

AIMS OF BILL

As a large provider of apprenticeships and technical education in partnership with industry, and Further Education institutions, we are supportive of the Government's commitment to the streamlining of the administrative processes that underpin the vocational skills sector as well as improvements to quality and ongoing currency of qualifications.

We are, as the Government is, totally committed to ensuring that England, and the rest of the UK, has a world leading vocational and technical education system to enable us to thrive in an increasingly unsure and rapidly changing industrial climate.

TRANSFER OF POWERS TO SECRETARY OF STATE

We believe that, based on the stated intentions of Skills England, that the government's reforms offer a strong potential route to achieving these goals. As the Skills minister said in the Lords the current system is "overly prescriptive and could hamper the responsive and agile skills system we need".

The establishment of Skills England has the potential to enable the skills sector to better keep pace with the needs of industry. The growth of apprenticeships that are relevant, high quality and linked to solid employment outcomes is necessary for the growth of the economy and it is right the Government prioritises approaches to ensuring that is delivered flexibly and at pace.

However, the IfATE Transfer of Functions Bill does currently leave areas of uncertainty which need to be addressed during this transition to Skills England for the reforms to achieve their goals.

The transfer of all powers to the Secretary of State should be complemented, as soon as practicable, by official guidance on how and when those powers would be used in practice, in their entirety, and include guidance on the types of situations where the Department would feel need to intervene in that process to assert their powers rather than making use of the existing mechanisms for apprenticeship design, review, removal and assessment. The role of providers, and end point assessors, will be critical in this work and this collaborative approach could be emphasised more fully.

We therefore strongly welcome the Government's Lords amendments to clauses 4&5 of the Bill requiring the Secretary of State to lay before Parliament and publish information on how the SOS will use their powers to agree standards and assessment plans.

We would recommend clear timeframes, either as ministerial guidance or written into the legislation, to demonstrate which powers are intended to be delegated to Skills England and circumstances where it would remain with the Secretary of State.

If Skills England is not yet ready to assume the responsibilities thus identified we would suggest that the legislation set out a requirement for the Secretary of State to report on the progress needed for this to happen, and setting out a timeframe for the delegation of such powers, perhaps within 12 months of enactment.

Transfer of IFATE to Skills England

As Skills England has yet to be fully defined and established, we believe that the closure of the Institute for Apprenticeships and Technical Education, requires a clear succession plan to ensure that ongoing work continues as seamlessly as possible.

Whilst IfATE has not been as effective as it could have been in the administration of technical qualifications, the loss of highly experienced staff who have overseen the apprenticeship process for many years will be difficult to cover in the short term and gaps in coverage would have a negative impact on work with employers, providers, and learners.

SUPPORTING STRONGER SKILLS, APPRENTICESHIPS AND TECHNICAL EDUCATION

ENGAGING EMPLOYERS AND PROVIDERS

One of the strengths of the English Apprenticeship system is the central role that employers and industry specialists, alongside excellent providers, play in identifying the need for and defining standards, setting assessment plans, reviewing and updating criteria and deciding when standards are no longer fit for purpose.

Section 4, ss(2)(3a) of the proposed legislation gives the Secretary of State unilateral powers to carry out the activities that have previously been led by employers if the Secretary sees fit. Likewise, the legislation gives the SoS the power to remove standards and adjust the assessment plans,

It is currently unclear what situations would result in this power being used but it would undermine the core value that apprenticeships have. It would damage apprenticeships in ways that are probably not clearly apparent to those who drafted this legislation for example by reducing their relevance to employers and therefore potentially resulting in a drop in enrolments and successful completions. By omitting providers in this process there is the additional risk of creating programmes of learning that cannot be delivered without additional, and potentially costly, investment.

The success of apprenticeships and technical education relies on the value that employers place in the qualifications as derived from employer needs. To lessen the influence of employers could result in reduced use of apprenticeships for learners at all levels due to an impact on the perceived value of the programmes.

The proposal to enable the Secretary of State to make unilateral decisions on the creation, amendment and removal of standards and assessment plans should be complemented by guidance on how this power is intended to be used. If the intent is for, in the normal course of events, these powers to be exercised by employers, providers, and other relevant groups, but for the Secretary of State to intervene where roadblocks exist to change, or where rapid change in course approval is required, it would likely build employer confidence if this was set out by government prior to the enactment of the legislation.

This is because, whilst we cannot imagine a situation where a Secretary of State would act in isolation from the stated need of employers, there may be a perception that this would be the case and greater clarity would ensure employer confidence.

Such guidance need not be complex. For example it could be stated that where the Secretary of State may prepare, a standard, assessment plan etc.]... “the SOS will normally only do so after seeking the advice and guidance of a representative body of industry, providers etc, except in circumstances where a clear industrial or economic need is identified, in which case a ministerial statement would be made setting out the reasons and providing opportunity for parliamentary scrutiny”.

UPDATING QUALIFICATIONS

One of the greatest challenges faced by apprenticeships and technical education is ensuring that qualifications remain current and meet the needs of employers. The increasingly rapid change brought on by social and technological advancements has made it harder than ever to keep qualifications up to date. There is no doubt that provisions to speed up the process of review, updating and validating of qualifications need to be put in place and the goals of the legislation are welcome in that regard.

In the Legislation this is achieved by, section 6 (2)(a&b) removing the obligation for reviews at set periods by deleting language such as “at regular intervals” and in section 6(3)(a+c) removing “regular” from the language used in the Apprenticeships, Skills, Children and Learning Act 2009 in relation to the review of qualifications.

The Government has clarified in their policy guidance that the goal here is to not to remove the need for reviews but to “*allow the Secretary of State flexibility to focus on reviews of greater need and those which will have the greatest impact*” .

Given the far-reaching powers that this bill empowers the Secretary of State with, we believe that greater accountability should be included, either within the wording of the legislation or in guidance on how reviews will be prioritised and course standards updated.

This might include a trigger of a request from Industry and providers, or the setting up of devolved review panels with an obligation to ensure curriculums are industry relevant, and the ability to request a review from the Secretary of State. The clear intention must be that technical education will be reviewed to ensure its currency and value in line with employer needs and changing trends.

CONCLUSION

In conclusion we are very supportive of changes to the skills system that enable it to be more responsive and to better meet the needs of employers, individuals and providers. This piece of legislation takes steps towards this goal but would benefit from adjustments that would enable it to better meet its aims and to ensure that ongoing progression towards the skills system that the UK needs is maintained.