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## **Sector Developments**

### **New legislation and implications for FE**

New legislation included in the Queen's Speech (and other legislation announced since then) that has relevance for FE in England, is as follows:

- The *Full Employment and Welfare Benefits Bill* will require:
  - Ministers to provide regular reports to parliament on progress being made towards achieving the government's target of creating 3 million new apprenticeships by 2020.
  - All publicly funded bodies (including educational institutions) to be set targets for taking on more apprentices.
  - JobCentre Plus (JCP) advisers to work with schools across England to 'supplement careers advice'. (Concerns have been expressed that JCP staff may not fully understand what local colleges offer, and therefore may not be able to provide impartial advice on FE options).
  - All young people to be either be 'earning or in learning'. A new Youth Allowance for unemployed 18-21 year olds will be established. This will be paid for a maximum of six months, after which, the recipient will be required to participate in an apprenticeship, training or a community work placement. Automatic entitlement to housing support for 18-21 year olds will be ended.
- The *Enterprise Bill* proposals will give legal protection to the term 'apprenticeship'. Unauthorised usage will be made illegal, as is already the case in respect of the terms 'degree' and 'university'. (No such legal protection is proposed for the term 'college', the use of which has proved to be particularly popular with secondary schools, private training providers, internet firms selling fake qualifications, and 'bogus' colleges offering study visas to migrants who would otherwise not be able to enter the UK legally).
- The *Cities and Local Government Devolution Bill* will pave the way for the Greater Manchester and Sheffield City Regions to control the skills budgets for their region. The legislation will also allow skills budgets to be devolved to other city regions in England, as and when they have met the conditions required (eg having an elected mayor).
- The *Education and Adoption Bill* includes proposals for those schools judged by Ofsted to be 'inadequate' or 'coasting', to be automatically be converted into academies.
- The *Trade Union Bill* will:
  - Change the law on strike action. In 'essential services' (such as health, education, fire and transport), a minimum of 40% of those eligible to vote, must vote for strike action. In other areas of work this minimum rises to 50%.
  - Repeal existing legislation banning agency workers from providing cover during strikes.
  - Amend the Working Time Regulations to give employees working in large companies (and in the public sector) the right to take 3 days paid leave in order to undertake voluntary work.
- The *Immigration Bill* will:
  - Make it illegal for employment agencies to recruit solely from abroad without also advertising the positions 'in Britain', and 'in English'.
  - Begin a consultation process on the introduction of a 'visa levy' on those firms that predominantly use foreign workers, the proceeds of which will be used to fund apprenticeship schemes in the UK.

### **Parliamentary changes**

- Labour MP, Iain Wright has been elected as the Chair of the BIS Select Committee, replacing Labour MP Adrian Bailey. Mr Wright was a former minister for FE in the last Labour government.
- Conservative MP, Neil Carmichael has been elected as the Chair of the Education Select Committee, replacing Conservative MP, Graham Stuart.

- John Woodcock has been appointed as the new Shadow Minister for Young People

### **Chancellor announces further cuts to post 16 funding**

The Chancellor of the Exchequer, George Osborne, has announced further cuts totaling £3 billion to those already planned for this year. Within this total there will be cuts of £900 million to the post-16 budget in England, and the Department for Business, Innovation and Skills (BIS) and the Department for Education (DfE) will each have to find another £450 million of savings. FE is allocated funds from BIS through the Skills Funding Agency (SFA), and from the DfE via the Education Funding Agency (EFA). The FE sector was already bracing itself for planned cuts of up to 24% (based on a further 17% cut to the adult skills budget, compounded by the effect of the planned increase in spending on apprenticeships) but this further in-year cut has been estimated as potentially representing another 4% reduction in the overall FE budget.

Both the DfE and BIS say that they will try to manage the extra cuts by 'anticipating underspends in some areas and looking at savings that will not affect allocations already made', and during a recent question and answer session in the House of Commons, Skills Minister Nick Boles confirmed that the £450 million cut to the *DfE* budget would not affect existing 16-19 FE funding allocations for the 2015/16 academic year. Against this, no such guarantees have been given in relation to further in-year cuts to 19+ funding allocations as a consequence of the additional £450 million cut to the *BIS* budget. And just for good measure, colleges remain unsure whether they will receive funds to support additional apprentices that they have already recruited.

### **Do general FE colleges have a future?**

Speaking at the recent Association of Employment and Learning Providers (AELP) annual conference, Nick Boles told delegates that the government wanted to 'double the number of traineeships' and that 'more investment was needed for the government to hit its apprenticeship target'. He said that it was 'obvious' that the funds for this had to come from somewhere and there would be '*some difficult choices to make about the less productive bits of our further education system*'. He then came right out and said what many have long been thinking, and warned that 'at a time when resources are constrained' it was necessary '*to look at the range of institutions that exist within further, technical and professional education and ask ourselves whether the general further education college...is the one that we want for the future*'. He said he did not have the answer to this, but somewhat ominously warned that '*this was the question being asked extensively in government*'.

Leading policy advisors are also questioning whether general FE has a future. Jonathan Simons, Head of Education at the 'Policy Exchange' think-tank (which Mr Boles helped to set up) says that '*FE is falling over*' and has called on BIS to divert cash from universities to help the sector. He points out that at a time when '*the adult skills budget is being cut by 24%, the HE sector is reporting reserves for 2013/14 equivalent to just under half of their entire annual income*'. He says that BIS should 'think hard, and work with colleges, universities, employers and training providers to ensure value for money and fairness in education provision for all students after the age of 18, regardless of what route they take and the qualifications they study'. And in her latest report, '*Heading for the precipice: can further and higher education policies be sustained?*' Professor Alison Wolf warns that government '*plans to create 3 million new apprenticeship starts by 2020 are largely unfunded*' and that '*FE could vanish into history to foot the bill*'. She points out that skills spending per head in England on those aged between 20 and 60 'has halved since 2010'. She says that the current post-19 funding system is '*unjust*' and that the situation is being made worse by the effects of '*the ever-expanding gulf between college and university funding*'. Even the FE Commissioner, in his recent 38-page guide to college mergers, acknowledges that '*there is clearly not enough money for the sector to continue as it is*'.

Colleges are not only being required to manage seemingly endless budget cuts. Successive governments appear to be making it increasingly difficult for colleges in England to recruit students and to generate income from their traditional markets. Reasons for this pessimistic view include the following:

- *Full time 16-18 enrolments.* Lord Adonis, the architect of New Labour's academies programme and advisor to Tony Blair, once said that he 'couldn't see the point of general FE colleges', and argued that all full time 16-18 education should be provided in schools. This now seems well on the way to being achieved, since nearly all LEA schools, free schools, academies, UTCs, studio schools etc either already have, or soon will have, their own sixth forms. These schools obviously have a vested interest

in retaining their pupils in their own sixth forms, rather than pointing out FE alternatives and, as 16-18 numbers in schools increase, college based 16-18 enrolments are likely decrease by a similar amount.

- *19+ enrolments.* Public funding is no longer available for those aged 24+ wanting to study a Level 3 programme. They must instead, now take out a loan to pay for their course. At the same time, there is either no funding, or significantly reduced funding, for 19-23 year olds and for those aged 24+ wanting to take courses at Level 2 and below. Nor is there any option for them to take out a loan to pay for these courses. This is likely to have a negative impact on college 19+ enrolments.
- *HE enrolments.* Universities in England are awash with cash as a result of tuition fees of up to £9,000 per year paid up front by BIS on behalf of students. As mentioned above, the level of university reserves in 2013/14 are reported as being equivalent to around half of their entire annual income. From this September, universities will be given the opportunity to generate even more cash from fees, when the cap on HE recruitment is abolished. Colleges are reporting that some local universities are attempting to increase their HE recruitment by relaxing their entry requirements, with some alleged to be giving an unconditional offer of a place to any student who successfully completes a level 3 course. This is likely to reduce the numbers of students who might otherwise have been expected to take an HE course at their local FE college.
- *International students.* It is now much harder for legitimate (as opposed to 'bogus') international FE students to get study visas. This is already impacting negatively on international student recruitment and on the level of income generated from international student tuition fees.
- *Apprenticeships.* Currently, colleges (and other training providers) control apprenticeship funding. However, the government wants employers control the apprenticeship budget (along with the public funding for other schemes such as the 'Employer Ownership of Skills' initiative). Many of the larger firms have established, or are establishing their own training centres. When apprenticeship funding is eventually transferred to employers, there can be no guarantee as to what proportion of the funding will find its way back into colleges.
- *National Colleges.* Funding that might otherwise have been expected to go to FE colleges is likely to siphoned off to help pay for more new 'National Colleges'.
- *New entrants to the FE market.* The government says that it wants to 'encourage and support new entrants into the FE market' (e.g. Prospects College of Technology). If nothing else, without any increase in FE funding, this will further dilute the amount of funding available for existing FE providers. There are also rumours in circulation that private sector firms may be invited to take over the running of ailing colleges (and may even be given the opportunity acquire the assets of these colleges at a substantially discounted price).
- *Contestability.* It is likely that any FE and skills funding remaining will become subject to increasing levels of 'contestability'. With lower costs and less advantageous conditions of service for their staff, this is likely to give private trainers a competitive advantage in bidding for funds.
- *Reduced capital funding.* As capital funding for the FE sector continues to shrink (caused in part by the huge levels of capital investment required for the creation new free schools, academies, UTCs, etc), those colleges that missed out on funding to renew their estates will have to cope with deteriorating buildings that are increasingly unfit for purpose. All colleges will find it difficult to secure the funds needed to replace out dated capital equipment.
- *Government advisors.* Finally, the civil servants who advised Vince Cable that in order to save money he should 'get rid of FE' because 'nobody would really notice' are presumably still in post and are now advising the new BIS Secretary, Sajid Javed.

The Association of Colleges (AoC), which receives subscriptions from member colleges in return for representing, defending and protecting their interests, has recently announced that its 'Annual Conference and Exhibition is now open for bookings'. This year's conference theme is 'Powering the Economy'. Although delegates who are actually from FE colleges are rapidly approaching a minority in terms of those attending the conference, it will nevertheless be interesting to see the level of priority given to debating the very real threats to the continued existence of general FE colleges and to developing the strategies needed to deal with them.

### **Sixth Form Colleges take a step closer to joining the schools sector**

Meanwhile, no doubt concerned about the future of FE themselves, delegates attending the recent Sixth Form Colleges' Association (SFCA) conference voted overwhelmingly for sixth form colleges to be

transferred en masse from the FE sector to the schools sector, and for them to be re-designated as either 16-19 academies or free schools. This was considered at last year's SFCA conference, but delegates resolved to retain incorporated status pending further consideration of the matter. The proposed move to the schools sector is likely to require prolonged negotiations with the DfE and officials have previously seemed reluctant to support the change, with the additional costs the government would incur appearing to be the main reason for this. Delegates also voted to support plans to 'forge closer links with schools, academies and free schools', in order 'to gain greater influence through regional schools commissioners and head teacher boards'. As a result, two 16-19 free schools have recently been allowed to join the SFCA despite the fact they are not incorporated colleges. This is a move that could set a precedent for school sixth forms and other 16-19 providers to be allowed to join the SFCA.

### **New professional body for FE**

Possibly intended as a diversion for those FE staff worried sick about whether they will still have a job after the next round of cuts, the Education and Training Foundation (ETF) has launched a new professional membership body for them to join. The new body is called 'the Society for Education and Training' (SET), and it replaces the late, but not particularly lamented, Institute for Learning (IfL). The IfL closed last year after running into financial difficulties, and transferred its assets and its 'legacy' to the ETF. Tim Weiss, the ETF Director for Strategy, said that SET membership 'would not be compulsory', but pointed out that 'being a member will speak for itself in terms of a commitment to professionalism, to ongoing development, and to the sector'. SET will be initially supported, funded and hosted by the ETF, but as with the IfL, the longer-term aim is for the body 'to become self-sustaining through membership subscriptions'.

Just to show that what goes around comes around, the SET annual membership fee has been set at £63, which is exactly the same amount as the fee the IfL proposed to charge when its public funding was withdrawn. Unfortunately, it was this level of fees that led to protests, the imposition of a boycott by the University and Colleges Union (UCU), and ultimately, the IfL's financial collapse. Apparently undaunted by any of this, the ETF says that in return for the £63 annual fee, members will receive 'direct and indirect development opportunities, access to face-to-face and online communities that share best practice, and support with research'. Members will also be provided with 'enhancements to Qualified Teacher Learning and Skills (QTLS) status' and can expect further benefits 'to be announced in the coming months'. Such is the ETF's confidence, the SET chair, chief executive, board members and members of the 'practitioner advisory group', are all in the process of being appointed

At the same time as announcements on SET were being made, it was confirmed that all lecturers in the FE sector in England will be eligible to join the proposed College of Teaching (which is a part of the enigmatically named 'Claim Your College Coalition'). This has perhaps understandably resulted in accusations of 'lack of coherent thinking', but Angela McFarlane, the Chief Executive of the College of Teaching and Tim Weiss, ETF Director of Strategy, have both re-assured critics, saying that there was no 'unnecessary duplication' and that both bodies would have a 'collaborative relationship' with the each other.

### **Institute for Education (IfE) is awarded a Royal Charter**

The IfE (not to be confused with the IfL, ETF or FETL) was established in 2013 in order to further 'develop the potential, reputation and standing of the FE sector'. Its mission was defined as being to 'bring together the best training providers across the sector and collectively to promote, recognise and celebrate their professionalism and success'. One of its key objectives was the creation of 'a new Chartered membership organisation for colleges and training providers in the FE sector'. Over the years since, very little has been seen or heard of the IfE and many in the FE sector came to the conclusion that plans for Chartered Status had been abandoned. However, earlier this month (June), the Privy Council announced that the Queen had granted a Royal Charter to the IfE, making it the FE sector's first ever Chartered body. The IfE will now be known as the '*Chartered Institution for Further Education*' (ClfE). Applications for membership will be open 'to all colleges and training providers in receipt of SFA funding who can satisfy the ClfE's quality standards'. The appraisal and admission of colleges and other training providers to membership of the new body (for which they will be charged a fee) is planned to begin in the autumn, prompting one observer to say 'You wait years for a professional body for FE, and then three come along all at once'.

Given the time and cost likely to be involved in gaining Chartered Status, college leaders are hoping that the new kite mark will have more longevity than those that preceded it (e.g. 'Approved Training

Organisation, Training Quality Standard and BS/ISO accreditation, etc). And, after seeing the first college to be judged by Ofsted inspectors as 'outstanding' for Leadership and Management being placed shortly afterwards in 'administered status' by the FE Commissioner because of the state of its finances, some cynics will probably be looking forward to seeing the first college with Chartered Status being declared 'inadequate' by Ofsted.

### **FETL Chief Executive stands down**

Elsewhere in the FE stratosphere, Mark Ravenhall, the chief executive of the Further Education Trust for Leadership (FETL) has announced that he will be leaving at the end of this month (June). FETL was launched last summer with a budget of £5.5 million left over following the closure of the former Learning and Skills Improvement Service (LSIS). Mr Ravenhall, who was Policy Director at the National Institute of Adult Continuing Education (NIACE) prior to taking up the post of FETL chief executive, said that 'performing the duties associated with the post was taking more time than he had originally expected'. These duties included overseeing the allocation of the first round of FETL grants for research (in which five organisations received a total of £270,000) and the first four FETL Fellowships (worth up to £40,000 each). Commenting on Mr Ravenhall's resignation, Jill Westerman, the FETL chair, said 'The trustees of FETL are very grateful to Mark for his work in setting up the trust and launching the first round of fellowships and grants'. She went on to announce that the interim FETL chief executive would be Ayub Khan. Mr Khan was a trustee of the now defunct LSIS and was also a former chief executive of a multi-academy trust.

### **157 Group appoints a new chief executive**

The chief executive of the 157 Group of Colleges, Dr Lynne Sedgemore has announced that she will retire from her post this September. Ian Petty who is currently a vice president of the management consultancy firm Capgemini has been appointed as her replacement. Mr Petty has held a number of senior positions in the commercial and public sectors, including HM Revenue and Customs (HMRC) and the Cabinet Office.

### **Prime Minister establishes Taskforces to track progress in delivering government policy**

David Cameron has set up 10 'troubleshooter' taskforces. These will be 'looking at whether policy is being followed through and tracking the progress of new measures in the time set'. One of the new Taskforces has been given the brief of ensuring that all young people are either 'earning or learning', and that progress is being made on meeting the government target of creating 3 million new apprenticeships. Membership of the 'Earn or Learn' taskforce includes:

- Cabinet Office member, Matthew Hancock (who chairs the group)
- Skills Minister, Nick Boles
- Education Secretary, Nicky Morgan
- Work and Pensions Secretary, Iain Duncan Smith
- The Chancellor of the Duchy of Lancaster, Oliver Letwin
- Communities and Local Government Secretary, Greg Clark
- Chief Secretary to the Treasury, Greg Hands
- Employment Minister, Priti Patel.

The 'Earn or Learn' taskforce has also been given the wider brief of 'helping businesses to create the two million new jobs needed to achieve full employment'.

### **Research suggests that 3 million new apprenticeship starts may be difficult to achieve**

There were 2,208,100 apprenticeship starts over the period from 2009/10 to 2013/14. This would seem to suggest that delivering a further 3 million new apprenticeship starts by 2015 might be a bit of a challenge. Evidence in support of this is revealed in a report commissioned by the Local Government Association (LGA) and carried out by the Institute of Public Policy Research (IPPR), which shows that in 2013/14:

- There were 1.8 million applications for 166,000 apprenticeship vacancies.
- 67% of Level 2 and 3 apprentices were already working for their current employer before they commenced their apprenticeships. (This appears to be in conflict with government spin in respect of the impact of apprenticeships are having in helping to reduce the level of unemployment).
- 35% of apprenticeships were at Level 3 or above, while 65% of places were still at Level 2.
- 56% of all applicants for apprenticeships were aged 18 or under, but they accounted for only 27% of

starts. 7% of all applicants were aged over 25, but they accounted for 37% of starts. The report also reveals that since 2010, 42% of all apprentices were aged 25 or over.

### **Apprenticeships ‘deliver the highest value for public money’ of all FE programmes, says BIS**

Meanwhile, BIS research contained in a recently published report entitled ‘Measuring the Net Present Value of Further Education in England’, says that apprenticeships deliver the highest value for money of all publicly funded FE programmes. The BIS research claims that every pound of public money invested in a level 3 apprenticeship returns £28, Level 2 apprenticeships return £26 and even apprenticeships below level 2 apparently return £10.

### **Report finds that adult apprenticeship funding is being misused**

Research into adult apprenticeships in England conducted by the Institute of Education (IoE) and the Nuffield Foundation has been published in a new report entitled ‘*Does apprenticeship work for adults?*’. The study examines the experiences of adult apprentices aged 25 and over and the motivation of their employers for participating in the programme. The report identifies considerable demand for ‘up-skilling’ from older employees, but says that many adult apprentices said they did not receive the level of training they would normally have associated with an apprenticeship, and voiced concerns about whether the qualifications they had gained would help them progress in their careers. However, most adult apprentices were positive about having to study English and mathematics, which they found ‘challenging and rewarding’, and welcomed the chance to improve their IT skills.

The report concludes that government funding is being widely ‘misused’ to support the training of existing employees by badging them as apprentices. The report also says that government’s commitment to expanding apprenticeships has been at the expense of other adult skills programmes, which, it says, have been decimated in recent years. Lord Baker, architect of the UTC programme, speaking at the recent ‘Festival of Education’, has added to the debate by calling for an ‘age cut-off’ for participation in apprenticeships which, he says, should be set ‘somewhere in the mid-20s’.

### **Ofsted study of ‘Good’ and ‘Outstanding’ Colleges with weak apprenticeship provision**

Ofsted will shortly be publishing a report on research carried out into the reasons why many otherwise good and outstanding colleges, were judged by Ofsted to have weak apprenticeship provision. The research found that the factors causing weak apprenticeship performance in otherwise strong colleges included:

- Rapid growth that was not adequately planned for and/or was poorly managed.
- Ineffective performance management and/or lack of detailed analysis by senior managers.
- Insufficient challenge of senior managers by governors in respect of apprenticeship performance.
- Weak tracking processes and administrative systems.
- Poor English and mathematics achievement.
- Apprentices being regarded by mainstream college staff as being the responsibility of the college ‘apprenticeship unit’, rather than as key college students in their own right. (This criticism will assume greater significance if/when the government carries out its intention to convert lower level classroom learning into apprenticeships).

### **Launch of new Ofsted CIF and FE and Skills Handbook**

Ofsted has launched its new Common Inspection Framework (CIF) and Further Education and Skills Handbook for use from September 2015 onwards. The new CIF brings the inspection of FE and skills providers into line with that used in early years and schools inspections. Ofsted says that it will continue to use a broad range of indicators to select providers for inspection. These include:

- The provider’s previous inspection record.
- Self-Assessment Reports (SARs).
- Performance data.
- Destination data.
- A change of leadership.
- Concerns raised by a funding body, employers, parents, carers or learners.
- Views of learners, parents and carers, and employers, gathered through online questionnaire..
- Significant changes to the type of provision and in the number of learners.

Types of inspection will include the following:

- *Full inspection:* Providers that are graded as 'requires improvement' or 'inadequate' will have a full inspection. Outstanding and good providers may also have a full inspection where their performance has declined.
- *Short inspection:* The basic assumption is that FE providers judged as 'good' at the last inspection are still 'good' and will be inspected every 3 years instead of every 5 or 6 years as at present. Inspections will last as few as 2 days and with as few as 2 inspectors per visit. Short inspections can be 'converted' into full inspections within 15 days if inspectors feel that the provider had slipped from a 'good' rating, or could achieve an 'outstanding' rating.

Inspectors will make judgements on a provider's overall effectiveness. This will be based on the following:

- *Leadership and management*
- *Teaching, learning and assessment.* Individual subject areas and will no longer be graded. Also, individual lesson observations will no longer be graded. (However, speaking at the recent AELP conference, a senior HMI told delegates that 'if training providers and colleges have good reasons to continue grading lessons internally, Ofsted does not want them to stop doing so').
- *Personal development, behaviour and welfare.* This will be particularly influenced by safeguarding issues, which will include effectiveness in implementing the government's 'Prevent' strategy. The judgment in this area will also impact on the leadership and management judgment.
- *Outcomes for children and learners.* The overall grade awarded will be influenced by individual grades awarded for different types of learning programme, including:
  - 16-19 Study Programmes
  - Adult Learning Programmes
  - 14-16 Learning Programmes (where applicable)
  - Apprenticeships
  - Traineeships
  - High needs learners

There will also be a change of emphasis from 'learners gaining qualifications' to 'what a college or provider actually does to prepare that young person for work' and inspectors will 'use their evidence to evaluate what it is like to be a learner at the provider'. The new FE and Skills Inspection Handbook can be downloaded via the following link

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/434934/Further\\_education\\_and\\_skills\\_inspection\\_handbook\\_from\\_September\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/434934/Further_education_and_skills_inspection_handbook_from_September_2015.pdf)

### **Other initiatives recently announced by Ofsted**

Ofsted has confirmed that inspections will be brought back 'in-house', rather than contracting out the process to third party organisations, and that Ofsted will directly employ additional inspectors. In the past, some colleges have made complaints about the quality, accuracy and reliability of inspection judgments, and concerns have been expressed about the experience and technical competence of some inspection team members. Somewhat surprisingly, a spokesperson for Ofsted has actually admitted that the inspectorate does not currently have checks in place to ensure that 'different inspectors on the same day would give the same judgment'. The spokesperson also admitted that some inspectors 'focus too much on a narrow range of data' and that although the intention was 'to use data as a signpost, rather than making it a pre-determined destination', there was evidence to suggest that 'weaker inspectors used data as an excuse for not making fully-rounded, professional judgments'.

There are currently around 3,000 additional FE and Skills inspectors, contracted through three main inspection service providers. Of these, around 2,800 have expressed an interest in continuing as in-house Ofsted inspectors, but this number is being whittled down to 1,600 through a 'robust assessment process' (with one of the key reasons given for rejection being 'weak report writing skills'). Those retained will be directly employed by Ofsted and will be in post by this September, along with an undertaking that a minimum of 70% of all additional FE and Skills inspectors will be current practitioners within the field they are inspecting.

Ofsted has also announced the establishment of eight regional 'Scrutiny Committees' that will independently evaluate the effectiveness of Ofsted's work, and will administer a new complaints procedure.

### **GCSE and EBacc developments**

The DfE has made a number of announcements relating to GCSEs and the proposed English Baccalaureate (EBacc). These are as follows:

- It has been confirmed that, from 2017, for GCSE examinations in England (but not in other UK countries) grading will switch from the letters A to G to the numbers 9 to 1 (with 9 being the highest grade). The 'good pass' grade that will be used in school performance tables from that date will be a grade 5. This is located between the low B and high C grade in the current grading scheme.
- The new GCSE grade 5 'good pass' in English and mathematics 'will be aligned with the 16-19 English and mathematics funding condition'. This will happen on a phased basis. For the academic years 2017/18 and 2018/19 the funding condition will be based on the new GCSE grade 4.
- All pupils in England will be required to study GCSEs in EBacc subjects. These subjects are English, mathematics, science, a language, and history or geography. If schools do not offer these subjects they will not be eligible to receive an Ofsted 'outstanding' rating. Other than for pupils with special needs, every new Year 7 pupil will be required to be taking the EBacc subjects by the time they reach Year 11 (in 2020). Wherever possible, schools are expected to comply with the requirement earlier than this.

When the new grade 5 funding condition comes into effect, it will place even more pressure on colleges. Recent research shows that of GCSEs taken last summer, 27.3% of pupils obtained a grade C or above in English, but that under the new numerical grades, only 9.1% would have achieved a grade 5. In mathematics, 30.4% of pupils obtained a C grade or above, however under the new rules only 10% would have achieved a grade 5.

Also, it would seem that many head teachers are concerned that the EBacc will:

- Not be appropriate for all pupils. (Some head teachers have said that they would rather lose their Ofsted 'outstanding' rating than adopt the 'restrictive one-size-fits-all approach' of the EBacc).
- Require 'dramatic changes' in the composition of school staffing to meet new curriculum demands.
- Mean that the arts, technology, physical education and religious studies will be lost to accommodate compulsory history and geography.

### **Colleges struggle to cope with the large increase in GCSE re-sit numbers**

The change in the 16-18 funding condition rules will, from this August, require students with GCSE grade D in English or mathematics to re-sit the GCSE (rather than take a Level 2 equivalent) alongside their other studies. Many colleges piloted the requirement this year and found themselves overwhelmed by the number of GCSE re-sits and the clashes with other examination timetables that occurred. Colleges were left struggling to accommodate students and many had to hire external venues and suspend classes to provide the rooms needed. Many more staff than normal have been required to supervise students and, for example, to drive mini-buses to take students to external venues, or to transport students who turned up at the wrong campus. Although college leaders remain largely in agreement the government's increased focus on English and mathematics, concerns have been expressed at the numbers of young people leaving school with such low grades. They have called on the government to pay more attention to the problem of improving pupils' grades whilst they are still in school and go to say that it is unfair that a sector facing such significant funding cuts is being called on to redress the previous failings of schools.

### **Director General of CBI calls for GCSEs to be scrapped**

Meanwhile, John Cridland, the Director of the Confederation of British Industry (CBI), has called on the government to scrap GCSEs altogether, and for a new examination system to be introduced. He has argued that GCSEs have become an irrelevance when pupils stay in education or training until the age of 18 and that an alternative system is required in which the key exams would be GCE A Levels, that would include both academic and vocational subjects, with each having equal status, taken at the age of 18.

### **Application process begins to open a further 500 free schools in England**

Free schools are new state schools. They have the same independence as academies, operating outside



the local authority and with greater flexibility over the curriculum and staffing. They were introduced in England by the previous coalition government with the aim of allowing parents and community groups to create their own schools if they thought there was a lack of good quality local schools in their area. However more than two-thirds of existing free schools have been opened by academies or academy chains, with less than 20% being opened by parents and community groups. Of those opened by parents and community groups, many are, in effect, faith schools.

More than 250 free schools are already open, and a further 150 have been approved to open. In addition to these, a further 500 new free schools were pledged as part of the Conservative election manifesto and earlier this month (June) applications were invited for the first wave of these. Prime Minister David Cameron says that free schools are 'raising standards and restoring discipline' and Nicky Morgan, Education Secretary for England, describes them as 'modern engines of social justice'. But Tristram Hunt, Shadow Education Secretary for England, has said that 'When there is a shortage of school places, rising class sizes, widespread teacher shortages, and schools face significant real-terms budget cuts, parents will find it odd that hundreds of millions of pounds are being ploughed into building new schools in areas where there is already a surplus of places'. Against this, the DfE claims that almost three-quarters of existing free school places have been created in areas with a shortage, and that half are in the most deprived communities in the country. However, the LGA has argued that the expansion of free schools is making very little contribution to solving the problems associated burgeoning class sizes and the severe shortages of places caused by the rapidly increasing primary school age population.

### **Schools in England judged inadequate by Ofsted will be turned into academies**

Academies are state-funded schools that are independently run by academy trusts. Academy trusts can manage more than one school, in which case they are referred to as 'chains'. Academy trusts outside the local authority and are not directly accountable to the local electorate. Sponsored academies are former LEA schools that have been 'taken over' by academy trusts or chains because they were not deemed to be performing well enough. The government believes that failing LEA schools would be improved faster by academy sponsorship, and that those who oppose academies have 'too often been able to delay or overrule the process by which schools deemed by Ofsted to be inadequate or requiring improvement, are converted into academies'. Therefore, as part of the new Education and Adoption Bill, Regional Commissioners will take on the responsibility for making academy orders, and the requirement for prospective academy sponsors to consult with the local community will be scrapped. 1,100 schools became sponsored academies over the last 5 years, and the government estimates that the Bill will result in a further 1,000 schools becoming academies by 2020. Nicky Morgan said 'the bill will allow the best education experts to intervene from the first day we spot failure.

### **BIS imposes a 'moratorium' on applications from FE colleges for degree awarding powers**

Almost 300 FE colleges in England offer HE courses designed and accredited by universities. Although no FE College has ever been granted powers to award taught degrees, 7 colleges are currently undergoing scrutiny for both foundation and taught degree awarding powers. However, BIS has imposed a 'moratorium' on new applications for degree awarding powers submitted by FE colleges. A spokesperson for BIS said that in order 'to continue to protect the reputation and integrity of the UK higher education sector, no further decisions will be made until a review of the criteria and guidance for degree-awarding powers, university title, and designation for Higher Education Funding Council for England (HEFCE) grant funding' has been completed. The spokesperson went on to say that this would take until at least early 2016.

While Higher Education Funding Council for England (HEFCE) allocations to FE colleges for 2015/16 remain, as yet, unconfirmed, only 4 FE colleges currently have the power to award their own foundation degrees and the AoC has called on BIS to create a new Technical Education Accreditation Council (TEAC). The role of the new body would be to accredit colleges to develop courses up to foundation-degree level in partnership with employers.

### **HE funding councils propose ending regular university inspections**

At a time when Ofsted is seeking to establish a common inspection framework covering early years and nurseries, primary and secondary schools and FE and skills providers, the higher education funding councils for England, Wales and Northern Ireland have jointly developed proposals that call for different types and levels of inspection for different parts of the higher education sector, which would involve 'higher

levels of scrutiny for less established institutions'. (These apparently include the growing number of private HE providers, and FE colleges offering HE provision). Under the proposals, mainstream universities will no longer be subjected to regular Quality Assurance Agency (QAA) inspections. The funding councils say that, for established universities, more emphasis should be placed on 'student outcomes', such as 'data on the employment record of graduates and information from the National Student Survey'. They also say that there should be a strengthening of the 'external examiner system', in which staff from other universities would be used to check on the quality of degrees being awarded. University governing bodies would also be expected to assume greater responsibility for monitoring quality standards.

The proposed changes are likely to raise questions about the effectiveness of an inspection system, which for mainstream universities, would no longer involve any independent quality assurance checks. They also come at a time when findings from a recent survey carried out by the Higher Education Policy Institute show that less than half of students believe they had had good or very good value for money from their courses. Nevertheless, it is expected that the new proposals will be accepted.

### **Top firms are 'systematically excluding' the UK's bright working-class applicants**

The Social Mobility and Child Poverty Commission has published a report that examines barriers to entry for people from less privileged backgrounds gaining employment with elite firms (eg in accountancy, law and financial services). The Commission's report is based on research carried out by Royal Holloway, a part of the University of London, and says that top firms are recruiting from a 'small pool of middle and upper class graduates, who have usually attended private or selective state schools'. The report found that:

- Candidates from fee-paying and selective schools who went on to attend Russell Group universities, make up 70% of graduate trainees at top firms despite being only 7% and 4% of the UK population respectively.
- Elite firms 'continue to be heavily dominated at entry level by people from privileged social backgrounds'.
- Whilst acknowledging that 'raw academic ability does not equal business success', elite firms have developed their own definition of 'talent', which includes such characteristics as 'drive, resilience and strong communication skills and above all confidence and polish'.
- Elite prefer graduates who 'articulate themselves in a certain way, and in the right accent, who have experienced foreign travel, and have participated in the kind of social situations, such as large dinners, which can be helpful to business'.

The report concludes that elite firms are 'systematically excluding bright working-class applicants' from their workforce. In response, representatives of these firms say that:

- 'Recruiting from top universities is seen first and foremost as a business decision'.
- The Russell Group of Universities is regarded as providing a 'ready supply of intelligent, confident and ambitious individuals'.
- 'In situations where as many as 20,000 graduates are applying for fewer than 1,000 jobs we are just not prepared to go to other universities in search of a diamond in the rough'.

Meanwhile, at the other end of the social spectrum, the Commission has published another report, which reveals that two thirds of children officially deemed as being poor, now come from a family where at least one parent is working, and in 75% of cases, is working full time. The report draws the obvious conclusion that being in work is no guarantee of escaping poverty.

### **Minister orders crackdown on fake universities in England.**

It has emerged that a Filipino nurse convicted of murdering two patients and poisoning 20 others, may have used fake qualifications to obtain his job in a NHS hospital. The use of fake qualifications is becoming an increasing problem, and in 2014 more than 190 bogus 'universities' offering fake UK degrees and other qualification certificates were identified and closed down. But others are springing up to replace them and in the first quarter of 2015 a further 42 bogus institutions were uncovered. Universities and Science Minister, Jo Johnson, has now ordered his officials to intensify their efforts to close them down.

In the past, it has been the practice of employers (including colleges and universities) to simply ask to see candidates' certificates prior to offering them jobs (or places on courses), but the high quality and apparent

authenticity of some of the fake certificates has made it very difficult to distinguish fakes from the real thing. To assist with combatting this, the Higher Education Degree Datacheck service (HEDD), which was initially set up with funding from HEFCE, will, in return for a fee, provide employers and universities with verification of the authenticity of the qualifications claimed by applicants. The HEDD chief executive has warned that there are probably 'thousands of fake degree certificates in circulation' and that it remains very difficult to verify the authenticity of certificates awarded by institutions in other countries. In one prosecution case, the defendant argued that the fake certificates were intended for use as 'novelties' or 'jokes'. However, being on the receiving end of, say, medical treatment or care from someone whose qualifications were not genuine would clearly be no laughing matter. There is currently no equivalent of HEDD providing FE and other sub-degree level qualification verification services.

**And finally...**

A mathematics lecturer was teaching a Level 2 numeracy test and gave the students a puzzle to solve. She presented them with a list of numbers as follows...

1, 2, 3, 5, 8, 13, 20, 33, 53, 86

...and asked them to say which number was the 'odd one out', and why. After a while, one of the students put his hand up and said 'The odd one out is 20!'

Excellent', said the lecturer, 'but can you tell me why?'

'Easy!' the student replied, 'Number 20 comes with chips, but all the rest come with egg fried rice'.

**Alan Birks – June 2015**

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