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Dear Committee Chairs,

Thank you for Chairing the first day of the Public Bill Committee of the Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Bill on 13 March. I appreciated the discussions and the scrutiny Committee members provided. I am writing on a small number of specific matters that were raised in debate.

I committed to providing more information about levy funding of non-apprenticeship training to the Honourable Member for Harborough, Oadby and Wigston, which I think will be of interest to the wider Committee.

This government will get our economy growing again, with the IfATE Bill paving the way for Skills England to turbocharge skills training in our country.

I set out in Committee that across the country skills gaps are holding back business growth, and that we need to support employers to invest in skills training.

Following reforms introduced by the previous Government, including the introduction of the apprenticeships levy, apprenticeship starts fell by over 30% from 2015/16 to 2023/24. It is concerning that fewer young people are benefitting from apprenticeships, with apprenticeship starts by those aged under 25 down by almost 40%.

We have listened to employers who have been calling for flexibilities in apprenticeships and technical education. This government is already starting to deliver - through the introduction of new Foundation and Shorter Apprenticeships, and new flexibilities in English and Maths for adults.

We will continue our drive towards the flexibility that employers tell us they need, but we do not think it is helpful at this stage to put targets or limits on the level of flexibility. It is important we work with employers and understand where flexibility will be most helpful first.

The Honourable Member for East Hampshire also requested further information on Clause 8. He noted Ofqual's regulatory role in relation to technical education qualifications, and T Levels in particular, and queried the changes being made through this Bill.

Ofqual is the independent, expert regulator of qualifications and assessments for England, and makes judgements about the quality of qualifications, be they technical or academic. He is therefore right that Ofqual does already provide some regulatory oversight of technical qualifications to secure their upfront quality. However, since 2022 it has been unable to apply its *accreditation* power to technical education qualifications. This is by contrast to other types of qualifications (such as A Levels and GCSEs).

Section 138 of the Apprenticeships, Skills, Children and Learning Act 2009 allows Ofqual to set an accreditation requirement for individual qualifications or descriptions of qualifications. If it does that, any such qualification must be accredited before it is awarded. Ofqual accredits a qualification submitted by an awarding organisation, i) if the awarding organisation has been recognised in respect of that qualification or type of qualification; and, ii) if the qualification submitted meets the relevant criteria. This is a rigorous process that gives confidence to those pursuing A Levels and GCSEs.

Ofqual is currently prevented from making determinations on accreditation for technical qualifications. This means that, in respect of accreditation, technical qualifications are treated differently from academic qualifications and are prevented in all instances from benefiting from an important tool for ensuring quality.

The Bill reintroduces the potential for Ofqual to apply its accreditation power to technical qualifications. This addresses the lack of flexibility which means that at present an important tool for securing quality can be applied to academic qualifications, but cannot, in any circumstances, be applied to technical qualifications, even where these are taken by the same cohort of students.

It does this in a controlled way, requiring the Secretary of State to first grant permission for it to consider whether to accredit a particular type of technical qualification. This is important due to the relative newness of many technical qualifications, some of which are still bedding into the system, and due to the need to carefully consider the interactions with the ongoing curriculum and assessment review, being led by Professor Becky Francis CBE.

Prior to the policy to prevent Ofqual accreditation of technical qualifications first being introduced in 2022, Ofqual did choose to apply its accreditation power to a small number of Technical Qualifications. Reintroducing the potential for Ofqual to apply its accreditation power will enable the full suite of regulatory options to be available to technical education qualifications, were the Secretary of State to deem this necessary to maximise the quality of and confidence in those qualifications.

It is in the interests of the education system for there to be the flexibility for all regulated qualifications within Ofqual's remit – be they technical, vocational or academic – to be eligible for accreditation, should the Secretary of State consider it to be appropriate.

As is the case with IfATE currently, we expect the relationship that Skills England has with regulators and other organisations with whom it will work closely, including Ofqual to be set out appropriately including in memorandums of understanding, which reflect the framework agreements that each has with the Department for Education.

There was also considerable interest in Clause 10, which concerns consequential amendments to the IfATE Bill.

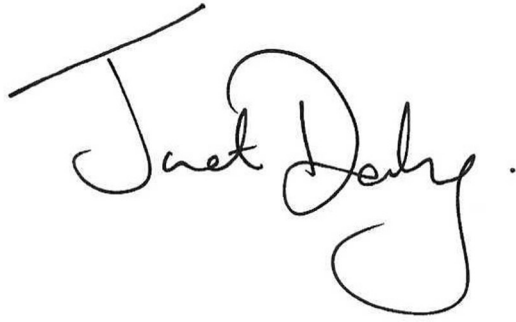
The power in Clause 10 is limited to *consequential* amendments. This means amendments to other legislation that are consequential on (i.e. directly relating to) any provisions made in this Bill. These are predominantly minor and technical matters. For example, given that this Bill includes a provision to abolish IfATE, references to "IfATE" in any other legislation need to be removed to ensure that the statute book is coherent.

The power is limited to legislation enacted before this Bill or in the same session as this Bill. Furthermore, any changes to primary legislation will be subject to the affirmative procedure. However as is customary, any changes to secondary legislation will be subject to the negative procedure. This approach is not unusual and balances sufficient Parliamentary oversight while enabling limited and uncontroversial changes to be made without unduly taking up Parliamentary time.

I would like to take this opportunity to clarify an important point. Clause 10 could not be used to abolish the CITB and/or the ECITB – or any other statutory body. The CITB and ECITB are both statutory bodies set up in primary legislation and would need to be abolished using primary legislation. This Bill does not contain any provision in relation to the Industry Training Boards. As such it would not be possible to use clause 10 to amend the legislation relating to them, as this would not be deemed consequential (i.e. as a result of) on any provisions within this Bill.

I look forward to the second day of Committee on 20 March.

Yours sincerely,

A handwritten signature in black ink that reads "Janet Daby." The signature is written in a cursive style with a prominent initial 'J' and a large, looping 'D'.

Janet Daby MP
Minister for Children and Families