

Written Evidence Submitted by Sandwell College (SPEB15)

FAO: Skills and Post-16 Education Bill – Public Bill Committee

Executive summary:

- Evidence is being submitted against Part 1, Chapter 2, Section 7 – Technical education qualifications, ‘additional powers to approve technical education qualifications’.
- This section deals directly with the Government’s post-16 qualifications review at Level 3. The intent of the Bill as written essentially provides the powers to remove funding approval from qualifications that overlap with A levels and T levels.
- The Bill as written provides for the ‘withdraw (of) approval of a technical education qualification’ – the Bill does not provide a definition of these qualifications nor does it direct either ‘The Institute’ or the Secretary of State to define these qualifications on the face of the Bill.
- The tests as set out in A2D2 (3) (a)-(c) provides too broad a scope to defund qualifications without recourse to having statutory guidance in place or a definition of technical qualification in place within the Bill – for example, The Government’s Post-16 Skills Plan (<https://bit.ly/3cZ1CG9>) highlight ‘Applied General’ qualifications (e.g. BTECs) as Academic Qualifications – therefore exempt from being seen a Technical Qualification. However, the Bill provides a blanket approach to the removal of ‘overlap’ with A levels (an academic route) and T levels (a technical route). Therefore, clarity on the face of the Bill is required.
- These tests would also benefit from a focus on the economy within the Bill, requiring the Institute to have regard to the benefits to social mobility, the economy and employers regarding the ongoing value of technical qualifications (of any type) – This test should also align with Chapter 1, Clause 1 on the Bill on Local Skills Improvement Plans; if these plans have been agreed and approved a necessary locally then the removal of funding for qualifications required locally for any age groups will be at odds with the intent of the Local Skills Improvement Plan section of the Bill.
- A2D2 (7) (b) requires strengthening. The Bill states the Institution ‘must consult – such other persons as the Institute considers *appropriate*’ The role of institutions, awarding body organisations and other practitioners is crucial, otherwise challenge to the word appropriate when in Law favours the Institute and provides little recourse for institutions.
- Therefore, the Bill should include reference to Further Education Colleges, Sixth Form Colleges, Secondary Maintained Schools, Academies and Awarding Body Organisations. Their inclusion also recognises the voice of students through their practitioners which is critical. It should also be noted that the role or practitioners in institutions is similarly informed by the Local Skills Improvement Plans (as outlined in Chapter 1, Clause 1 (4) (7) of the Bill)
- A2D6 (6) requires the Institute to publish information about matters that it considers when deciding whether or not to approve a qualification (section a) or withdraw approval (section b). The clause as written, or no other aspect of this section of the Bill, outlines a right of appeal. Clearly articulating an appeal process and the potential for independent review of decisions is critical.
- A2D9 Moratorium on further approvals under section A2D5 provides broad powers to the institute which may limit student choice or restrict employers from accessing skills. Clause 1, allows the Institute to determine there is a “an appropriate number of approved technical education qualifications of a particular kind”. This then allows the institute to put in place a moratorium on future approvals.
- A2D9 does not recognise the changing needs of the economy and the development of new technologies, modes of working, skills and emerging skills gaps. To apply a moratorium does not benefit the wider economy; the clause only serves to limit the number of qualifications to ensure that T levels and A levels to become the “qualifications of choice” (as stated in the Government’s consultation response). Section 4 then allows the Institute to end a moratorium (which indicates the tenuous need for one in the first instance), but Section 6 requires Secretary of State consultation which will prove bureaucratic and not responsive to economic need. Indeed Chapter 1, Clause 1 (Local

skills improvement plans) (2) and (7) (i)- (iii) recognise the importance of local decision making and responsiveness to employers and the needs of an area. A national moratorium could undermine the intent of the Local Skills Improvement Plans

- A2D9 requires reference to what tests or measures the institute would apply to determine ‘an appropriate number’. The Institute should also have regard to the financial impact on Colleges and other providers in making its decisions. The Bill creates explicit obligations on the Institute and Ofqual to co-operate when exercising their respective functions in relation to technical education. Similar obligations should be made with regard to the Institute and the Education & Skills Funding Agency (Department for Education). This is to prevent institutional instability and the wider implications this has on the financial strength of an institution, like a College, has to respond to local needs like a Local Skills Improvement Plan or for local authorities to maintain sufficient and adequate provision for
- young people as determine by Under Sections 15ZA and 18A of the Education Act 1996 (as inserted by the ASCL Act 2009), which requires institutions to cooperate with local authorities to ensure sufficient suitable education and training opportunities to meet the reasonable needs of all young people in their area. Reducing choice and destabilising will impact on ‘all young people’.
- A2D9 (7) (1) approved “technical education qualification” means a technical education qualification that is approved by the Institute under section A2D3 or A2D5 – is insufficient given that Applied Generals are a different type of qualification that provide a different type of educational experience - one that combines the development of skills with academic learning hence the need for further clarification. Hence the needs for clarification on the use of the term technical education on the face of the Bill.

Introduction and context for evidence submission:

Sandwell College is the largest deliverer of Post-16 Education in the West Midlands. We deliver to over 6,500 16-19 year olds and have 3,500 young people at Level 3, of which 1,300 study A levels (a third of which follow a combined routeway with an Applied General qualification) and 2,200 following a pure Applied General route. Over 1,000 of these students also follow an English and/or Maths GCSE with 77% of them progressing into Higher Education.

Statements made publicly by Officials as the Bill has progressed through the Lords to its present Committee Stage in the Commons appear at odds with the evolving policy and the attached document highlights these discrepancies and what can only be interpreted as potentially misleading information and advice being provide to MPs and Ministers – therefore the Bill and its implementation needs greater clarity.

We are rightly concerned that the response from Department for Education explicitly in both the first and second consultation documents **states** that **full BTECs** (and other qualifications) which are essential for progression will become **‘rare and only those that are small would survive’** – therefore the clauses on the Bill pertaining to the role of the Institute have been prejudged and the Bill in its present form does not over sufficient protections or transparency for students, parents and institutions of a set of qualifications studied by more the a quarter of a million young people every year.

We’re pleased to enclose this evidence for your consideration. The submissions have been created based upon the practitioner-led experiences of Sandwell College as the qualification reforms have been announced and subsequently rolled out. The submissions highlight inconsistency of message and how this lack of clarity and understanding is also evident in the clauses of the Bill referenced here.

Recent announcements by Ministers in relation to the reforms of the Level 3 qualification landscape indicate that the process to date has not fully considered the weight of evidence and experiences which institutions can provide. Institutions like Sandwell College seek to strengthen the reforms and we trust the evidence provided and the suggested amendments/mitigations will prove helpful to the Committee in its scrutiny of the Bill.

Evidence Section: The Defunding of BTECs

Officials in the Department for Education are pursuing a course of action that will defund the majority of qualifications taken by non-A Level students, in absence of the provisions within the current Bill. The proposals being presented appear to actively work against the Government’s levelling up agenda as the impact on choices and life chances will disproportionately impact those from BAME communities, those who are already economically disadvantaged and students with Special Educational Needs., as well as provisions within the Bill to offer local planning through Local Skills Improvement Plans. National bodies making decisions on publicly funded qualifications with out recourse to local needs, value by employers and case studies where they work in practice is against the spirit of the broad skills needs required for economy recovery and growth.

Of real concern is the lack of clarity that is currently being provided to Ministers from their Officials stemming from a lack of true understanding about how the current systems truly works and could potentially lead to increases in Youth unemployment and impact on the accessing of a “high-skill, high-wage” economy for many young people.

In the recently published consultation response to these issues, overwhelmingly respondents (nearly 90%) disagreed with the proposals to defund these types of qualifications.

We urge to consider the following points and form you own judgements about this debate.

What is claimed:	The reality:
<p>03/11/21 Education Officials stated, “We have never had a proposal to defund all BTECs”</p>	<p>The Government’s Consultation response say “the process will take a blank slate approach meaning no qualification will automatically [be] approved for funding”. The response goes further: “[We] do not expect to approve qualifications for funding in all subject areas”, with “Larger academic qualifications (like BTECs) will not be funding if they overlap with T level or A levels”</p>
<p>No Child [will] be held back because of where they come from. [Reforms] level up aspirations for all children</p>	<p>The Impact assessment (P14) outlines the approach to defunding and the disproportionate impact this will have on <u>disadvantaged, BAME and SEND</u> students. Based on 19/20 data this would mean that 287,000 students would have their qualifications defunded. Currently the T Level cohort has approx. 2,500 which still leaves 284,500 students without a clear path to follow. Furthermore, the Government’s consultation responses states: “These students are disproportionality likely to be affected by the reforms”, AND “the new landscape may mean completing a high-quality level 2 qualification rather than level 3 qualifications”</p> <p>Over a quarter of a million young people leave school without English or maths or both at GCSE Level. Currently, some sources have estimated over 30,000 of these are able to study a Level 3 qualification with support put in place. Removal of BTECs will mean that these young people will not be able to pursue a Level 3 qualification.</p>
<p>Employers believe the system is too complex and are engaged in this debate</p> <p>Officials have regularly quoted that there are “12,000 qualifications” or “4,000 at Level 3”</p> <p>A recent example was senior education officials at the Education Select Committee on 03/11/21 stating that “one of the things we know about our system that we know it is very difficult for young people and employers at the moment in that it is confusing as we have a very large number of overlapping qualifications”</p>	<p>On average FE Colleges deliver 30 to 50 BTECs/Applied General at Level 3. The Governments response to the consultations stated “Post 16 providers have [a] more limited offer”</p> <p>The CBI in their Education and Skills Survey said 74% of CBI members where satisfied with the knowledge of young people who applied for jobs during the past 12 months. In fact, the CBIs recommends “the Government should propose 3 post 16 qualification routes. Academic A levels, Career focussed such as BTECs and occupational such as T Levels. employers and the economy to enjoy the benefits of post-16 education there must be greater awareness of all three routes amongst students, parents and employers.</p> <p>TES survey of employers (June 2021) stated only 1 in 10 would engage with T levels; with 6 in 10 a definite no; the remainder unsure. With out the placement no young person will benefit from the reform, achieve the skills needed for the economy or progress to HE.</p>