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Sector Developments

FE sector in a 'fragile state'- official

The Minister of State for Education in England, Nicky Morgan has admitted the FE sector is in a 'fragile state'. But with a logic some may find a little hard to understand, she says that that the forthcoming area reviews of FE and Sixth Form college provision will help colleges to become more 'robust'. Ms Morgan, who has been confirmed as the main speaker at this year's Association of Colleges' (AoC) Annual Conference, made the comment at a recent meeting of the House of Commons Education Select Committee in response to questions from committee members about the 'looming financial crisis in post-16 education'. Perhaps somewhat obtusely, Ms Morgan said 'We are aware that the FE sector is, I think fragile is probably the way to put it, and that's why we have started a process of these area-based reviews, looking at provision in local areas and making sure that we can help colleges to be robust, and in the best financial health'. Entirely ignoring the fact that large swathes of school sixth form and post-16 private provision is not included in the reviews, she went on to say that 'There is a need to ensure that there is no over-lapping provision, that people are working together, and that actually, if colleges need to get bigger in order to be stable, that's the sort of thing that we want the colleges and the areas, as I say, to be thinking about'. When asked *why* school sixth form and private provision had been excluded from the area review process, Ms Morgan replied that there was a 'particular issue' with FE institutions that had been brought to her department's attention. During the meeting she was also asked whether there were plans for 16-19 funding to be brought in line with 14-16 funding, to which she responded by saying that funding was currently 'being reviewed as part of the government's spending review'.

Further funding cuts expected to treble the number of colleges in severe financial difficulty

Earlier this year, a report by the National Audit Office (NAO) revealed that in 2013/14 the number of FE and sixth form colleges in England rated 'financially inadequate' had risen to 29, and predicted that the number at risk was likely to reach 70 by 2015/16. The FE Commissioner, Dr David Collins, has gone further and warned that the latest projections of the impact of further FE funding cuts in England will mean that around 200 colleges will be in financial difficulty by the end of this academic year. He went on to say that colleges would, as a minimum, have to increase class sizes and staff teaching hours in order to avoid substantial financial losses. The government's response to tackling the increasing financial weakness of the FE and Sixth Form college sector has been to commence area reviews of college based provision and, despite the concerns expressed by sector leaders, Dr Collins has called on colleges to respond positively to the review findings and to 'show a willingness to change for the greater good, irrespective of vested interests and personal preferences'.

Area Reviews

The Department for Business, Innovation and Skills (BIS) and the Department for Education (DfE) have now published detailed guidance for the conduct of the area reviews. A web link to the review guidance is given below:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/459845/BIS-15-526-reviewing-post-16-education-and-training-institutions-guidance-on-area-reviews.pdf

The first three reviews (referred to as 'Wave 1') have now started and cover Birmingham and Solihull (which commenced on 18 September and involves 6 colleges), Greater Manchester (which commenced on 21 September and involves 21 colleges) and Sheffield City Region (which commenced on 28 September and involves 10 colleges). The second wave will cover Tees Valley (commencing on 1 October), Sussex Coast (commencing on 22 October) and the Solent (commencing on November 5), and these will involve a total of 34 general FE colleges and sixth form colleges. Each review will start with an assessment of the

economic and educational needs of the area involved and will assess the extent to which the current configuration of FE colleges and sixth form colleges is meeting these needs. Each review will have its own steering group that will consist of college chairs of governors (but not principals), representatives of Local Enterprise Partnerships (LEPs) and local authorities, Regional Schools Commissioners, and the Sixth Form College and FE Commissioners (or their representatives). The typical timescale for completing an area review is expected to be three to four months. For information, the area review for North East Norfolk and North Suffolk has now been published. This was a 'pilot' review, the format and report of which may (or may not) be reflected in the reports of area reviews currently taking place and those in the future. However, it might provide an indication of what might be published. A copy of the report can be downloaded via the link below:

<https://www.gov.uk/government/publications/review-of-post-16-provision-in-north-east-norfolk-and-north-suffolk>

The vast majority of area reviews will be *FE* Commissioner initiated. However, it is possible for a review to be locally initiated, but these will need prior approval by the recently established National Steering Group 'in order to secure a consistent approach'. In addition, locally initiated reviews will still be subject to overview by the FE Commissioner's soon to be expanded team (see below). A new SFA/EFA joint unit is also being established to co-ordinate the review process and to 'ensure a uniform approach to issues such as data analysis' is taken.

One of the stated political aims of the area reviews is to 'achieve a transition towards fewer, larger, more resilient and efficient providers, and more effective collaboration across institution types'. However, as mentioned above, for reasons that are at present unclear, sixth form provision in schools and academies, University Technical Colleges (UTCs), 16-19 free schools, studio schools etc, and post 16 provision delivered by private training organisations will be excluded from the review process. And although the review guidance does include statements about the need for schools 'to maintain viable sixth forms', the DfE has confirmed that there will be *no* moratorium on the creation of new sixth form provision in the schools sector whilst the area reviews are in progress. The guidance also states that schools with sixth forms and private trainers with post 16 provision can 'opt in' to the review process if they so wish, but thus far there has been very little evidence of any inclination on their part to do so. Because the area review focus is exclusively on FE and sixth form colleges, sector leaders argue that the review process is 'fundamentally flawed' and demonstrates a 'lack of coherent and joined up policy making'. They say that if the main aim of the review process is to identify 'opportunities for collaboration, improved progression and signposting, and efficiency savings across all providers', it is incomprehensible that the government is not taking into account the fact that school sixth form provision is 'often duplicated within a relatively small geographical area' and that sixth form class sizes are generally small.

Apparently ignoring these concerns, Skills Minister for England, Nick Boles says that that the reviews will 'touch on all colleges' and that they will inevitably result in 'curriculum rationalisation' in some colleges, while in others 'restructuring is likely to be needed'. He is also alleged to have said that the review process could result in a contraction in the number of general FE and sixth colleges in England to around 90.

Colleges will have to meet the cost of implementing Area Review recommendations

In China, when a convicted criminal is executed by firing squad, the family of the deceased is apparently charged for the cost of the bullet. Although perhaps not entirely analogous to this, BIS says that any costs arising from the implementation of area review recommendations (e.g. redundancy costs in the wake of 'restructuring') will have to be met by colleges themselves. BIS also says that an area review will take the place of a Structures and Prospects Appraisal (SPA) where one is needed, but will not prevent the direct intervention in a college by the SFA or FE Commissioner, if this is considered necessary.

A BIS spokesperson said that the reason why colleges are expected to provide the 'funding to implement changes' arising the area reviews from within their existing budgets, is because the reviews 'will deliver significant net savings in the longer term'. The government will therefore only provide financial support 'as a last resort'. The BIS spokesperson confirmed that participation in the reviews would be 'voluntary'. However, despite the fact that colleges are supposed to be legally 'independent' and 'self governing', the spokesperson warned that the government would 'expect funding agencies and LEPs to *only* fund institutions that take part in the reviews, and then take the necessary action 'to provide a good quality and financially sustainable offer'. Roughly translated, this means that although colleges could theoretically

refuse to participate in the reviews and/or refuse to implement the review's recommendations, they will lose their funding if they do. It could be argued that this is a particularly good example of the old adage that the 'golden rule is that they who have the gold make the rules'. This thinly veiled threat has led to criticism from sector leaders, one of whom said 'the last thing colleges need is further funding pressure at a time when funding levels are so low that many colleges are struggling even to maintain basic levels of provision'.

FE and Sixth Form College Commissioners teams to be expanded

However, it seems that BIS *will* find the funding necessary to pay for a number of new FE Deputy Commissioners (FEDCs) and 'advisors' who will help the FE Commissioner and his existing team of 11 staff to cope with the burgeoning workload arising from the area reviews. A spokesperson for BIS said that the new 'FEDCs will help lead area reviews and intervention cases' and that the new advisors 'will undertake the institutional analysis that underpins the area reviews and their recommendations'. Alongside this, it appears the DfE has also managed to find the funding needed to recruit an unspecified number of 'deputies' for the Sixth Form College Commissioner, who will 'help support the series of area-based reviews of provision', and 'assist with the intervention needed to tackle poor performance, either in terms of quality or financial management'.

Sixth Form College principals express concerns

The recently published annual Sixth Form Colleges Association (SFCA) *Funding Impact Survey*, has revealed that 96% of sixth form college principals are concerned about the financial health of their college and that more than a third think that it is likely that their college 'will cease to be a going concern by 2020'. The report also says that 70% of principals believe that the amount of funding they are likely to receive next year 'will not be enough to provide students with a high quality education', and that 83% think there will be insufficient funding to provide adequate support for disadvantaged students. The report goes on to say that that in 2011, sixth form colleges were, on average, faced with a 10% reduction in their funding. This was in part, a consequence of funding for tutorials and enrichment activities being reduced from 114 hours per year to 30 hours. Then, in 2013, a new 16-19 funding formula was introduced that resulted in a further 6% reduction, followed in 2014, by a reduction in funding for 18 year olds, which meant a further cut of 1.2%. The report says that to cope with these budget reductions, 72% of colleges have had to cut courses. Examples of this include an overall 39% cut in modern foreign languages, and a 24% cut in STEM (science, technology, engineering and mathematics) subjects. In addition, 76% of colleges have reduced or removed extra-curricular activities including sport, music, drama, and educational visits. 81% of colleges said they were now teaching students in larger class sizes. All principals believed that the future for sixth-form colleges looked 'bleak', and many feared that few would survive the upcoming area-based reviews.

In response to these concerns, a spokesperson for the DfE said that the department had ended the 'unfair difference between post-16 schools and colleges by funding them per student, rather than discriminating between qualifications', and had also 'increased support for those students who successfully study four or more A-levels and large Technical Baccalaureate (TechBacc) programmes'.

ESOL funding withdrawn - but BIS still expects colleges to offer ESOL courses

The SFA has confirmed that all funding for 'ESOL plus Mandation' courses will be cut as part of the £450 million in savings that BIS has been asked to find by the Treasury. A BIS spokesperson said that 'part of the reason for the ESOL (English for Speakers of Other Languages) funding cut was the 'considerable underspend on the programme over the past year'. It is estimated that around 47 colleges and 16,000 students will be adversely affected by the withdrawal of funding for ESOL courses. The cuts are expected to have a 'huge impact' on the finances of the colleges affected and this impact will 'fall disproportionately on those in London, the North East and the Midlands, where most ESOL provision is concentrated'.

An estimated £45 million of ESOL funding had previously been allocated to the programmes targeted at jobseekers' allowance (JSA) claimants who were identified as having 'poor spoken English skills that prevented them from finding work'. A key component of the government's drive to 'boost integration in deprived and isolated communities and to tackle extremism', includes ensuring 'that people learn English' and critics have argued that the withdrawal of ESOL funding will 'not only prevent many migrants 'from integrating with society', but will also prevent them from 'getting into employment and off benefits'.

A spokesperson for BIS responded to these concerns by saying that colleges will still be expected 'to ensure that mandated ESOL provision is offered', and that college managers will just 'have to decide what

they are going to be able to deliver with the remainder of their adult skills budgets’.

Search underway for FETL Professor of Leadership of Thinking in FE and Skills

Meanwhile, in another FE universe, the recruitment process for the Further Education Trust for Leadership (FETL) Professor of Leadership in Thinking in Further Education and Skills is underway. The post will be based at University College London’s Institute of Education and forms one of FETL’s three ‘strategic platforms’ (the other two being the FETL Fellowship and Grant programmes. The post holder will be expected to take a lead role in the strategic development of the leadership of thinking in FE and skills, and will be tasked with:

- Developing strategic partnerships and networks to enhance the quality of debate on leadership thinking
- Facilitating knowledge transfer in respect of leadership thinking
- Engaging in rigorous research and original work
- Disseminating research and challenging policy and practice

Having given thought to the matter, one observer said that he thought that those who thought that leadership in thinking in the FE and skills was thought to be important, would think that the appointment would generally be thought to be a good thing. Against this, he said that he thought that those who thought leadership in thinking was thought to be of less importance would probably think otherwise. I think.

AoC and Policy Connect get FETL grants

FETL has also announced that the AoC and Policy Connect (which is a ‘parliamentary networking group’ and should not be confused with Policy Exchange which is a right-leaning ‘think tank’) are to be the latest recipients of FETL research grants. The AoC will be working with Oxford University in examining the ‘impact of the government’s devolution and localism proposals on further education’ and Policy Connect will be ‘bringing inquiry sessions to different parts of the UK’. FETL declined to comment on exactly how much the grants were worth, but did say that ‘sums of up to £100,000’ were available to recipients. The FETL interim chief executive said the aim of FETL was to ‘facilitate and share the knowledge and thinking of professionals and leaders in the sector, so we are really pleased to be able to take this forward with Policy Connect and the AoC’. Earlier this year, FETL awarded £270,000 in research grants to the Association of Employment and Learning Providers (AELP), Coleg Gwent, the East Midlands Further Education Council (EMFEC), the University of Hull and ‘Working Well’. FETL also awarded research fellowships worth up to £40,000 each to 5 individuals.

McKinsey review of FE costs in England was a ‘waste of time’

Back on earth, in February of this year, the Treasury, BIS and the DfE commissioned the consultancy firm McKinsey to carry out a ‘Joint review of Cost Drivers in Further Education’ in England. The review findings are apparently intended to help the government ‘understand the funding, cost drivers and outcomes of the FE system in England, with a particular focus on teaching costs and financial management’. The study involved an analysis of the financial health of 1,232 public and private sector FE institutions, and the cost breakdowns of 341 FE, sixth form and specialist colleges. The review team also carried out what they called ‘deep dive’ visits to 20 providers. Although not yet officially published, some of the main findings of the review are said to include the following:

- There was a ‘significant difference’ in the profitability of individual providers.
- Overall, the FE system operates at a 1% profit and therefore future reductions in funding ‘would need to be met by a reduction in costs, additional income generation or a reduction in outputs’.
- The best financial management was in colleges that drew their senior managers from the private sector.
- Academies spend 11% of their budgets on ‘administration’ whereas FE institutions spend 17%.
- There is low correlation between the spending of an institution and its outcomes.

The review findings have already been the subject of fierce criticism from sector leaders, who have described them in comments that range from ‘in need of much further work’, to ‘a complete waste of time’. In particular, the AoC has argued that the reviewers were not comparing ‘like with like’. For example:

- ‘The review team made extensive use of college data that is publicly available at no cost on the AoC and SFA websites, and although much of this data has been externally audited, the data on the way in which colleges divide spending between teaching and administration varies and is not consistent’.

- 'Administration costs in colleges can include learning support staff, apprenticeship assessors and external exam invigilators. A college that trains large numbers of apprentices or has relatively large numbers of students with learning difficulties and disabilities will have higher administrative costs'.
- 'A comparison between administration costs in colleges with those in academies fails to take differences between the sectors into account. For example, a college with large numbers of 16-18-year olds will have high examination costs, whereas in academies, the DfE pays for standard attainment tests (SATs) and pupils in Year 7 and 8 do not sit external exams'.
- 'Higher administration costs in colleges are often a direct consequence of compliance with government policies and regulations. A 2011 National Audit Office (NAO) study estimated that colleges are required to spend £250-300 million per year on complying with regulations on such things as funding claims, accreditation, pensions, procurement, health and safety, equality and special education needs'.
- 'Although class sizes can sometimes be too low in colleges, DfE examination statistics suggest that there are around 14,000 school sixth form A Level classes with fewer than five students. Also, schools often redirect funding intended for younger pupils to support older pupils in small sixth forms that would otherwise be financially unviable'.

McKinsey to 'review the SFA's efficiency and effectiveness'

Apparently undeterred by these criticisms, BIS has also commissioned McKinsey to conduct a review of the 'efficiency and effectiveness' of the SFA. Minister of State for BIS, Sajid Javid, is said to be 'dismayed by the number of bodies that his department is funding' and McKinsey apparently claims to be able to develop 'a radical approach to cutting costs' (though not in respect of the fees it charges, obviously). The review findings will form part of the BIS spending review submission to the Treasury.

FE Choices website to be closed down

The SFA has announced that the FE Choices website will be closed down this October. The website, (which for the first six months of its existence was known as the 'Framework for Excellence' website) was launched in January 2012 and was intended to provide members of public with a means to compare the performance of different FE providers. An SFA spokesperson said the closure of the site was part of a 'wider programme to move all government websites to a single gov.uk domain'. The spokesperson also said that provider performance indicators would 'still be available on the National Careers Service (NCS) website'. It would seem that the FE Choices website has cost around £2.3 million, comprised of £600,000 to build the site plus a further £1.7 million on gathering the data to populate it. On average the website was visited by just 1,246 'unique' visitors each month and was apparently the subject of a satirical article in Private Eye (giving 'High Principals' a rest in that particular edition).

SFA contractors failing to publish subcontracting charges may have their funding withheld

Under rules introduced in August 2014, all providers (including colleges) with SFA contracts are required publish details of the proportion of the funding they receive from the SFA that is paid out to each of their subcontractors in 2013/14 and 2014/15. They are also required to publish information on the 'administration costs' and 'management charges' they charge subcontractors. This information is required to be made available on contractors' websites. Contractors should also publish an indication the level of fees and charges that they intend to charge their subcontractors in 2015/16. The SFA says that web links to this information should be included in the 2015/16 subcontractor declaration forms.

It would appear that some providers (including the SFA's largest contractor, Learndirect) have been ignoring these requirements. In response, the SFA has warned providers that those who do not comply with the requirements by the November 23 deadline will risk having their funding withdrawn.

New Common inspection framework (CIF)

The first full Ofsted inspections to be carried out under the new CIF are now underway. The new CIF came into effect this September, and as before, inspectors will arrive at judgement on a college's 'overall effectiveness'. This judgement will be informed by other inspection judgements, as before, in respect of:

- Effectiveness of leadership and management
- Quality of teaching, learning and assessment
- Outcomes for learners.

...but will also take account of a judgement on the 'Personal development, behaviour and welfare of learners'...and on grades given for the following types of provision (where offered):

- 16 to 19 study programmes
- Adult learning programmes
- Apprenticeships
- Traineeships
- Learners with high needs
- Full time 14-16 year olds.

...plus a judgement on the effectiveness of the arrangements for safeguarding learners, which will include a judgement on the effectiveness of the college's implementation of the Prevent strategy (see below).

Colleges will *not* be expected to prepare anything extra for inspectors, but should be prepared to make the following documents available to inspectors (where relevant):

- An overview of the provider's working day, timetables and work-based activity.
- Strategic and operational business plans.
- Evidence of the work of governors or other supervisory bodies and their impact.
- Updated information relating to the self-assessment report.
- Development/quality improvement plans, operating statements, subject area plans, staff development plans and action plans arising from inspection, programme review or self-assessment.
- Details of staff qualifications and experience and of staff development activity over the last two years.
- Anonymised information on the performance management of staff.
- Evidence of compliance with the relevant safeguarding requirements; for example, an up-to-date list of Disclosure and Barring Service (DBS) checks for staff, as required.
- Access to the logs that record complaints, incidents of poor behaviour, racist incidents and incidents of bullying or those relating to radicalisation or extremism.
- A range of learners' work, including marked work.
- Records of observations of teaching, learning and assessment or support, information and advice sessions.
- Timetables and schedules of activity involving learners (showing locations and staff).
- Complete and up-to-date data on learner numbers, achievements and destinations.
- Minutes from key meetings, including those with community links and employers to develop the curriculum.
- Information about the provider's organisation with staff names and responsibilities.
- Names and email addresses of any employers and/or subcontractors whose premises the inspection team intends to visit.
- Details of any changes to normal routines during the week of inspection.

Colleges can upload this information onto the Ofsted inspection portal in advance of the inspection, if it is available.

During the inspection, the views of learners, employers, parents, carers and staff will be sought in the following ways:

- Learners and employers will be invited to give their views about the college on Ofsted's 'Learner View' and 'Employer View' websites, which they can access at any time, including at the point of inspection.
- Parents and carers will be invited to give their views through a provider-specific survey, which they can access at any time, including at the point of inspection.
- Colleges are asked to remind learners, employers and parents and carers about these surveys following notification of inspection.

A copy of the latest FE and Skills Inspection Handbook and CIF can be downloaded via the link below:

<https://www.gov.uk/government/publications/further-education-and-skills-inspection-handbook-from-september-2015>

Ofsted creates a 'smaller, more manageable inspection workforce'

From this month (September), all FE and Skills inspectors will be employed directly by Ofsted. Prior to this, three external firms (Tribal, Serco and CfBT) supplied most inspectors. A spokesperson for Ofsted said that 'the process of bringing the employment of inspectors in-house will mean that only the very best and most current inspectors are retained' and that this will 'also achieve better value for money and give the inspectorate greater control over who inspects for us, how we train them and how they are deployed'. Ofsted says of the previous FE inspectors who applied to stay on, 64% were successful, 32% apparently failed the selection process, and the remaining 4% subsequently withdrew their applications.

RQF replaces QCF

On 1 October, the new Regulated Qualifications Framework (RQF) replaces the Qualifications and Credit Framework (QCF). The QCF was launched in 2008 and was intended to provide a 'building block' approach to accreditation, with learning programmes being divided into units each worth a certain number of 'credits'. Ofqual says that the new RQF would now 'focus on outcomes' and claimed that awarding bodies will have 'more freedom to review and develop their qualifications'. The new RQF 'will retain levels from Level 1 up to Level 8', since Ofqual regards this as being 'generally well understood, both in terms of existing qualifications and how they relate to levels in other frameworks'. Qualifications within these levels will be measured in terms of the Total Qualification Time (TQT) which, says Ofqual, are 'required for a learner to reach, and demonstrate, the level of attainment needed to obtain a particular qualification'. Ofqual goes on to say that the TQT will, in part, 'be made up of guided learning hours', since Ofqual regards these as 'being helpful to people planning curricula and timetables'. The TQT will also recognise 'the amount of time a learner spends in any form of study or training, which is not necessarily under the immediate supervision of a tutor, or any other education or training provider'. Ofqual's main role in respect to the new RQF will be 'to carry out a range of regulatory activities, include qualification audits to test how far awarding bodies can show they meet the new requirements' and to 'publish reports on good practice'.

BIS asks for help in monitoring misuse of the term 'apprenticeship'

Although the use of the term 'college' (which, in the past, has proved very popular with schools, private trainers and bogus institutions offering study visas) is not legally protected, the term 'apprenticeship' now is. To help ensure that the use of the term meets all legal requirements (such as the one-year minimum duration), BIS has asked employers and providers to bring to the department's attention any examples of 'bogus' apprenticeships that do not meet these requirements. Skills Minister for England, Nick Boles said 'we don't want the status of apprenticeships to be undermined by those unscrupulously passing off short courses as apprenticeships. We are therefore inviting employers and apprentices to join us in stamping out abuse of the system'. Penalties for misuse of the term (if indeed there are any) are, at present, unclear.

Shadow Cabinet reshuffle

Following Jeremy Corbyn's recent election as leader of the Labour Party, there have been changes in Shadow Minister post-holders in respect of both BIS and the DfE:

- Angela Eagle, who was 'Pensions and Ageing Society Minister' in the last Labour government, has been confirmed as the new Shadow Business Secretary. She replaces Chuka Umunna, who resigned from the Shadow Cabinet following Mr Corbyn's election. Ms Eagle has also previously served as a member of the House of Commons Employment Select Committee.
- Lucy Powell, who was a junior Shadow Education Minister, has been confirmed as the new Shadow Education Secretary for England. She replaces Tristram Hunt, who also resigned from the shadow cabinet.
- Gloria De Piero replaces John Woodcock as Shadow Minister for Young People in England.
- Gordon Marsden replaces Liam Byrne as Shadow Skills Minister for England. Mr Marsden will report to both the Shadow Business Secretary and the Shadow Education Secretary, meaning that his role will now be more closely aligned to that of Nick Boles. Mr Marsden says that he intends to 'give priority to the issue of FE funding'.

More on the Prevent Duty

The FE and HE Prevent Duty has, from September 21, placed a legal responsibility on colleges to have 'due regard to the need to prevent people from being drawn into terrorism'. Government guidance states that 'Prevent is designed to deal with all forms of extremism that can popularise views that terrorists then

exploit'. There are now 10 Regional Prevent Coordinators (RPCs) for FE and HE in place across England and Wales who are working with colleges and universities to help them identify the risk of radicalisation on campus and who are supporting institutions to put in place 'appropriate policies and practice'. BIS is also in the process of appointing four Prevent advisors, who will 'conduct risk based assessments of non-publicly funded further education and training providers to ensure compliance with the Prevent duty'. BIS says that new advisors 'will perform the same function that Ofsted undertakes for the publicly funded FE sector'.

At its recent annual conference in Liverpool, the National Union of Students (NUS) voted to oppose the new Prevent duty on the grounds that it promotes 'mass-surveillance', 'further criminalises Muslims and black people', and includes 'intrusive new measures that pose a significant threat to civil liberties and freedom of speech on campuses'. The University and Colleges' Union (UCU) has provided legal guidance on Prevent for its members (eg any boycott would need a ballot approved by UCU and could result staff refusing to comply with the Prevent duty having their pay docked).

Meanwhile, the National Counter Terrorism unit has reviewed and updated a document entitled 'Recognising the Terrorist Threat'. The document provides guidance on what to do in the case of a terrorist incident involving firearms, improvised explosive devices (IEDs), suicide attacks, and chemical, biological and radioactive attacks and cyber threats. Colleges have been advised to read and take note of the document's contents and to integrate its recommendations into their crisis management procedures.

Free of charge training modules on the Prevent duty are available for college staff, governors and managers on various websites, including those shown below:

<http://www.157group.co.uk/157-prevent-toolkit>

<http://www.atl.org.uk/Images/adv84-understanding-prevent-duty.pdf>

http://www.ucu.org.uk/media/pdf/8/i/Prevent_duty_guidance_Jul15.pdf

<http://www.et-foundation.co.uk/news/further-support-available-to-help-providers-meet-their-prevent-duties/>

(With thanks to Selina Stewart for her ongoing help with Prevent issues).

Eight FE colleges achieve a 100% student satisfaction rating for their HE provision

The recently published National Student Survey of around 300,000 students in 156 Higher Education Institutions (HEIs) and 190 FE colleges in England, reveals that there was an 86% 'satisfaction rating'. Within this total, 8 FE colleges in England had satisfaction ratings of 100%, and 21 others had satisfaction ratings of between 90% and 97%. Those colleges with 100% satisfaction scores include Bournville College, Central Bedfordshire College, Eastleigh College, Kendal College, Kensington and Chelsea College, Leeds College of Building, South Devon College and West Herts College. This represents a large increase compared to last year's survey, in which just one FE College gained a 100% student satisfaction rating.

Record numbers begin university this year

UCAS is predicting that a record number of students will be beginning full-time undergraduate courses this autumn. Data released just five days after GCE A Level results were announced, showed that more than 460,000 places had been confirmed, with around a further 60,000 places offered being held and around 135,000 applicants still seeking places. The HE admissions cap has now been lifted and one estimate puts the increase in the number of undergraduates this year at around 27%.

In England, students' university tuition fees are paid up front by BIS via the Student Loans Corporation, This in the increasingly improbable hope that the money can eventually be recovered from the students at some point in the future when they are earning £21,000 or more. The large growth in the numbers of undergraduates in England means that the Treasury will need to find a considerably larger amount of public money to pay out in tuition fees to universities. Although this might leave universities in England rubbing their hands at the prospect of receiving all that extra cash, it is important to remember that the Institute of Fiscal Studies (IFS) has predicted that some of the poorest young people in England will now be leaving university with debts in excess of £50,000, a situation made even worse by the recent replacement of maintenance grants with maintenance loans.

Universities in England call for powers to further increase tuition fees

In June, Universities UK (UUK) published a report in which it was argued that 'sufficient and sustained investment was needed to allow universities to maintain their powerful and positive contribution to the UK

economy'. The report concluded by saying 'we cannot afford to let universities budgets to go unprotected'. Roughly translated, UUK is arguing that universities in England should be allowed to raise their tuition fees still further (and why wouldn't they as long as undergraduate recruitment remains uncapped and BIS continues to pay tuition fees on behalf of students up front?). George Osborne appears to have partially capitulated to UUK demands and has announced that tuition fees in England will now be 'allowed to rise in line with inflation'. This, he said, was in order that universities can remain as 'one of the jewels in the crown of the British economy'. Meanwhile, Universities Minister for England, Jo Johnson, is in the process of introducing new HE 'Teaching Excellence Framework' and has suggested that being able to demonstrate excellence in teaching is one way that universities in England might be allowed to charge even higher fees. (As an aside to this, not only does Germany spend a larger proportion of its gross domestic product on HE than the UK, it has this year voted to abolish university tuition fees altogether).

HE money should be transferred to FE

But not everyone thinks that this is fair. The Edge Foundation has added its weight to that of the Policy Exchange (a right wing 'think tank' that former Education Secretary Michael Gove helped to set up) in calling for a part of the extra money being given to universities to be given to the FE sector instead. Both Edge and the Policy Exchange argue that 'HE is the last part of the education system that needs extra funding'. They say that 'universities are in ruder health than they have been for a long time' and that the budget position of universities 'is secured for the foreseeable future'. They go on to say that it is 'becoming clear that universities are quite simply not producing the results we need for both the economy or for graduates themselves', and refer to data recently published by the Higher Education Careers Services Unit, that reveals that only one in four of last year's law graduates had jobs in the legal sector six months after graduation, and that than one in three graduates of sociology, English, media studies and psychology were working in shops, bars, restaurants or a low grade clerical job. They say that given the 'diminishing returns that HE is offering to the economy, the imbalance between its funding and that given to FE is astounding' and go on to argue that FE colleges would be 'better placed to meet the growing demand for higher-level technical qualifications than universities, so government funding should be allocated accordingly'. This 'imbalance in funding' between FE and HE has also been highlighted by Baroness Wolf in her report entitled '*Heading for the Precipice: Can Further and Higher Education Funding Policies be sustained?*' in which she estimates that FE colleges received about £2,150 per full-time adult student in 2012 and that between 2005 and 2014 funding per FE learner fell in real terms by 20% (and is still falling), whereas universities currently receive around £8,400 per full-time undergraduate.

GCE A Level results 2014/15

There was a slight increase in the proportion of top GCE A Level grades awarded this year. A* and A grades were awarded to 25.9% of GCE A Level entries, down from 26% last year, with the very top A* grade remaining the same at 8.2% and A grades down by 0.1%. The overall pass rate rose by just 0.1% to 98.1%. The number of GCE A Levels taken this year has risen to over 850,000, with mathematics (with a 20% increase in entries), English and biology being the most popular subjects, along with a significant increase in the number of entries in computing. Schools Minister Nick Gibb claims that this is the result of emphasis the government is now placing on 'core academic subjects'.

GCSE results 2014/15

There were more than 5 million GCSE entries this year. Results were broadly stable compared with last year and, across England, 68.8% of entries gained an A* to C grade. However, there were wide regional variations. In London, 72% of entries achieved A* to C grades, compared with 65% in the Yorkshire and Humber region. In the 'core academic subjects', English and mathematics results have both improved. In English, A* to C grades increased by 3.7% to 65.4%. In mathematics, those achieving a C grade or better increased from 62.4% to 63.3%. There were also improvements in A* to C grades for physics, chemistry and biology. However the number of examination entries for physics, chemistry and biology all fell. The number of entries in French, German and Spanish also fell. The examination boards say that this year's results have been skewed by the changing age ranges of those taking GCSEs as a result of the government's policy of discouraging schools from entering 14 and 15 year olds for exams, combined with the policy of requiring students age 17 and 18 to re-take GCSE mathematics and English, if they failed to get at least a C grade in those subjects whilst at school.

More 17 year olds retake GCSE English and mathematics

As a result of the policy mentioned above, there has been a significant increase in the number of students age 17 and 18 sitting mathematics and English GCSEs this year. The number of entries for English among young people aged 17 and over increased by 22.9% to 97,163, and the number taking mathematics rose by 30.2% to 130,979. However, only 35.1% of entries in English resulted in A*-C grades, down from 37.9 per cent last year, and in mathematics, only 35.8% obtained a C or better, down from 38.9% last year. One of the possible reasons for this may have its origins in the government's decision to lift the cap on HE recruitment and the intense competition that now exists in the HE sector to recruit additional students. Some principals are reporting that local universities are making *unconditional* offers of places to any student who satisfactorily completes a Level 3 course, and that this has had an adverse affect on the motivation of students who are re-taking their GCSEs in English and mathematics. A spokesperson for the DfE defended the government's resit policy and argued that it had resulted in over 4,000 more A*-C passes in English by students aged 17 and over this year, and over 7,500 more passes in mathematics.

EFA relaxes GCSE re-sit funding condition

Following Baroness Alison Wolf's review of vocational education, it was made a condition of funding that any 17 or 18 year old student who did not have a GCSE Grade C pass in English and mathematics would be required to continue to study these subjects, with a view to gaining a Grade C or better. The implication of this was that any student who failed to do this would be removed *in full* (ie for the whole of their study programme) from the 2016/17 funding allocation. However, the Education Funding Agency (EFA) has now said that only half of the funding will be withdrawn. Even then, the new 'half funding' rule will apparently only be applied to providers where more than 5% of relevant students have not complied with the funding condition. The EFA announcement comes in the wake of the publication of data showing that around 35,000 16-18 year olds without at least a grade C in GCSE English and mathematics who were attending an FE or sixth form college, did *not* continue with their study of these subjects. Had the condition been applied in full, it would have represented a potential loss of funding to the sector of around £150 million. A spokesperson for the DfE said 'ministers have decided not to impose the fully planned funding reductions from the 2014/15 academic year', which some have interpreted as an admission of failure on the part of the EFA to enforce its own policy.

Levy on schools is proposed to help FE colleges with costs of compulsory GCSE re-takes

The increase in the number of students re-taking English and mathematics GCSE examinations in FE colleges in England has left them struggling to cope with financial costs of providing the extra tuition that the re-sit students need. An FE college will receive £4,000 for a 16 or 17 year old (and £3,300 for an 18 year old) to teach a full time un-weighted qualification, and is required to fund the remedial mathematics and English teaching and examination fees from within this sum. In reaction the Policy Exchange has called for a post-16 're-sit levy' to be imposed on schools. The proposed levy would mean schools would be required to help cover the cost for 'some or all of their students' who fail to get a C grade in the subjects and transfer to a course at an FE College, as part of which they are required to re-sit GCSE English and mathematics. The Policy Exchange argues that 'it is unfair for some schools to pass the buck to FE colleges who are already facing extreme funding pressures to fix a problem they have not caused themselves'. Thus far, BIS has declined to comment on the levy proposal.

More FE colleges to offer full time 14-16 provision

Another six general FE colleges have been approved by the Education Funding Agency (EFA) to recruit 14-16 learners in 2015/16. These are: Cambridge Regional College, Central Bedfordshire College, East Durham College, East Kent College, John Ruskin College in Croydon, and South Tyneside College. This brings the total number of colleges offering, or intending to offer, full time 14-16 provision to 20.

New Careers Colleges to be established

Six FE colleges are preparing to open 10 new Careers Colleges over the next two academic years, with the potential for further 15 to be opened by 2019. Following on hotfoot from his earlier initiative to establish UTCs, Careers Colleges are the brainchild of former Conservative Education Secretary Lord Baker. The new colleges will be based within existing FE colleges and will offer vocational education for 14-16 year olds. Each Careers College will offer a specialism in a particular occupational sector and will work closely with local employers in designing curriculum and accreditation. Careers Colleges have been established, or are in the process of being established at Barking and Dagenham College, South Tyneside College, Yeovil

College, Harrow College, Birmingham Metropolitan College, Lincoln College, Bromley College and Hugh Baird College. Lord Baker said he was 'delighted' that the careers college network was expanding.

Scorecard system introduced to help local authorities track NEETs

In response to a recent Public Accounts Committee (PAC) report, which claimed that some local authorities in England were unaware of the employment status of as many as 20% of the 16-19 year olds in their area, the government has introduced a 'scorecard' system. The new system is intended to rate local authorities on their performance in helping young people into employment or training. The scorecards will allow users to compare their local authority's performance in reducing the number of young people aged 16-19 who are not in employment, education or training (NEET) against national statistics. The scorecard will also show whether the percentage in each group that has risen or fallen since the previous year, and how these changes compare to changes nationally. With reference to current NEETs data, a recently published DfE report shows that the percentage of 16 and 17 year olds that *are* in education or employment in England now stands at 94.4% and that their local authority had tracked 91% of those who were classified as NEET.

The need for ESOL in schools increases

At a time when BIS has withdrawn funding for ESOL courses in FE colleges, data recently released by the DfE shows that in 2013/14 there were 1.1 million children in schools in England for whom English was *not* their first language, and that 311 different languages other than English that were spoken as a first language. The data also shows that English-speaking pupils are increasingly becoming a minority in schools in many areas, and in some schools, *no* pupil has English as their first language. Schools where foreign languages have overtaken English as the first language are geographically dispersed, but tend to be concentrated in major towns and cities such as London, Oldham, Rochdale, Birmingham, Slough, Sheffield, Bolton and Bradford. Head teachers have called on the government to recognise this and meet the resource implications of the need to provide more ESOL support in schools and also to meet the burgeoning demand for additional school places. In response, a DfE spokesperson said 'We have protected school funding to ensure they have the resources they need to meet the needs of all pupils, no matter what their background'.

Prime Minister says every school in England should become an academy

Despite opposition from teaching unions, more than half of all secondary schools in England are now academies. In June of this year there were 4,676 academies in England, a rapid increase from just 203 in May 2010. David Cameron now says that he wants all schools in England to become academies and has recently announced that a further 1,000 schools in England will become so in the near future. Legislation has also been introduced that will force failing schools to become academies. This, says the government, is in order that the necessary improvements can be made.

£10 million given to schools to encourage pupils to learn Chinese

Following his recent visit to China, George Osborne seems to have relaxed part of his austerity programme in order to announce that an extra £10 million is to be made available to schools to encourage pupils to learn Mandarin Chinese (presumably beyond that needed to order a takeaway).

Alan Birks – September 2015

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