

RAISING STANDARDS IN POST-16 LEARNING: An early NIACE response to the DfEE consultation document on the quality improvement strategy for the new Learning and Skills Council and all partners and 'suppliers' involved

Raising Standards comes in a summary form which has been published. The full version is available from the DfEE web site www.dfee.gov.uk/post16/publications. It is worth reading the full report, which has some helpful appendices. Of crucial importance is the appendix which deals with the learner entitlement. It is important to have other key documents in mind when considering *Raising Standards*. Key among these are

- Post 16 Funding: Second Consultation Document* (May 2000)
- Funding flows and Business Processes* (May 2000)
- Connexions* (February 2000)
- Inspecting Post-16 Education and Training* (April 2000)
- Learning and Skills Council Prospectus* (December 1999)

In this early response we have set out to answer the 15 questions asked by the consultation document. The 15 questions are set out in the documents but also on a separate form for respondents. NIACE believes these to be the right questions and urges all education and training providers to respond. The DfEE seeks views on basic principles as well as specific questions. Comments are requested by **28th July 2000 to: Dave Cooper, Consultation Unit, DfEE, Level 2b, Castle View House, Runcorn, Cheshire WA7 2GJ; Tel: 01928 794341; Fax: 01928 794311; e-mail: raising.stands@dfee.gov.uk**

NIACE will post on to the web site a final version and NIACE members are asked to let us have a copy of their response which should be sent for information to Alastair Thompson at NIACE.

Areas covered in the document are:

- the key issues for consultation (the questions)
- seven design principles (chapter 1)
- the roles and relationships of all those involved: 'suppliers' (education and training providers); Learning and Skills Council (LSC), Employment Service (ES); inspectorates; relationships between LSC and LEAs, and between LSC, ES and their partners (chapter 2)
- the requirements of suppliers, including learner entitlements and responsibilities, post-16 quality requirements and the requirements of new suppliers (chapter 3)
- processes for quality improvement, including LSC and ES planning, rewards and punishments (rewards for high quality and suppliers giving cause for concern), promoting good practice (chapter 4)
- transition to the new arrangements for raising standards; including inspection, colleges with existing accreditation or Beacon status, implications for the college inspector role and TEC quality assurance, and work based training (chapter 5)
- what happens next?* includes a timetable for implementation which notes:

early July 2000	appointment of Chair for new Adult Learning Inspectorate (ALI)
late July 2000	appointment of new ALI chief inspector
October 2000	recruitment and training of new ALI staff and LSC staff
January 2001	publication of statutory consultation on new inspection framework publish LSC arrangements for raising standards (ie results of this consultation)
January-March	publish common inspection framework parallel running of new arrangements for raising standards between LSCs, FEFC, TECs and Inspectorates, including preparation for first round of inspections
April 2001	new arrangements for raising standards and common inspection framework introduced and operational

NIACE's initial reaction to the consultation document is that it is helpful and contributes substantially to the future direction of the LSC, in tandem with documents on the inspection framework and on the funding methodology. Of particular note is the appendix on learner entitlements and the concept of placing the learner 'at the heart of the new system'. This bodes well for the future of learning and skills.

NIACE particularly welcomes

- The focus on learner entitlement
- The clear statement of "design principles"
- Development of standards fund type programme to support and improve quality
- The clear belief in self assessment and relationship of this to the inspection framework

Key issues to be resolved include:

- The content of national benchmarks, particularly for achievement
- Support arrangements for and quality requirements of new suppliers such as small voluntary organisations
- The role of Learning Partnerships and the value of the learners' voice
- The data required of suppliers in order to provide the best information on participation, inclusion and neighbourhood renewal.

Design Principles

Question 1	NIACE Response
<p>Do you agree these are the key design principles to underpin the development of the arrangements for raising standards in post-16 learning? (para 8)/Chapter 1</p>	<p>Strongly agree <input type="checkbox"/></p> <p>Tend to agree X</p> <p>Neither agree nor disagree <input type="checkbox"/></p> <p>Tend to disagree <input type="checkbox"/></p> <p>Strongly disagree <input type="checkbox"/></p> <p>Don't know <input type="checkbox"/></p> <p><i>Comments:</i></p> <p>We agree that all suppliers must be subject to the same degree of rigour in relation to quality assurance. However, the consultation document notes that the Common Inspection Framework will form the core of the LSC and ES requirements and expectations. NIACE is concerned to see the reference to the Inspection Framework having a clear focus on learner achievement. While this is vital, it is also important to recognise the wider benefits of learning and learning outcomes other than qualifications. We would want the expectations on providers to relate to the broad learning outcomes relevant to widening participation, personal development and community growth – and not just qualifications.</p> <p>We are concerned that one of the principles is about "rewarding" suppliers who deliver high quality provision. Normally, delivering high quality training and education should be what most suppliers ought to aim to do; to reward them with public money for doing so seems rather surprising. However, 'reward' means 'to expand provision in areas of high quality' and this will benefit communities where the provider has reached capacity. There should be a rephrasing to expand on the notion of 'reward' so that the principle as expressed does not sound like a financial bonus for doing what is expected of education and training providers.</p>

Raising Standards in Post -16 Learning

Question 2	NIACE Response
Do you agree that these proposals provide clear responsibilities for those involved in raising standards in post-16 education and training? (para 9 to 17)/Chapter 2	<p>Strongly agree <input type="checkbox"/></p> <p>Tend to agree <input type="checkbox"/></p> <p>Neither agree nor disagree X</p> <p>Tend to disagree <input type="checkbox"/></p> <p>Strongly disagree <input type="checkbox"/></p> <p>Don't know <input type="checkbox"/></p>
	<p><i>Comments</i></p> <p>:</p> <p>NIACE warmly supports the notion that the DfEE retain lead responsibility for the development of qualifications for 'post-16' teachers and trainers, and that a framework for standards and qualifications for staff in adult and community learning be developed. We look forward to working closely with PAULO to develop these standards.</p> <p>In our view there is insufficient reference to new suppliers of education and training, and to the voluntary sector and neighbourhood organisations. Such organisations must be supported effectively if the agenda of neighbourhood renewal is to be addressed. This would be a key role for the local learning partnerships and the local LSCs.</p> <p>It is not made sufficiently clear that the LSC itself will have a key role in quality improvement under the section on the role of the LSC in the main document (paragraphs 5-13 in chapter 2).</p> <p>The relationship between the local learning partnerships and the LSC will be crucial. The role of lifelong learning partnerships is not addressed fully in the document. Nor are they mentioned in the second funding document. We have made this point in our early response on the latter.</p> <p>There is insufficient mention of the relationship between the new Best value Inspectorate and the new Adult Learning Inspectorate in LEAs. If LEAs are not to be confused or swamped by the audit culture, care and sensitive planning will be needed.</p> <p>On the other hand the arrangements for LEAs are spelt out clearly, and their role.</p> <p>The lack of mention of learners' forums is</p>

	consistent with the lack of investment in the local lifelong learning partnerships. It is heartening to see the DfEE referring to NTOs by name but finds little mention of LEAs and the voluntary sector or quality improvement and development organisations and their role (eg BSA; NATECLA; NIACE; Skill; FEDA; DRC; EOC).

SC and ES – Contracting Arrangements

Question 3	NIACE Response
<p>Do you agree the proposed contracting arrangements strike the right balance between ensuring high quality provision while encouraging innovation and new suppliers to enter the market? (para 21 to 23)/Chapter 3</p>	<p>Strongly agree <input type="checkbox"/></p> <p>Tend to agree <input type="checkbox"/></p> <p>Neither agree nor disagree <input type="checkbox"/></p> <p>Tend to disagree <input type="checkbox"/></p> <p>Strongly disagree <input type="checkbox"/></p> <p>Don't know <input type="checkbox"/></p> <p><i>Comments:</i></p> <p>It would be useful for LSCs and the ES to establish benchmarks and performance data for suppliers. However, NIACE cautions against seeing such data as the only proxy for quality for the reasons mentioned earlier: there is more to achievement than qualifications.</p> <p>Insufficient mention is made of the role of voluntary organisations or LEAs in table 2 in chapter 3.</p> <p>Insufficient mention of LEAs' own centres and residential colleges, which is a kind of subcontracting.</p> <p>New suppliers need guidance – a 'quality health check' from the inspectorate and the LSC when they first start. This would save money and prevent mistakes later on and prepare suppliers for the rigours of self assessment and inspection. It would also be a way for the LSC to help suppliers from the beginning.</p>

Requirements of Suppliers

Question 4	NIACE Response
<p>Do you agree with the requirements of suppliers and do they focus effectively on raising standards? (para 26 to 30)/Chapter 3</p>	<p>Strongly agree <input type="checkbox"/></p> <p>Tend to agree <input checked="" type="checkbox"/></p> <p>Neither agree nor disagree <input type="checkbox"/></p> <p>Tend to disagree <input type="checkbox"/></p> <p>Strongly disagree <input type="checkbox"/></p> <p>Don't know <input type="checkbox"/></p> <p><i>Comments:</i></p> <p>NIACE supports the comments made about suppliers and the requirement to have:</p> <ul style="list-style-type: none"> - internal quality assurance arrangements including, <ul style="list-style-type: none"> - self assessment - benchmarking - target setting - development planning. <p>No mention has been made of 'Best Value' approaches, which LEAs are expected to respond to. It would help if the fuller picture was understood.</p> <p>NIACE notes that the Inspection Framework is also to be the basis for the self assessment report. It will be necessary to ensure that the Framework is absolutely right for adult learners as it will be for young people.</p> <p>NIACE's reservations about the requirements of suppliers are about those which are small or where learning is not the main focus of the organisation, as in some excellent voluntary organisations with a strong social inclusion role. Small organisations will require particular support, simplified systems for quality assurance and simplified systems for documentation and data. They will also require particular help in relation to expectations from inspection processes. This does not mean standards should be lower – only that expectations should be reasonable.</p>

Question 5	NIACE Response
<p>Do they favour any types of suppliers at the expense of others? (para 26 to 30)/Chapter 3</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p><i>Comments:</i></p> <p>It is inevitable that those suppliers most used to inspection, data return, and self assessment will have an advantage over those suppliers who have not done this before. Self assessment alone involves a steep learning curve in which suppliers will have to weigh up strengths and weaknesses with limited knowledge of the quality of other provision elsewhere.</p> <p>NIACE suggests that additional resources are directed to those not inspected before including small organisations. Such resources could be used to purchase help from quality providers of a larger size, or through umbrella organisations or consultants. Training programmes, additional staff and advice should all be used to help suppliers address quality improvement. What is required here are some equality of outcomes for all learners.</p>

Question 6	NIACE Response
<p>Do you agree that a statement on post-16 learners' entitlement and responsibilities would be valuable for learners? What are the key issues to be addressed in taking this proposal forward? (para 27)/Chapter 3 and appendix 2</p>	<p>Strongly agree <input checked="" type="checkbox"/></p> <p>Tend to agree <input type="checkbox"/></p> <p>Neither agree nor disagree <input type="checkbox"/></p> <p>Tend to disagree <input type="checkbox"/></p> <p>Strongly disagree <input type="checkbox"/></p> <p>Don't know <input type="checkbox"/></p> <p><i>Comments:</i></p> <p>Appendix 2: the statement of learner entitlements is a helpful development but should not displace some of the quite sophisticated student charter work already done by some colleges and LEAs and requires further development. It would also be helpful to add in a stronger mention of educational guidance (not just 'assessment'), and the entitlement to help towards employment, training or further learning opportunities as appropriate. We recommend that all learners are covered by this statement when it has been finally developed and that the Statement is issued by each supplier. The inspectorate should</p>

	<p>monitor how learners' entitlements and responsibilities are being delivered, during their regular inspection. Each supplier should develop their own statement starting from the national Statement, which should be seen as a core set of entitlements for all. The local LSC should help new and existing suppliers to keep statements under review as part of the self assessment process.</p> <p>One of the key issues is to ensure that all learners are aware of these entitlements and this requires a staff development programme. Similarly, many students will find access to the Statement of entitlements difficult; we will need to help suppliers to ensure that such a Statement is translated, simplified and taped, in order to reach students with disabilities.</p> <p>NIACE cautions against the tone and use of some words and phrases in the <i>Learner Entitlement</i>. For example, the 'Learner responsibilities' are clearly addressed to young people in further education and not to adults. Nor is there recognition that adults will wish to learn for wider reasons than 'employability'. These expectations have to work with all ages and experiences of learners, otherwise the <i>Statement</i> will not have the effect desired.</p>
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Question 7	NIACE Response
<p>What are the key issues to be addressed in developing common measures and evidence portfolios for the LSC/ES and other national agencies to inform quality monitoring arrangements? (para 9 and para 31)/Chapter 3</p>	<p><i>Comments:</i></p> <p>NIACE fears that nothing will reduce the administrative arrangements for suppliers.</p> <p>A common portfolio of evidence which helps suppliers to understand the demands of audit would be helpful.</p>

Question 8	NIACE Response
<p>Do the proposed performance indicators provide an appropriate base to assess quality and continuous improvement effectively? (para 36)/Chapter 3</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Not entirely</p> <p><i>Comments:</i> We welcome the intention to proceed carefully with the development of the proposed core information requirements and to take account of different types of provider and the diversity of learners' needs and objectives. This is crucial if more informal, community-based provision is not to be overburdened with inappropriate requirements.</p>

	<p>The indicators themselves are comprehensive but will need to take greater account of the more episodic and disrupted character of some types of provision (for example 'first steps' programmes and some work with adults with learning difficulties or disabilities) particularly in relation to how retention is to be interpreted. Recognised outcomes will need to be sufficiently broad to accommodate learning gain from non-accredited provision and to take account of unanticipated gain.</p> <p>Sometimes in order to address participation and social inclusion objectives it is not appropriate to collect data in the same format. There is a strong need to recognise this early on. The use of other indicators of achievement other than qualifications and attendance, for example, must be accepted.</p> <p>Learners' views should have a specified place in both the indicators around effectiveness in respect of priority groups and in relation to the quality of provision where they need to have an explicit role in self-assessment reports. Indicators of value for money must also reflect a broad range of outcomes.</p>
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Question 9	NIACE Response
<p>In what circumstances are published comparative information and benchmarking helpful in raising standards? Are there circumstances where such information should not be published? (para 39)/Chapter 3</p>	<p>Very useful <input type="checkbox"/></p> <p>Useful <input type="checkbox"/></p> <p>Not useful X</p> <p>Don't know <input type="checkbox"/></p> <p><i>Comments:</i></p> <p>While performance tables in relation to young people and their A levels might be useful in some circumstances, NIACE can see no real purpose in comparing figures between groups of qualifications or between groups of adult learners in different parts of the country. Their only usage has been to provide <i>indicators</i> which some think are helpful during inspection. However, these have often been flawed and do not help suppliers to improve quality. It would be more helpful to look at measures of 'value added' and the 'distance travelled' by learners.</p> <p>Comparative performance tables are extremely problematic in relation to the diverse and complex nature of adult learning provision, with its vast array of contexts, purposes, providers, curricula and learners. Comparing like with like and contextualising data sufficiently to make it meaningful will be a difficult and contested process.</p> <p>The rationale for the tables is also not clear. Are they tools for quality improvement or a means of informing consumer choice? The former would require quite high levels of detail and of a type that might not fit such a format, whilst the latter presupposes a free market rather than one in which supply will be controlled through the organising agency of the LSC. There is also an issue around how learners' opinions would be garnered and used in order to achieve the ambition of revealing "whether the choice and context of the teaching and training was appropriate" to their needs, abilities and labour market prospects.</p>

The LSC and ES Supplier Review Processes

Question 10	NIACE Response
<p>Do you consider the proposed supplier review will be effective and will identify suppliers who need to improve performance and who need additional support and/or guidance from the LSC and/or ES? (para 40 to 44)/Chapter 4</p>	<p>Yes <input checked="" type="checkbox"/> X</p> <p>No <input type="checkbox"/></p> <p><i>Comments:</i></p> <p>We welcome the principle of inverse proportionality as a basis for determining the frequency of monitoring visits. Also very pleased to see the intention to support and develop the capacity of (some) suppliers who need to improve their performance. More detail on how this constructive process will roll out would be useful along with a clearer sense of the points of transition between support and sanction.</p> <p>In monitoring supplier delivery arrangements, the evidence required for assuring contractual and funding compliance, continuity of provision, value for money and financial arrangements will need to take account of the size and capacity of suppliers, particularly in relation to smaller and newer providers.</p> <p>Within the criteria for the review process it would be helpful to have an indication of the anticipated sources of evidence for the assessment of the quality of education and training.</p>

Question 11	NIACE Response
<p>Should the current accredited and Beacon status of FE colleges be carried forward until the new arrangements are established? (para 47)/Chapter 4</p>	<p>Yes <input checked="" type="checkbox"/> X</p> <p>No <input type="checkbox"/></p> <p><i>Comments:</i></p> <p>We think that such arrangements should continue given that strong and positive improvements follow the journeys that providers make towards accredited status.</p> <p>What matters to adult learners is that there is a rigorous system for accreditation, that it applies to all suppliers equally and that mechanisms for accreditation should not depend on the size and wealth of an organisation. The Investors in People Award (IiP) has proved that organisations can be effective learning organisations if there is a commitment to this from managers. Similarly, NIACE's view is that such</p>

	<p>arrangements should also support small and medium sized employers. The same should apply for education and training providers. Like IIP there should be no benefit other than the status of the award and more reasonable inspection monitoring arrangements.</p> <p>NIACE cautions against a plethora of awards. The difference between ‘accredited’ colleges (FEFC) and ‘Beacon’ colleges (DfEE) is not fully understood and we see no point in the different terms. In addition, awards for education and training providers should never be made without properly taking full account of assessed quality of teaching and learning.</p>
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Question 12	NIACE Response
<p>Do you agree that the award of preferred approved supplier status should be available across all types of supplier? If so, what benefits should this status attract? (para 48)/Chapter 4</p>	<p>Strongly agree <input type="checkbox"/></p> <p>Tend to agree X</p> <p>Neither agree nor disagree <input type="checkbox"/></p> <p>Tend to disagree <input type="checkbox"/></p> <p>Strongly disagree <input type="checkbox"/></p> <p>Don't know <input type="checkbox"/></p> <p><i>Comments:</i> In order to sustain comprehensive quality improvement and an “open, fair and competitive learning and training market” it is essential that approved/preferred supplier status should apply across all post-16 publicly funded provision. We would endorse the intention to incorporate this into the supplier review process in order to minimise the work required of suppliers to achieve this.</p> <p>With appropriate resourcing such bodies might be invited to contribute to the process of supporting and guiding less developed or struggling suppliers. This might offer significant capacity building advantages within sectors.</p>

Investing to raise standards

Question 13	NIACE Response
<p>In what circumstances would it be appropriate for the LSC or ES to invest resources to improve marginal or unsatisfactory provision? How should this be done and how should such investments be safeguarded? (para 54 to 56)/Chapter 4</p>	<p><i>Comments:</i> NIACE strongly welcomes the idea of extending a Standards Fund to all types of suppliers in order to encourage the development and sharing of good practice across the broad range of provision. In terms of how this is delivered there might be an argument for doing this on a sector basis rather than as one national fund to ensure maximum responsiveness to their particular requirements.</p> <p>Investment in improving marginal or unsatisfactory provision should take account of</p> <ul style="list-style-type: none"> <input type="checkbox"/> the context and purposes of the delivery <input type="checkbox"/> available alternatives <input type="checkbox"/> potential for on-going support from other agencies - for example peer support from similar bodies <input type="checkbox"/> the providers' track record and potential for development, and <input type="checkbox"/> the significance of the provision/provider within the local 'map' of learning opportunities.

Promoting Good practice

Question 14	NIACE Response
<p>What type of support should the LSC and ES provide to encourage new developments and collaboration to improve learning opportunities and the new efficiency and effectiveness of delivery? (para 59)/Chapter 4</p>	<p><i>Comments:</i> Expertise from within or attached to the LSC in key areas such as</p> <ul style="list-style-type: none"> <input type="checkbox"/> outreach, planning, delivery and evaluation <input type="checkbox"/> funding sources to support staff development and the dissemination of good practice <input type="checkbox"/> funding sources to support the development of infrastructure necessary for effective collaboration (for example within the voluntary and community sector) <input type="checkbox"/> encourage and resource approved suppliers to 'mentor' less developed or struggling providers <input type="checkbox"/> mechanisms to encourage cross-sectoral networking (perhaps through the planning process) and sharing of effective local practice <input type="checkbox"/> review process should incorporate and reflect the value of effective collaboration and partnerships.

Introduction of the new requirements for raising standards

Question 15	NIACE Response
<p>What additional support is needed during the transition to help suppliers prepare for the introduction of the new arrangements for raising standards in post-16 learning? (para 60)/Chapter 5</p>	<p><i>Comments:</i></p> <p>It is essential that suppliers should have as much advance knowledge as possible of the long-term information requirements of the LSC. This will help them to prepare themselves and to have confirmation of the exact requirements that will operate for 2001-02 pending the introduction of the Individual Learner Record system from 2002-03. The same would apply to the new quality and inspection requirements that are also expected later this year.</p> <p>In order to ensure maximum reach for the information out to existing and potential providers it would be helpful to arrange sector-based sub-regional briefing meetings to accompany publication, along with temporary (sector-based) points of contact for advice and guidance. At a suitable stage, perhaps late Autumn, a summary of progress to date mapping the arrangements and offering answers to key questions should be disseminated to help providers take stock of their understanding and planning.</p>