsive programmes Apprenticeships and Train to Gain. The LSC is also interested in seeing how a proposal would support work with national skills academies, their specialist networks, and 14–19 Diploma partnerships.
- 27 Each region will administer this fund, including assessing applications, allocating grants and monitoring impact. This will ensure that regional and local knowledge is applied to project assessments. The application guidance will be published separately on the LSC website.
- 28 The LSC encourages providers to be creative and flexible. There is no assumption as to the location or type of the capital resource. The management of the resource remains the responsibility of the provider, as specified below, and will be part of the provider's business development plan.
- **29** For the 2009–10 financial year, up to £35 million will be available across the country. We anticipate a similar amount for subsequent years, subject to Machinery of Government developments. The minimum grant amount for any single application is £50,000. The maximum grant amount for any single application is £500,000. In addition, providers must contribute at least half of the total project costs from elsewhere (Annex A). During this pilot year, the LSC will consider any special circumstances in the event that these thresholds prevent a project that significantly supports LSC priorities.

Affordability

- 30 Funding will be allocated according to how well proposals address the LSC's skills priorities through Apprenticeships and Train to Gain, and through other programmes that address skills deficiencies.
- **31** In the event that applications exceed available funding, providers will be asked to describe how proposals might be scaled down without affecting overall viability, given that impact will be reduced. The LSC may also prioritise projects or recommend a different phasing of funding payments.
- 32 Providers will need to explain that the proposal is affordable, in terms of their share of the capital investment and the ongoing commitment from revenue to enable the proposal to succeed. The LSC may use an affordability assessment if required.
- 33 Colleges' current capital plans to 2010–11 are estimated to be more than £3 billion. As the National Audit Office reported (Renewing the physical infrastructure of English further education colleges)⁵ colleges have improved significantly in their ability to manage large projects, so we expect most of these projects to be realised. As eligibility for capital funding is extended to new providers, we expect demand to exceed the available budget. This will require providers and partners to demonstrate clearly the value of proposals and to explore other funding sources.

Expressions of Interest and the Application Process

- **34** Colleges and other FE providers applying to the Further Education Capital Fund will follow the existing capital application processes. Funding for both the Skills Capital Projects Fund and the Regional Skills Capital Development Fund will be awarded following an open and competitive process, in which all organisations that meet the criteria set out above are invited to participate.
- 35 The application process will be published separately on the LSC website. The main provider requirements and proposal assessment criteria are in the Annexes to this document. They include a new requirement for all contractors working on college projects to have in place a formal training plan that maximises access to Apprenticeships, work-based learning and other training opportunities. The LSC will be working with DIUS to ensure that training plans are in place and that the numbers and types of intended training opportunities being made available are recorded.
- **36** Potential applicants for both funds are invited to submit an Expression of Interest form. This will help ensure that they are notified when the application material is available. Providers will not be able to apply for funding if they have not first completed an Expression of Interest form.

Table 2: Timescale for the submission of Expression of Interest forms

	Final date for submission
Regional Skills Capital Development Fund	31 January 2009
Skills Capital Projects Fund	28 February 2009

Annex A: Provider Requirements

- 1 The following sections set out what will be required of providers that receive capital funding. The LSC believes that these requirements balance the need to safeguard public funds with limiting bureaucracy to essential measures. The LSC will continuously review the relevance of these requirements in order to keep administrative burdens as low as possible. A provider should consult its partnership team if it has any concern about any of these conditions. A private or third sector provider will be eligible to apply for either the SCPF or RSCDF if it:
- is in receipt of mainstream recurrent LSC funding learner-responsive, employer-responsive, and Adult Safeguarded Learning, including neighbourhood learning in deprived communities;
- receives, in most cases, at least 50 per cent of its annual income in the form of LSC recurrent mainstream funding. In some cases, the LSC may vary this requirement. For example, a third sector organisation or employer may qualify if its LSC income is lower than 50 per cent of its annual turnover, and if it also has a strong educational case and receives sufficient learning-related annual income to demonstrate that the proposal is sustainable and that the main purpose of the proposal is to support LSC-funded provision and learners. The LSC will review unusual applications case by case;
- iii) is not eligible for any other LSC, DIUS, DCSF or HEFCE capital funding for the proposal, except for contributions identified;
- iv) does not have in effect a Notice to Improve, a minimum level of performance notice, qualified LSC Provider Financial Assurance report or audit, or any other quality concern for the area of specialisation under consideration;
- has not received, and will not receive, LSC capital funding for the proposal from other sources, such as the Association of Learning Providers or the Centre for Excellence in Leadership;
- vi) has included the proposed capital project in its business development plans. Larger projects funded by the SCPF will follow the standard capital application and appraisal process. Proposals under

- the RSCDF will require a costed development plan, the template for which will be provided;
- vii) can supply strong evidence of the need for the project, validated or supported by its market analysis, employers, sector skills agreements, inspections, multi-area agreements, local area agreements and/or other relevant organisations;
- viii) will contribute at least 50 per cent of the total cost of a project from its own resources and/or partnership funding from other organisations;
- ix) has signed the Skills Pledge⁶ or its equivalent, and is actively implementing a staff development programme;
- requires its contractors to sign the Skills Pledge or its equivalent, and to be actively implementing employee development programmes;
- xi) helps people in deprived communities raise their skills levels to improve their employability; and
- xii) has achieved, or has applied for, the TQS, where the proposal develops specialist employer-responsive provision. Some providers that focus on other specialist areas, such as engaging adults in learning away from the workplace, may propose other relevant standards that support the quality of their work with other organisations.
- 2 The responsibilities of providers applying for and receiving capital funds from the LSC will include setting up appropriate management and reporting systems to demonstrate that the funds have been spent as intended. Proper and regular use of public funds requires that funds are spent only on the purposes for which they were granted and that waste and extravagance are avoided. In this context, funds may neither be appropriated to profits or dividends payable to owners of the business nor applied to the organisation's other purposes. Accordingly, the LSC will require the surrender of any unspent granted funds and repayment to it of the fair value of the assets, should they cease to be used for the agreed purposes.

Contractual obligations

- **3** Below are the terms that will form part of the contract for providers who are applying for funding under the SCPF and the RSCDF. These terms will be reviewed during the first pilot year and may be amended in future years.
- i) The provider will use funding for the purposes specified in the approved project proposal. Any changes to the proposed usage must be agreed with the LSC manager before any diversion from the proposal is made. The LSC reserves the right to recover on demand funds spent on purposes that have not been agreed.
- ii) For the SCPF, the provider will supply expenditure claims and reports as specified in the LSC Capital Handbook.
- iii) For the RSCDF, the provider will supply quarterly reports until the project has been completed. Thereafter, the provider will supply annual statements confirming that the agreed terms remain in effect and recording the impact of the resources as per the outputs and outcomes in the agreed proposal.
- iv) The provider is not permitted to sell, lend or dispose of premises or equipment that has been purchased or improved with LSC funding, without the permission of the LSC. This will apply to all assets individually with a net book value greater than £2,500 (including VAT). An asset shall be considered to have been financed by the LSC if it has been acquired wholly or partly with funds provided by the LSC. The LSC will require either repayment of disposal proceeds or application of the proceeds to agreed LSC purposes.
- v) The provider will assume all management responsibility for the resources obtained with LSC funds, including insurance, maintenance and security.
- vi) The LSC reserves the right to audit or commission independent audits where it is concerned that capital funds are not being used for the agreed purposes.
- vii) The provider is required to satisfy the LSC that its legal status and governance arrangements are sufficient to safeguard the investment of public funds
- viii) In the event that the provider is taken over, goes into liquidation or is merged, the LSC will review the impact on the project proposal and reserves the right to recover the full or a partial amount of funding provided.

- ix) Where there has been an increase in the value of an asset that has been wholly or partly financed with funds provided by the LSC, the LSC may scale the recovery amount to reflect the value of the asset at the point of disposal.
- x) The provider would be expected to co-operate with the LSC so that the LSC or its successor bodies have first call on any assets funded by the LSC. Accordingly, the LSC will put in place a lien or charge on any asset or assets where the funding provided by the LSC is in excess of £10,000.
- 4 The above conditions will remain in force for the life of the investment, which for land and buildings will be a minimum of 20 years. For all other resources, the term is considered to be five years or the time until the net book value is below 15 per cent of the historic cost. This will be reviewed after the introduction of the International Financial Reporting Standards.

Annex B: Proposal **Assessment Criteria**

1 The LSC will use the criteria below as part of the assessment process for all applications, in order to determine how likely it is that each proposal will result in:

- increased participation and success rates in 14–19 programmes and Apprenticeships of young people and adults;
- further growth of Train to Gain starts and successes;
- increased involvement in a national skills academy and its network;
- iv) increased volume and quality of other employerresponsive training in appropriate specialist vocational areas;
- v) the LSC's regional commissioning priorities being addressed;
- vi) improved progression pathways for learners of all ages, as part of a network of specialist providers working in partnership with others, such as schools, colleges, universities, local authorities and employers;
- vii) innovative methods to encourage knowledge and technology transfer between providers and employers;
- viii) support for plans and actions, including those led by other organisations, which aim to reduce socioeconomic deprivation and improve social cohesion through co-ordinated regeneration work;
- ix) environmental issues being addressed through the use of innovative materials and best possible energy efficiency;
- x) an improvement in opportunities for disadvantaged learners, in terms of all aspects of access, teaching methods, learning styles and learner support (part of the proposal will include a full impact assessment, which will include impact on learners of the provider, impact on learners of other providers and impact on the community at large); and
- xi) the maximisation of sustainability to ensure that both the capital investment and the provision it supports will endure for as long as there is sufficient need.

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Learning and Skills Council National Office

Cheylesmore House Quinton Road Coventry CV1 2WT T 0845 019 4170 F 024 7682 3675 www.lsc.gov.uk

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