

Professionalism in Further Education

Final Report
of the Independent Review Panel

*Established by the Minister of
State for Further Education, Skills and Lifelong Learning*

October 2012



Index

1	Introduction by the Chairman.....	i
2	Summary	1
3	Progress	6
4	What is Further Education?	14
5	Supporting Professionalism	22
	Appendix 1: Terms of Reference	36
	Appendix 2: Visits and Witnesses	38
	Appendix 3: Reference Documents	43
	Appendix 4: Review Panel	46

1 Introduction by the Chairman

The last government, with good intentions, sought to support professional values in further education by legislating for the registration of practitioners by the Institute for Learning (IfL), on the model of the General Medical Council or the General Council of the Bar, both Victorian creations. This had little effect, indeed it led to controversy and difficulty in a sector on which many thousands of young people depend for an introduction to the skills which will found their careers, and on which this country relies for the technically accomplished workforce which will enable it to outperform its competitors in a difficult economic environment.

It seemed to me and my colleagues that the conclusions and recommendations of our *Interim Report* (published earlier this year) were inevitable, even where they were regrettable insofar as they brought disadvantage to the careers of some well-meaning and committed people. The previous government had announced its determination to withdraw funding from the IfL as long ago as 2009 and the current government had clearly confirmed that decision. When the IfL introduced fees, the University and College Union (UCU) organised a boycott among its 40,000 further education members. This was a major cause of a fall in IfL membership. The UCU had no intention of changing its stance. The two sets of statutory regulations from 2007 had been overtaken by events in many respects. If they had been enforced against the tens of thousands of further education lecturers who had withdrawn from the IfL, it would have led to their dismissal. To defend such regulations, or organisations of any kind, against the interests of the lecturers and students at the core of further education would have been absurd. It is pleasing that, in all material respects, the government has accepted our recommendations, taking proper account of the 1,000 or more responses to a public consultation about them. The disputes and disagreements with which this Review began are therefore resolved and in the past.

In this, the second and final report of the Independent Review of Professionalism in Further Education, I and my colleagues have sought to fulfil the remainder of the Minister's brief to us by attempting to define how professionalism, in the absence of registration, might be characterised and supported in the context of further education.

To assist us in our deliberations we have spent much time since the publication of our *Interim Report* meeting staff and leaders in further education. We have visited some outstanding providers. We have seen many things to enthuse us and met many people to inspire us. We have discussed what professionalism might mean, now and in the decades to come, with whomsoever we felt might help us to refine our ideas. We have taken the opportunities offered by visits overseas, already arranged for other purposes, to consult thoughtful people from the further education systems of Australia,

Brazil, Canada and the United States of America. We have asked for research evidence on many things, including the vocational education systems of continental Europe and the history of our own sector, and have been given it by many people who were most generous with their time and their knowledge. I thank them all.

A number of those we met, and some of the correspondence we received from others, exhibited a strain of fearfulness which concerned us. They saw the statutory regulations, which will now cease to have effect, as a protection against unfair treatment by their employers or by government and its agents, even though they were aware that the power of those regulations was largely illusory. We judged this in part as evidence that the Minister (then John Hayes MP) was right in his belief expressed to us that there are too many external controls in further education, leeching away powers from those who need them to work confidently and creatively in the service of those they care most about: their students. We saw it, too, as a challenge to us to reflect the changing balance of authority in further education, away from those who administer grants to finance the system and towards the students and local employers who, increasingly, fund study. This report seeks to address those fears, in ways that will endure and in the knowledge that some of our aspirations are sufficiently far-reaching to need time to implement.

If our interim recommendations were ineluctable, there was much less inevitability about the second phase of our work. Had the panel followed the approach which led to the Regulations of 2007, we would have spent our time devising new and replacement central controls. We did not think that such a *modus operandi* would be in any way effective in the reinforcement of professionalism in further education. We were led to this belief by the overwhelming majority of the professionals to whom we spoke in this country, and by the most compelling lessons that we learnt from overseas.

Their clear message was that mature organisations in further education should be left alone, in near autonomy, to get on with serving their students, their local communities and the employers on whom national economic renewal depends. Our conclusions, then, are intended to help create an environment in which the professionalism of further education lecturers, instructors, workplace supervisors and assessors might naturally flourish, without interference. At the centre of our recommendations is a refreshed relationship between employers and staff, codified in a Covenant-or compact-negotiated freely between them and setting out their obligations to one another. We see this as wholly consistent with government policy set out in *New Challenges, New Chances* and with the recent important proposals for a further education Guild and also chartered status for excellent providers. Further education in this country is a developing and dynamic entity, naturally and properly diverse; we believe that its future success depends upon placing trust in the professionals who work within it to direct it, take its decisions and promulgate its priorities.

This Review has been a stimulating process in which to take part. I pay a heartfelt tribute to my colleagues David Sherlock CBE, Dawn Ward OBE and Daniel Wright, without their deep knowledge of, and commitment to, this hugely important sector of education, this Review could not have taken place.

A handwritten signature in black ink that reads "Robert Lingfield". The signature is written in a cursive style with a large, sweeping flourish underneath the name.

The Lord Lingfield Kt, MEd DLitt FCGI DL

2 Summary

- 2.1 This final report completes the work of the Independent Review of Professionalism in Further Education (FE). It builds on our *Interim Report*, published on 27 March 2012, gathering together and reflecting on the many changes which are taking place in consequence. It considers the nature of FE in England, contrasting the diversity of intention and role which policy or pragmatism places upon it with the clarity of purpose which characterises some other systems of technical and vocational education and training (TVET) worldwide. We see this diversity, whatever may be its strengths, and the turbulence of government policy towards FE over past decades, as challenges to a settled and consistent sense of professional identity among FE teaching staff: lecturers, instructors, assessors and workplace supervisors (called lecturers throughout, for convenience). We make observations and proposals which we see in each case as conforming to the thrust of the government's policy, and which in sum might imply far-reaching change. Our suggestions nevertheless address the FE sector as it is: varied in purpose; very large in terms of overall size; ranging across public, private and charitable organisations from the small and specialised to, increasingly, big educational businesses with national and international reach; and dependent for its quality on the creativity, confidence and sense of professional self-worth of nearly 200,000 teaching staff.
- 2.2 In fulfilling the terms of reference set for us by John Hayes MP, then Minister of State for Further Education, Skills and Lifelong Learning we have come to accept his general criticism that the sector has been 'infantilised and encumbered' by too much and too detailed intervention by government and its agencies (Ministerial speech, AoC Conference 2010). It seems to us likely that these interventions have, in the name of control and accountability, weakened the very characteristics successive governments have wished to nourish: good governance; self-reliance in academic quality assurance and continuous improvement; and a primary focus on furthering the interests of customers – students, their employers and their communities. The sector has matured beyond a need for such interventions in our view; they are now widely resented. There is some evidence that this 'command and control' environment has infiltrated relations between some FE providers and their staff, on whom a good service to customers relies. The general purpose of our proposals is therefore one of removing controls outside the provider wherever it is sensible and prudent to

do so, but relying explicitly on employers and employees to chart their shared future in equal partnership.

2.3 In section 3 of this report, our survey of developments since March this year, we set out the results of our further consideration of two areas on which we were unable to make definitive recommendations in our *Interim Report*. These are as follows:

- We find the incidence of gross professional misconduct other than that which is already covered by the work of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA), or by general employment law, to be so small as not to warrant the introduction of new national arrangements (replacing those of the IfL) to prevent the re-employment of culprits in FE;
- We find that lecturers teaching remedial literacy and numeracy, and those working with students with learning difficulties or disabilities, cannot be regarded as relying heavily on past qualifications or experiences as the basis of their practice, but that they should achieve pre-service or early in-service specialist qualifications to at least the level of our recommended new Certificate in Further Education; we trust that the Learning and Skills Improvement Service (LSIS) will take this observation into account in its review of qualifications.

2.4 Secure professionalism among lecturers we suggest rests in part on the clarity of the sector's aim. This hypothesis we consider in section 4 of this report. We believe that there are at least five main aims and associated segments of FE:

- Remedial FE, redressing the shortcomings of schooling (described in the *Wolf Report* and elsewhere);
- Community FE, offering lifelong learning opportunities to local people, with benefits to their health, longevity and wellbeing, as well as continuing education;
- Vocational FE, teaching occupational skills;
- Academic courses up to Level 3 taught in some colleges;
- Higher education studies.

We suggest that the vocational role of FE (at both the further and higher education levels) should be regarded as having primacy, while community provision has an important subsidiary role. We believe that the devotion of so much public money and effort to duplicating work already undertaken in schools is wasteful. Remedial provision we hope to see gradually cease as a major function of FE, as soon as the government's current reforms make this practicable, leaving schools to deal more effectively with foundation skills.

- 2.5 We suggest that the pursuit of this end, which we see as coinciding with the policies of both the Department for Education (DfE) and the Department for Business, Innovation and Skills (BIS), is hampered by notions of an indivisible '14-18 phase' of education. This implies that leaving school for FE is not the decisive step out into adult life (often including employment) which young people usually intend it to be. The existence of two funding bodies, the Education Funding Agency (EFA) and the Skills Funding Agency and two sets of funding policies, which was regretted by many of those we consulted, allows for unintended incentives to be pursued by FE providers to serve 14-18 year olds in preference to adults. We believe this is unhelpful both to students and in defining the professional identity of FE and of its staff. We suggest instead that a review is necessary to alleviate these unintended consequences. We note the great improvements in the availability of a nationally-consistent service brought about by the FE funding bodies since the early 1990s; we believe that this achievement needs to be further built upon.
- 2.6 Taking full account of the sector's diversity, the panel nevertheless considers in section 5 of this report that a recognisable professional identity in FE exists, not only across the broad range of providers in England but also extending to those in similar systems abroad. That the robustness of this identity has become a matter for concern we believe substantially to be because FE is seen as the sector 'in between' schools and Higher Education (HE), apparently lacking a distinct and unique personality of its own. In the past, FE and HE in England have overlapped more fully. The United States offers an example where the community college sector (FE) is part of HE, facilitating progression for students and conferring professional trust and expectations on staff, in a way which we think resembles that which the government in this country now wishes to support. The rapidly extending provision of HE in FE institutions, the conferral on them of Foundation Degree-awarding powers under the supervision of the Quality Assurance Agency for Higher Education (QAA), and the widespread direct relationships between FE providers and the Higher Education Funding Council for England (HEFCE), as well as with individual universities, suggest to us that this model might be the natural direction of travel here. We hope in time that there should be a single post-compulsory sector of education, uniting further and higher education and making the term 'further education' effectively redundant.
- 2.7 We believe that with a clearer set of aims, a better approach to the key policy and funding relationships with government, and a heightened understanding of its status, the sector can begin to take

full advantage of greater autonomy. The proposed FE Guild (see paragraph 3.8) gives an opportunity to underline the sector's unity whilst still recognising its diversity. At the time of writing, representative bodies of sector employers and employees have submitted responses to the Guild *Prospectus*. We hope this process of negotiation might go forward into the conclusion of an FE Covenant, learning from a parallel with the *Armed Forces Covenant*. This might be the vehicle for agreement on such matters as the obligation to undertake qualifications and continuing professional development (CPD) among lecturers, and corresponding obligations to give moral and tangible support among employers: those issues which government decisions based on our *Interim Report* removed from the arena of compulsion to that of consensus. The FE Covenant might also be the place for expression of a code of professional conduct and those many other matters of mutual interest across the sector which transcend anything that readily can be agreed between the individual employer and its staff. We see the Covenant as an important means towards securing the success of a Guild and something to which all Guild members should formally commit.

2.8 We are enthusiastic about the potential for a Guild to offer a means of shared enterprise for the sector as well as enhanced staff professionalism. In this respect it is closely linked with the development of chartered status, plans for which are less well-developed. We record our hopes that the body which will grant chartered status will be at arm's length from government, gaining authority and independence as well as enhanced status for all who work in chartered providers, through the early achievement of a Royal Charter. We suggest that chartered status might properly confer greater earned autonomy on able providers. In section 5 of the report the Review panel makes suggestions for realising the full potential of the government's twin proposals, a Guild and chartered status:

- We suggest that a Guild might become the co-ordinating awarding organisation for students' qualifications in the sector, specifically considering the reduction of their sometimes bewildering profusion; establishing 'benchmark' awards comparable in their simplicity and breadth of recognition with university degrees; and driving cost-efficiencies – working with the national awarding bodies to achieve these ends.
- We suggest that the long record of self-assessment of quality across the sector, a growing commitment to peer review, and developing practices in Ofsted which include freedom from inspection for high-performing providers, combine to make a proposal timely that quality assurance of chartered providers

should shift towards independent verification of self-assessment, perhaps by the QAA which we believe may be best suited to the task, leaving Ofsted to focus on low achieving institutions.

- We envisage that the government's steps to reduce detailed oversight of the sector will add still greater urgency to a need to raise the standard of governance; we suggest that LSIS and the proposed Guild might undertake further work on this on behalf of the sector, based on the model developed by the Financial Reporting Council and taking account of its application to public institutions such as that used in the Association of Colleges (AoC)'s *Foundation Code*.
- The panel believes that the evidence it has collected demonstrates decisively that professionalism among lecturers, here and overseas, is linked inextricably with their acceptance of responsibility for the validity of qualifications; for the quality of the service which their employing provider offers to learners; and for contributing to firm strategic direction, viability and probity through participation in good governance. It is providers' autonomy in those key undertakings, and lecturers' full involvement in them, that are intended by our proposals.

2.9 With the commonsense conviction that professionalism must be either bolstered or undermined by the favourability or otherwise of terms and conditions of service, we give them some consideration near the end of section 5. Our conclusion is that salaries in FE have probably fallen over time in comparison with schools and HE and that this has contributed to the desire of some FE staff to hold teaching qualifications that are interchangeable with counterparts in secondary schools. Similarly, average conditions of service may have declined, including sufficient flexibility granted to FE lecturers to explore and make a creative and innovative contribution to professional excellence. Furthermore, we speculate whether there might be a proportion of permanent staffing below which it becomes difficult to sustain a comprehensive professional ethos. We suggest that the generality of these matters might be a subject for discussion in the Guild.

2.10 Finally, in concluding this report, we give some brief thought to the timescale over which our proposals might be implemented. Some might require legislation, with its inevitable capacity for delays but others might be achieved quickly. The Review panel hopes to see transformational change in FE to better sustain the professionalism of its staff, within the life of the Parliament.

3 Progress

3.1 The government's requirement for this independent review had two distinct but connected parts:¹

- Resolution of a dispute that had arisen over payment of a subscription to the IfL by further education lecturers and about the continuing relevance of the 2007 statutory Regulations which obliged them to do so;
- A wider consideration of how best to sustain the professionalism of teaching staff so that the quality of service to learners might continuously improve, taking particular account of the tasks in our brief that ask us to look for lessons from other sectors and means to raise the status of the FE workforce.

The first of these issues was the subject of the Review panel's *Interim Report*,² published on 27 March 2012. Developments since then are described in this section of the present report. The second set of concerns is the subject of sections 4 and 5.

3.2 The Review panel made the following principal recommendations:

- 'Revocation of the 2007 Regulations from 1 September 2012, with largely discretionary advice to employers on appropriate qualifications for staff and continuing professional development replacing compulsion.
- Confirmation of an end during 2012-13 to State grant funding to the IfL, with support for professionalism among FE staff to be provided from September 2012 by LSIS, which already carries out many of the necessary functions. The last increment of transitional funding for the IfL should be used to refund part of the second year of fees paid by FE staff and, if the IfL board so decides, to reorganise the business in accordance with a plan approved by the government.
- Reconsideration of the in-service teaching qualifications to simplify and re-name them; place them squarely within the normal system of national awards regulated mainly by Ofqual (offered by awarding bodies and universities, with a substantial provider contribution) without the need for post-qualification conferment; and to include a response to the increase of higher education awarding powers to FE Institutions (FEIs), the new arrangements for funding skills courses through large

¹ The Terms of Reference for the Review are attached as Appendix 1 to this report.

² *Professionalism in Further Education: Interim Report of the Independent Review Panel*, Department for Business, Innovation & Skills, London. URN 12/670, 2012

employers, and the equivalence of similar awards gained overseas. This review should be led by LSIS and we advise that it should take account of the following needs:

- A preparatory award in further education to guide the induction procedure for new staff, completed within a recommended time after appointment and contributing to the normal probationary period;
 - A 'Certificate in Further Education' at Level 5 for those staff who wish to attain it; and
 - A 'Diploma in Further Education' at Level 7 to help form the capabilities of those who aspire to the highest professional levels.
- Transfer to an appropriate government body at the earliest possible opportunity of powers to keep a register of staff who have been found guilty of gross misconduct by the authorities, so that they may be excluded from future employment in the FE sector.'

3.3 The Minister of State for Further Education, Skills and Lifelong Learning welcomed the *Interim Report* and launched a formal consultation on the revocation of the relevant further education workforce regulations.³ These were the *Further Education Teachers' Continuing Professional Development and Registration (England) Regulations 2007* and the *Further Education Teachers' Qualifications (England) Regulations, 2007*.

In the summary to the consultation document the government set out its position as follows:⁴

'The Government has accepted, in principle, the *Interim Report* and recommendations. In respect of the current regulations, it is proposed that these should be revoked in full. As well as removing statutory obligations in respect of IfL, this will remove the statutory obligations for teachers in colleges to hold or obtain particular qualifications, and to undertake at least 30 hours of continued professional development. The panel has observed that the current regulations are flawed in a number of respects and their scope is incomplete. Furthermore, the regulations place obligations on individuals which in practical terms are only enforceable through placing matching requirements on their employers'.

3.4 It should be emphasised that the Review panel had recommended that the in-service teaching qualifications set out in the Regulations of 2007 should be reformed under the leadership of LSIS, rather

³ *Consultation on Revocation of the Further Education Workforce Regulations*. Department for Business, Innovation and Skills, London. April 2012. URN 12/706

⁴ See *Consultation on Revocation of the Further Education Workforce Regulations*, pp 5 and 6

than abolished.⁵ It had also recommended that all new entrants to teaching in the further education sector should successfully complete a preparatory award as part of their probationary period of service and it suggested that 30 hours' continuing professional development (*pro rata* for part-time lecturers) should continue to be the normal, minimum, expectation annually. We hoped that both these requirements might be enforced consistently across the whole sector as contractual obligations laid down by the public funding bodies.

- 3.5 In parallel with the public consultation on revoking the Regulations of 2007, the government introduced fee awards to support in-service training in FE. These are drawn from a budget of £11.5 million in the current year, to support up to 10,000 grants of £1,000 each for lecturers undertaking higher education courses and a further 1,000 grants of £1,500 each for those studying to teach literacy and numeracy programmes.⁶ These awards are administered from within the FE sector by LSIS, and are dedicated to HE provision because of the introduction of higher fees and loans in that sector. For in-service courses for lecturers accredited by national awarding bodies (e.g. City and Guilds, Edexcel etc), the Skills Funding Agency provides funding but will move to a loan system in 2013/14. In addition, the IfL has been given government funding to support 2,500 fee grants of £400 for the second year of lecturers' in-service courses that had been assisted in their first year. The position for future years will be considered in the light of the changes to in-service qualifications that arise from the LSIS review, of the introduction of loans for adult learning more widely and of affordability.
- 3.6 The public consultation closed in June 2012 with 1,063 responses, two-thirds of which (670) were made by individuals.⁷ Many others were made by representative bodies including the AoC, the Association of Employment and Learning Providers (AELP), the National Institute for Adult Continuing Education (NIACE), the TUC and the staff unions including the University and College Union (UCU) which had been one of the main protagonists in the original dispute. The IfL lobbied vigorously against the Review panel's interim recommendations and the *Government Response* notes that the results of the consultation, so far as the individual replies were concerned, 'will have been influenced by campaigning and (their) number represents less than 1 per cent of the total teaching

⁵ *Interim Report*, Sections 4.2, 4.4 and 4.5

⁶ See Ministerial Statement to Parliament, 27 March, Hansard Column 102WS

⁷ *Consultation on Revocation of the Further Education Workforce Regulations: Government Response*, Department for Business, Innovation and Skills, London. August 2012. URN 12/970

workforce, whereas more than 40 per cent have not complied with the (statutory) requirement to register with the Institute for Learning'. Nevertheless, the government acknowledged that 'some important concerns' had been raised by the consultation, by representative bodies as well as by individuals, and these led the Minister to accentuate the phased approach to implementing the recommendations which had been suggested in the *Interim Report* of the Review panel.

3.7 The outcomes from the *Interim Report*, from the public consultation on revocation of the 2007 Regulations and from the Minister's decisions are as follows:

- The government 'continues to recognise... that a system of regulatory compulsion has not proved to be a successful means of achieving a professional workforce, and that colleges and providers, as employers, should be given the freedom and the responsibility to decide what arrangements are most appropriate for their organisations and their staff';⁸
- The Further Education Teachers' Continuing Professional Development and Registration (England) Regulations, 2007 have been revoked from September 2012;
- The requirement for minimum teaching qualifications set out in the Further Education Teachers' Qualifications (England) Regulations, 2007, will be retained for the academic year 2012/13, while LSIS leads the review and reform of these qualifications in accordance with the Review panel's *Interim Report*, section 4.5,⁹ the Minister's letter of commission to LSIS

⁸ *Consultation on Revocation etc: Government Response*, page 9

⁹ The Review panel recommended that LSIS be asked to consider the changes below, for implementation from September 2013:

- Recognition of awards or parts of awards already achieved by FE lecturers under the current arrangements;
- Abolition of the category of 'associate teacher', recognising that all those who learn in FE are entitled to consistently high standards of service from whomever is chosen to teach them or assess their progress, and that all those who teach or assess may equally wish to become advanced practitioners through voluntary study;
- Abolition of the CTLLS award;
- Replacement of the DTLLS award with a Certificate in Further Education at Level 5 for those who wish to attain it, which would be directly comparable with the established Certificate in Education;
- Introduction of a Diploma in Further Education at Level 7, to help form the capabilities of those who aspire to the highest professional levels in FE;
- Simplification of the standards and any associated requirements by LSIS, with a view to increasing the flexibility available to awarding organisations to take account of the broad scope of the sector (including e.g. work-based learning, adult community learning, specialist environments such as the criminal justice system and the armed services etc), and to ensure that teaching qualifications are readily applicable to the different occupational disciplines taught in FE;

of 4 July 2012, and the recommendations contained in both this final report and those of the review of the further education curriculum (the McLoughlin review);

- Mandatory registration with the IfL has been terminated from September 2012, however the IfL board has confirmed its intention that the Institute should continue as a voluntary professional body;
- The Department for Business, Innovation and Skills (BIS) is exploring effective means to assure the continuity of complementary requirements to undertake and to support continuing professional development among further education teaching staff and their employers across the sector, including through the proposed Guild;
- BIS and LSIS are working with the Department for Education to ensure that clear routes to the equivalence of Qualified Teacher Learning and Skills (QTLS) and Qualified Teacher Status (QTS) are maintained; however it should be noted that following the announcement by the Secretary of State for Education in July 2012 that teachers in academies will no longer be subject to mandatory teaching qualification, and in the light of the government's belief that most secondary schools will become academies by 2015, this formal interchangeability is likely to be of diminishing practical value. Academies will be free to employ any lecturer from the further education sector, if they so wish.

3.8 As a consequence of the panel's *Interim Report*, of the variety of responses to the statutory consultation and of long-maturing ideas within BIS, a new element – a Guild – has been introduced into the debate about professionalism in further education. This is described in the prospectus, *Developing a Guild for Further Education*.¹⁰ In his Foreword, the Minister explained his intention as follows:

'I am inviting sector employers, with employees, to take ownership and put in place – over the coming year – an alternative approach (to supporting and promoting professionalism in the sector) based on consensus and a shared aspiration to promote the highest standards'.

The Minister's concern to base new arrangements on consensus rather than coercion is shared by the Review panel. Our

-
- Recognition of the changing circumstances in FE, for example its increasing concentration of Higher Education provision and plans to contract for learning programmes through major non-educational employers.

Conversations with representatives in the sector subsequently have suggested that the Certificate in Further Education might usefully concentrate on aspects of excellent teaching, whilst the Diploma might introduce elements of leadership and management.

¹⁰ *Developing a Guild for Further Education*, Department for Business, Innovation and Skills, London. July 2012. URN 12/988. *Proposal Application Form*, URN 12/989

contributions to thinking about the Guild and its related initiative, the introduction of chartered status for able providers across the sector, are set out later in this report.

- 3.9 LSIS is working to a detailed implementation plan for the review and reform of in-service teaching qualifications. It includes regular contact with the organisations involved; broad consultation in the autumn of 2012; development of new qualification specifications in early 2013; and introduction of the new awards to staff and employers from Easter 2013, in time for their use in the 2013-2014 academic/contracting year.
- 3.10 In our *Interim Report*,¹¹ the Review panel undertook to give further consideration to some matters which we had been unable to resolve within the strict timetable imposed by the pressing issues then in dispute. The first of these was the procedure or organisation that might be needed to prevent staff who had committed gross breaches of professional conduct from continuing to work in the FE sector. We saw this in part as a matter of public protection against inappropriate behaviour or incompetence among lecturers, and in part one of sustaining confidence in the professionalism of the sector. It was presented to the Review panel as a very significant issue by the IfL, among others.
- 3.11 It quickly became clear that no lecturer had been permanently disbarred on grounds of incompetence through a national procedure. The IfL code of conduct offered no obvious means by which this could be done. Competency remains, in further education as in most other occupations, an area regulated by general employment law. It is the subject of normal capability procedures routinely carried out between employers and employees, often with trade union involvement. References from previous employers are invariably required to move to a new post and, if they suggest that a person is unable to do a good job, they suffice to prevent their appointment.
- 3.12 Where professional misconduct was concerned, the IfL had taken action against a small number of its members. If the IfL were to lose its position as a statutory regulator it seemed likely that this task would have to be passed on, as the Review panel had suggested, to 'an appropriate government body'. Several of these were considered, including the Skills Funding Agency and, through an amendment to primary legislation, the new Teaching Agency which has taken on some of the functions of the General Teaching Council for England in schools. In order to estimate more accurately the scale of the problem, the Review panel asked that BIS comment on the nature of the cases where lecturers had been

¹¹ See *Interim Report Summary*, para 2 and section 4.6

disbarred or suspended by the IfL. Of these 11 cases, only one would have escaped disbaring from further employment in the sector by other agencies: that is, through a negative Criminal Records Bureau (CRB) check or action by the Independent Safeguarding Authority (ISA). The sole exception posed no risk to students; the misdemeanour mainly concerned errors of curriculum delivery. With this evidence of the very low level of risk in mind, one case among more than 180,000 teaching staff, the Review panel has concluded that establishing special national arrangements to disbar FE lecturers would be disproportionate. The established practices of employers, plus the procedures of the CRB and ISA, should suffice to deal with any reasonable eventuality at a level of reliability at least equal to that of the former IfL approach.

- 3.13 An important additional concern needing further study was the level of qualification appropriate for lecturers in the foundation skills of literacy and numeracy, and for those teaching students with learning difficulties or disabilities.¹² The Review panel was acutely aware of the substantial progress made in these two, once neglected, areas of the FE curriculum over the past 20 years. Improvements have been made in the service to disadvantaged students which must not be lost. Our consultations since publication of the *Interim Report* have firmed up this view. It is obvious that lecturers in foundation skills or working with students with learning difficulties or disabilities are very rarely both practitioners in another occupation and teachers: 'dual professionals' as, say, engineers who become lecturers after a successful earlier career are often called. Their particular skills in teaching literacy, for example, are not built up through experience following an English degree. Whatever might be their earlier qualifications, it is necessary to learn how to teach literacy as a specialised activity. For lecturers in these disciplines the Review panel recommends that the required qualification should be our proposed new Level 5 Certificate in Further Education, with special emphasis on foundation skills or working with students with learning difficulties or disabilities: 'Level 5 *plus*', in essence. We suggest that LSIS take this finding into account in its review of qualifications, and that sector employers take note of the fast-moving developments in teaching students with learning difficulties or disabilities, in particular, in their plans to support continuing professional development.
- 3.14 It may be inferred from the decisions and the progress described above that the sector has moved on. Circumstances today are very different from those which obtained a year ago, and which led up to the Minister's announcement at the AoC Conference in November

¹² See *Interim Report*, section 5.6

2011, of an agreement by all the parties to the dispute to support this independent Review. Whilst it would not be correct to say that everybody necessarily agrees with the direction in which this Review, among other things, is taking the sector, the dispute is over. To that extent, at least, the recommendations in our *Interim Report* have done what we intended.

- 3.15 However, members of the panel, making visits in the sector alone or sitting as a group in witness sessions, have been struck by the degree of fearfulness expressed by many lecturers. Whilst most of them readily conceded that the Regulations of 2007 were ineffective in many respects, and could not sensibly be enforced, they nevertheless often saw them as offering some symbolic protection against arbitrary changes to worsen their circumstances carried out by employers, or by government and its agencies. John Hayes MP, former Minister of State for Further Education, Skills and Lifelong Learning referred to the ‘infantilisation’ of the FE sector caused by excessive dictation from governmental bodies about what it should do. Evidence given to the Review panel shows that he was right and we have sought to address that in this final report. But that is not a complete or sufficient explanation for professional teaching staff, in a sector always acknowledged to be central in achieving national economic success, who too often say they feel so vulnerable as to need protection by a statutory instrument they know to be otiose. There is a confidence deficit in the professionalism of the further education sector, as well as a structural deficit. The latter – a set of over-intrusive government-sponsored agencies – has largely been resolved and we hope to take the process closer to its conclusion through this report. Should the proposed Guild prove effective, it will address the former, giving lecturers and institutions a forum in which important matters of mutual interest in relation to professional development might be resolved equitably; offering the sector enhanced status; and uniting its position in dealings with external agencies. The Guild might represent those loyalties which, in every profession, transcend those owed to each individual employer, emphasising the identity of the sector as a whole. It is to the crucial problem of bolstering the confidence and professional solidarity of teaching staff right across the sector, in order to enhance service to students, that this final report of the Review panel is largely also addressed.

4 What is Further Education?

- 4.1 The UNESCO definition of technical and vocational education and training, TVET or VET – the nearest equivalent to England’s FE – is as follows:

‘All forms and levels of the educational process involving, in addition to general knowledge, the study of technologies and related sciences, the acquisition of practical skills, know-how, attitudes and understanding relating to occupations in the various sectors of economic and social life’.

- 4.2 This definition is as good as it is comprehensive. It is echoed in the approach taken by the *Wolf Report*.¹³ As it was put in the Summary:

‘Vocational education today includes, as it always has, courses and programmes which teach important and valuable skills to a very high standard. It offers a direct route into higher education which has been followed by hundreds of thousands of young people; and prestigious apprenticeships which are massively over-subscribed. ...good vocational programmes are, therefore, respected, valuable and an important part of our, and any other country’s, educational provision. But many vocational students are not following courses of this type’.

Professor Wolf went on to cite, as programmes of study which did not deserve the praise she had given the sector as a whole:

- Short courses offering a temporary haven to 16 and 17 year olds ‘churning’ between education of little value and dead-end jobs;
- The work of the 350,000 16-19 year olds taking ‘low level vocational qualifications, most of which have little or no labour market value’ (in schools or in FE);
- The many programmes in FE which seek to remedy deficiencies left after schooling, from which fewer than half of all 16 and 18 year olds graduate with both English and maths at GCSE grades A*-C, the government’s preferred measure of successful secondary education (ie 310,000 16 year olds in 2007-8: source DfE).

- 4.3 It is the very diversity of FE that can present challenges to the professional identity of its teaching staff. The UNESCO definition has to comprise everything:

¹³ *Review of Vocational Education*, Professor Alison Wolf, DfE/BIS, London. 2011. DFE-00031-2011

- The technical and commercial high schools of Italy, intended for 14-18 year olds unsuited to the *licei*, and in which much more money is often invested than in academic education in order to underpin the economy;
- The widely praised 'dual system' of Germany, Austria and Denmark, in which occupational and social aims are balanced through a largely settled partnership between employers, unions and government in both funding and control over the curriculum;¹⁴
- Wholly work-based learning on employers' premises, or in a combination of an employer-owned vocational training centre and in the workplace such as is found in the UK group training associations (GTAs), where occupational training and government requirements such as literacy and numeracy improvement sometimes co-exist in an uneasy proximity determined by the rules associated with government funding;
- The American community colleges which are part of the HE sector and often deliver the first two years of university degrees though formal 'articulation agreements', and whose institutional and award quality is overseen by a self-regulatory peer review system run through sector-owned accrediting associations;
- The Australian VET system, with its blend of public and private provision similar to that of the UK, including TAFE (Technical and Further Education) institutes, Group Training Companies (GTCs) and employers which train, all fulfilling a role which is sharply focussed on occupational training.

4.4 The Review panel suggests that all these structures, and many more across the world, are planned by their governments to occupy only part of the broad spectrum of activity described by UNESCO. Their clarity is often hard-won. For example, the Danish dual system depends for its continued viability on 'employers' willingness to provide training placements, and this depends on their sense of ownership and control... It also depends on the participation of the (trade) unions... and their acceptance of low apprentice wages. ...Both employers and the government see (college)-based training as a short-term solution'.¹⁵ In many countries and particularly those of continental Europe, stable vocational education and training rests on an acknowledged social partnership between employers, the representatives of employees and government. In others, including Australia and the United States of America, the system was planned by government,

¹⁴ But see for examples of the strains within the system, *Challenges for the dual system and occupational self-governance in Denmark*, Juul and Jorgensen, published in the *Journal of Vocational Education and Training*, Vol. 63, N°3, 2011. Routledge, London

¹⁵ See Juul and Jorgensen, page 300

including the forms of self-regulation which lead to its continuous renewal.

- 4.5 The recent history of English FE is instructive. Before 1993, FE colleges were owned and controlled by Local Education Authorities, although the range of programmes stemming from national government initiatives had increased dramatically over the previous decade.¹⁶ The colleges alone were the further education sector and the professionalism of their staff was supported by such local authority-funded organisations as the Further Education Staff College at Coombe Lodge. Technical training was largely separate and often funded entirely by employers, including that offered under the Industrial Training Act, 1964, and supported through a levy based on a small proportion of all companies' payrolls. From 1993, colleges became corporate bodies, independent but funded directly and inspected by a national organisation at arm's length from government, the Further Education Funding Council. Work-based training and employability programmes were both funded and planned by over 70 local Training and Enterprise Councils (TECs) and under the New Deal, respectively. At the end of the 1990s, under the influence of government policy guiding the delivery of public services generally, further education, work-based learning, employability programmes (now funded by Jobcentre Plus) and community education came together as the Learning and Skills Sector. The prevailing philosophy was that it was the quality of public provision which mattered most, not who owned the provider. The Learning and Skills Act, 2000, brought public, private and charitable providers together for the first time, under a powerful new national funding and planning agency, the Learning and Skills Council (LSC). Following the reorganisation of government departments in 2007, the whole of the learning and skills sector gradually became known as further education. Whilst there is no settled consensus about its name today, the most widely used term is the 'Further Education and Skills sector'.
- 4.6 As outlined in our *Interim Report* (page 16), further education has fallen under the policy determination of at least six iterations of the relevant government departmental structures in the past decade or so. The FE sector currently relies mainly for its funding on the Skills Funding Agency working under the direction of BIS; the EFA working to the DfE; and the Department for Work and Pensions (DWP). HE programmes are funded by the Higher Education Funding Council for England (HEFCE). As funding for adult learning gradually shifts towards loans to individuals, the present trend towards an FE sector emphasising provision for 14-18 year olds, in partnership with or in remediation of the work of the schools

¹⁶ For example, those sponsored by the Manpower Services Commission

sector funded by the DfE, seems likely to accelerate. It is our view that so complex a policy and funding landscape as now exists in England is unlikely to help a sense of coherent professional identity in FE.

4.7 As a justly-admired FE college principal remarked to a member of the Review panel:

“English FE is unique internationally because it works on a deficit model. We compensate for schools that won’t educate children to read and write or prepare them for employment, and for employers who won’t recruit and train”.

This view may appear jaundiced. However it coincides substantially with Professor Wolf’s descriptions of misused vocational learning. It contrasts graphically with the employer-led, social partnership model of preparation for employment delivered through the dual system. It suggests that, even in one of the best colleges in the country, the sector’s identity is a troubling issue. FE is too often the filler of gaps left by others, either as a matter of government policy or as a pragmatic response to local circumstances. It is the sector in between schools and higher education, covering a host of tasks and needs. Its name in this country confirms that position, whilst its international counterpart, VET, clarifies and defines a role in developing occupational skill in the service of the economy.

4.8 For good or ill, English FE appears to deliver at least five main areas of activity:

- Remedial FE, redressing the shortcomings of schooling described in the *Wolf Report* and acknowledged by the government;
- Community FE, offering lifelong learning to local people, with benefits to their health, longevity and wellbeing, as well as continuing education;¹⁷
- Vocational FE, teaching occupational skills in colleges, training centres and in the workplace;
- Academic studies up to Level 3 pursued in some colleges;
- Higher education studies.

It would be simplistic to equate each of these purposes with colleges, charities or private providers alone. Colleges often deliver all of them in varying proportions, as well as themselves owning private or charitable organisations. Many charities are major providers of employment programmes, especially for disadvantaged people, as well as community provision. Private

¹⁷ See eg, *Learning through Life*, NIACE, 2009, and *A dynamic nucleus: colleges at the heart of their communities*, the report of the Sharp Commission. AoC, NIACE and 157 Group. 2011

companies are mainly devoted to vocational FE, but even they are increasingly concerned with remedial literacy and numeracy.

- 4.9 How widespread is this complexity? The sector consists of 244 general FE colleges, 94 sixth form colleges (largely funded by the EFA), 15 specialist designated institutions (for example, Ruskin College and the City Lit.), over 1,000 private or charitable training providers, over 200 public bodies such as local authorities offering adult community learning, 38 HE institutions which also offer FE courses, 18 National Skills Academies, the training departments of major employers such as Rolls-Royce and Jaguar Land Rover, 14 NHS Trusts, government departments such as the Ministry of Defence, the armed services and government agencies like the Prison Service (source: Skills Funding Agency). In 2009-10, the sector had more than 4.6 million students, half of them in general FE and tertiary colleges (source: Individualised Learner Record/LSC). In 2010-11 there were nearly half a million working people in apprenticeships. If one considers the substantial cross-over between this large and diverse sector and its neighbours in schools and HE, additional complexities arise:
- In 2011, 14 per cent of 16-18 year olds had left school functionally illiterate (using the government's measure of Level 1 English or grades D-G at GCSE), leaving FE with a remedial purpose;
 - In 2011, 28 per cent of 16-18 year olds left school functionally innumerate (at Entry Level 3 or roughly that expected of an average 9-11 year old), leaving FE with a remedial purpose;
 - About 10 per cent of all Higher Education is taught in the FE sector, in the 188 FE colleges which have a direct relationship with the funding body, HEFCE, as well as in many other providers which franchise Higher Education from universities;
 - About 120,000 HE students studied in the FE sector in 2007-8, a figure which has risen since and is expected to rise sharply as a consequence of current government policies (source: Hansard, 17 Jan 2012, column 789w).
- 4.10 Meddling with so complicated an organism as FE, one which has such a central role in our national life but which is still sometimes called 'the Cinderella sector', is clearly not to be contemplated lightly. Its size and diversity both suggest that almost any central intervention is likely to lead to unintended adverse consequences, as did the Regulations of 2007 and so many other policies and government agencies. The daily tasks of FE, its relations with its many different clients, are demanding enough without having to respond to prompts from outside which can easily appear ill-informed and facile. FE is more complex than either schools or HE.

Both the sector and its staff need to be treated with greater care and respect than has sometimes been the case in the past.

- 4.11 John Hayes' remarks whilst Minister about 'infantilisation' have prompted the Review panel to consider what has changed in the two decades since college incorporation. There is a consensus in government and across political boundaries that standards have risen dramatically over time. The FE sector works better than it ever has before, as the outcomes achieved for learners and recurrent surveys of learner opinion testify. Whilst 'good' is never 'good enough' in a competitive world, few would wish to present a case that English FE performs less well than the handful of directly comparable systems internationally. This is difficult to prove because of the periodic changes in inspection policy. As Her Majesty's Chief Inspector (HMCI) observed in the Ofsted annual report for 2010-11:

'(Ofsted's) proportionate approach to inspection effectively means that the sample of providers selected for inspection in any single year will contain both a greater percentage of previously satisfactory (grade 3) or inadequate (grade 4) providers, and a greater percentage of good or outstanding providers that are believed to be at risk of declining, than would be found in the population of providers as a whole. As a result, learning and skills providers inspected in any one year are not representative of all providers and comparisons between years are not straightforward'.¹⁸

Little therefore can be inferred with certainty from Ofsted's judgements about the state of the sector as a whole or about its trajectory of improvement or decline.

- 4.12 In parallel with inspection, FE colleges have been obliged since 1994 to conduct rigorous annual self-assessments against criteria similar to those used by inspectors. The same requirement was made of work-based training and other providers from 1998. The sector has taken responsibility for its own performance and service to learners for between 14 and 18 years and can be regarded as mature in that respect. FE does not differ materially from the more recently chartered universities and, as shown in 4.9, above, it often works closely alongside them. This is a substantially different situation from that which existed when colleges, for example, were controlled in detail by local authority officers.
- 4.13 Similarly, governance in public sector, private and charitable organisations has improved dramatically in the past two decades. Sir Adrian Cadbury's world-leading work on corporate governance

¹⁸ *The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills*. TSO, London. November 2011

in 1992 roughly coincided with the incorporation of FE colleges. Since that time, regularly updated codes of good governance have been issued by the Financial Reporting Council (FRC),¹⁹ gradually refining practice using the 'comply or explain' principle. Codes specifically intended for charities, the voluntary and community sector, for public bodies such as NHS Trusts, for HE and for the FE sector have been derived from the work of the FRC. More detailed guidance, for example for the chairs and clerks of FE college corporations has been produced by LSIS, contributing to a generally good – although not perfect – picture in terms of strategic guidance and control. Again, FE organisations are clearly able to stand confidently on their own two feet, in ways that would have been inconceivable in the 1990s.

- 4.14 There is no doubt that standards of service to learners varied greatly across the country before 1993. Whatever may have been their countervailing faults, the Further Education Funding Council, the Learning and Skills Council and, now, the Skills Funding Agency and the EFA, have created a situation in which students can reasonably expect a service which is of similar quality wherever in the country they may live. It is true, too, that with the exception of capital funding, private and charitable providers work on a generally 'level playing field' with colleges.
- 4.15 The Review panel has been impressed on its visits by the enormous investment that has been made in the sector's infrastructure, recently and during the past few years. This is most noticeable in the colleges, where many buildings are new and of such high quality as to compare favourably with anything elsewhere in the world. However, gradual consolidation among other providers and the involvement of a number of very large private companies in the sector (Babcock, Lloyds Banking Group etc), has often also transformed facilities beyond the colleges. Learners' expectations continue to rise in FE, as elsewhere in our modern consumer society, and the sector has responded. It would be difficult to recognise Highbury College among many others, or the Rolls-Royce apprentice training centre, as 'Cinderella'.
- 4.16 In summary, FE today is a very large, sophisticated enterprise, in the hands of many of the most able organisations in the country. It is capable of thriving with as much autonomy as is granted to universities. It has grown into its current form as a response to demand and there seems little point in trying drastically to change it to fit some ideal model, or in constraining the natural development of large organisations: diversity is often a strength. The Review panel is of the view that the road to more enhancement of

¹⁹ See *The UK Corporate Governance Code*, FRC, London. 2010

professionalism in FE lies in fostering a flexible, enabling environment which we see as being similar to that created for the universities by HEFCE, the Quality Assurance Agency for Higher Education (QAA), Universities UK and the Higher Education Academy (HEA), and that this will involve the government in doing less, not more.

- 4.17 A consistent sense of professionalism among all FE lecturers might always prove elusive, given the diversity and scale of the sector. It may even be that the day of a tight national professional identity has passed, along with the demise of Coombe Lodge and local authority control. Nevertheless, the Review panel is convinced that the essence of professionalism lies in the applicability of the word 'colleague'. Is there a sufficient sense of shared identity, of solidarity, among those who teach across the wide variety of organisations in FE to justify their regarding one another as colleagues? Our answer to that question is an emphatic 'Yes'. To extend that sense of identity further afield, would English FE lecturers across our broad sector, regard their peers in Australian TAFE and GTCs, or in the American and Canadian community colleges as colleagues? Again, the evidence of our research is positive. In the next section we go on to analyse that professionalism and to consider how it might be helped towards a greater level of confidence and self-assurance.

5 Supporting Professionalism

5.1 The Review panel has consulted organisations which follow the traditional definitions of professionalism and asked FE staff what the term means to them. There is no hard and fast interpretation of the word. The original usage of 'professionalism' relates to religious observance: *to profess a religion*, implying that it has as much to do with belief as with practice and that it essentially relates to people within a recognisably similar group. The panel has no expectation of breaking new ground in this matter but proposes a working list of the criteria which are said to underpin professionalism:

- Mastery of a complex discipline;
- Continuous enhancement of expertise;
- Acceptance that the field of expertise is a vocation to be pursued selflessly for the benefit of others;
- Public accountability for high standards of capability and conduct;
- Membership of a group earning and deserving the respect of the community;
- Membership of a defined group with similar skills, transcending local loyalties to achieve national and international recognition;
- Acceptance of responsibility for the competence and good conduct of other members of the professional group;
- Membership of a group which accepts responsibility for planning succession by future generations;
- Membership of a group which seeks continuously to extend and improve its field of knowledge;
- Membership of a group deserving an above-average standard of living.

Opinion about some of these may be divided but, in our view, they are all observable among established professional groups.

5.2 The government's influential policy documents, *Skills for Sustainable Growth*²⁰ and, particularly, *New Challenges, New Chances*, define the arena in which staff professionalism should play an influential part. It includes the following:

- Fostering vocational training;
- Pursuing excellence;
- Ensuring that qualifications are relevant to employment;
- Strengthening governance to deal with greater autonomy;

²⁰ *Skills for Sustainable Growth*. BIS, London 2010. URN 10/274
New Challenges, New Chances. BIS, London 2011. URN 11/1380

- Increasing the flexibility and freedom to innovate among FE providers;
- Reducing the intrusiveness of national government agencies;
- Supporting international enterprise in FE.

The introduction to *New Challenges, New Chances* speaks of the government's wish to see the sector developing, 'guided by its own insights and experiences', with its high potential more completely realised when 'lecturers, trainers and managers... are free to do their best. Our end is through promotion of the common good to serve our national interest (with) a newly confident sector – released from years of confinement – free to excel'.

- 5.3 The government's innovative proposal for an FE Guild pursues the same theme and the Review panel have been struck by particular passages in the *Prospectus*:

'(The Guild) will provide the right environment for employers (ie FE providers) to improve their (own) and their staff's capabilities and competence...'

'(It) will act as an overarching body with end to end responsibility for professionalism... across the sector... offering institutional and individual membership, both of which would be on a voluntary basis'.

'(It) would be closely linked to individual colleges and providers being able to obtain chartered status'.

'(It will be) an employer-led partnership drawing in employee representative organisations and sector bodies concerned with workforce development'.

- 5.4 The panel finds it difficult to envisage that the sector's only government-funded workforce development body, LSIS, would not play a prominent role in the development of the Guild. It is our hope that a partnership of lecturers across the whole sector with their employers can be developed. As our *Interim Report*, the events leading up to it and the government's subsequent responses have all underlined, it is not enough to expect lecturers alone to take responsibility for professionalism or, as was the case under the 2007 Regulations, to attempt to coerce them into doing so. Employers must share responsibility for encouraging professionalism by offering their moral and tangible support to their staff. Both employers and employees will flourish in an atmosphere of flexibility and autonomy. It is the task of the former to ensure that this new 'freedom to excel' is enjoyed by the latter and we hope that the opportunity to explore and decide how lecturers may do so will be taken up enthusiastically. It is on lecturers that a better service to learners will essentially depend. The Review panel is

glad to see that such thinking is already well advanced in the sector, in ideas about 'expansive learning environments'.²¹

- 5.5 For the proposed Guild to make an impact we suggest that it needs to address all the aspects of professionalism which we have attempted to define in 5.1 above. Our hope is that it could negotiate effective guarantees of an opportunity for lecturers to continue to study and update their occupational skills, balancing commitments to excellence in pedagogy with the capabilities needed to sustain a modern economy. We would wish to see Guild membership as an assurance that both providers and their individual members of staff are committed to ethical behaviour and good citizenship. We hope that the Guild will be able to enhance leadership and management across the sector, so that shortages of outstanding candidates to succeed to senior posts will become a thing of the past. We would be pleased to see discussion about fitting levels of reward for staff in the sector, enhancing their capacity to serve students well. Such sensitive debates might proceed in the Guild in an atmosphere freed from the adversarial pressures of workplace negotiation. In all these matters, and doubtless many more, we believe a Guild or similar partnership might play a vital part in benefitting the future professionalism of the sector.
- 5.6 Since the publication of our *Interim Report*, the Review panel has also pondered the best means to replace coercive co-ordination of in-service training and continuing professional development, with an organising method based on consensus. An FE Guild could provide a context in which this becomes more feasible. The panel has been impressed by the model represented by the *Armed Forces Covenant*.²² Originally a compact setting out the right to bear arms conferred on the armed services by society as a whole, and the corresponding duty accepted by society to succour those individuals who come to harm as a result, as well as their families, it was published in May, 2011. We suggest that a comparable compact or Covenant might usefully be negotiated between employer and employee representative bodies in FE, setting out their obligations and duties to one another in relation at least to fostering professionalism and continuing professional development.
- 5.7 We would not wish to be too prescriptive about what the Covenant should contain. However, the following matters, (as well as some of those suggested in 5.5 above), appear to us to be among those which sensibly could be settled in this way:

²¹ See, for example, *Leading learning and letting go*. LSIS, Institute of Education, 157 Group, IfL. London 2012. *Great teaching and learning*. IfL, 157 Group. Unpublished record of a conference, May 2012

²² *The Armed Forces Covenant*. Ministry of Defence, London. DMC 00289 11/12, 2011

- A duty placed on new teaching staff successfully to complete the new preparatory award, the threshold licence to practise, within a normal probationary period;
- A duty placed on employers to support completion of the preparatory award through an appropriate allowance of study opportunities, time and training during a structured period of induction;
- A duty placed on lecturers continuously to extend and update both their occupational (subject) and their pedagogical expertise, including through undertaking the new Cert FE or Dip FE where appropriate;
- A duty placed on employers to support continuing professional development in both the occupational and pedagogic realms through an appropriate allowance of study opportunities and time (at least 30 hours each year);
- A duty placed on lecturers to participate in activities intended continuously to enhance their performance, such as observed teaching, appraisal, self-assessment and peer review;
- A duty placed on employers to develop in partnership with employees, a system of fair performance management, promotion based on excellent performance, talent management and succession planning.

And so forth. The essential basis of such a negotiation is that it should comprise those areas which the parties concerned believe to be important.

- 5.8 The special value of a Covenant is that it should be based on a high-level statement of principle.²³ In this case, it would centre on the over-riding commitment, expressed in specific terms, among both employers and lecturers to put the interests of learners first and to do everything practicable to achieve excellence in their service. This equality of obligation might be the foundation on which negotiation would be based, ensuring that it should not become narrowly adversarial, both parties seeking predominant advantage. We suggest that subscribing to the Covenant should be a criterion on which eligibility for individual and corporate membership of the Guild might be determined.
- 5.9 As is the case in many other aspects of English life, FE has generated a large number of bodies representing its various parts. They include the AoC, AELP, the 157 Group, HOLEX, NIACE and GTA England among others. The panel has noted the contribution which over-arching organisations, representative of a sector as a whole, can make to coherence of identity and forceful advocacy of its merits and needs. Universities UK (UUK) is an example of such

²³ *The Armed Forces Covenant*, page 1

an organisation, which represents HE without eliminating the proper pursuit of sectional interests. The Review panel sees the establishment of a comparable over-arching identity for the whole of FE as an important role to be fulfilled by the Guild and its Covenant.

- 5.10 Our consultations have convinced us that, in a deregulatory environment and one in which, as we have noted in 4.10 above, all interventions are likely to disadvantage at least part of so complex a sector, the positioning of FE is of paramount importance. We have described it as the ‘in-between’ sector, wrestling to maintain a distinct identity between the secondary schools and HE on either hand. It does not have to be so. An important feature of the American community college sector is that it is regarded as part of Higher Education. As was emphasised in an interview with Dr James McKenney, Vice President of the American Association of Community Colleges carried out for this Review, a location in Higher Education is fundamental in securing the sense of professionalism among lecturers. The American colleges provide much the same level and range of learning programmes as does the English FE sector. Nevertheless, their more distinct positioning – not ‘between’ anything but part of the desired destination of those completing compulsory education – and the freedoms which are associated with it which we believe are comparable with those the government now wishes to give English FE, support a sense of professional pride, care and confidence which is an aid to quality. We believe that English FE might develop in time towards a single post-compulsory sector of education, united with HE, filling what has sometimes been described as ‘the polytechnic-shaped hole’ in the system, and that this might be one of the aims of the Charter awarding body which the government has proposed, complementing the Guild.
- 5.11 The panel has taken note not only of the parallel with circumstances in the United States and the aspirations towards a stronger connection between Further and Higher Education set out in *New Challenges, New Chances* (page 13), but also the precedent of earlier models in this country. HE outside the universities was, until the late 1980s, designated as ‘advanced further education’ and usually delivered in institutions which also taught ‘non-advanced further education’: today’s FE. The schisms between the two which took place over a period of some 20 years, spanning the formation of the polytechnics and their mutation along with many other colleges into universities, were never total. As we have observed in 4.9 above, at least 120,000 HE students study in FE providers and their number is likely to grow considerably; the majority of FE colleges and many other providers already work with

HEFCE or with a university; and a growing number are being granted independent powers to award foundation degrees, working with the QAA. We might reasonably expect in time a unified post-compulsory sector to be a natural outcome of these developments.

- 5.12 It follows, in the opinion of the Review panel, that the process of bureaucratic rationalisation which has already begun so promisingly, could be accelerated through a movement towards this single post-compulsory sector. The panel is sceptical about the notion of an indivisible '14-18 phase' of education, which imposes a number of undesirable systems on the FE sector. Among these are the need to work with a minimum of two funding agencies, Skills Funding Agency and EFA, responsible for pursuing the work of two different government departments. It would be preferable, in our view, for post-compulsory education to be seen as more distinct from secondary education policy and procedures, reflecting the fact that when young people enter the sector they usually do so as a deliberate step into the adult world, often alongside starting their first job. As matters stand now, FE providers are undergoing 'mission drift' opposite to that normally observed and rightly criticised, but equally damaging to the country's prospects, downwards into the proper territory of secondary schooling. That drift is the result of both the remedial task inherited by FE from weak schools and condemned by Professor Wolf among others, and of the easier availability of grant funding for courses studied by 16-18 year olds, as support for adult learning is progressively transferred to a loan system. Under the present arrangements FE providers may distort their missions, taking financial advantage of the opportunities offered by separate funding agencies and policy environments. We suggest that a review is necessary to remove unintended incentives for distortion from the system.
- 5.13 The Review panel believes that the government would agree that the continuing release into adult life of so many young people who are insufficiently literate and numerate to hold down a decent job and to confidently carry out everyday tasks, is unacceptable. That FE should be both required and funded to carry out remedial work which has already been paid for from the public purse once before in the schools, is a waste of both money and effort. Clearly, while the government's new school reforms take effect, the remedial work in FE will have to be sustained. There is excellent work going on in the foundation studies and there may always have to be some provision for remedial literacy and numeracy in FE. Indeed, in the short term, the Wolf proposals may increase the amount. However, for the benefit of all, over time it should become much more modest than it is today. The panel believes that it is timely for FE to re-affirm its primary mission to offer practical learning which

leads to the availability of a technically-skilled workforce to power high economic performance. Many colleges and other, often charitable or local authority providers, also have a community role. We are convinced by the case made by the independent inquiry sponsored by NIACE in *Learning through Life* that this has substantial value throughout people's lives. That role should be the secondary task of FE, below its economic concerns and well above that involved with remediation of inadequate schooling.

5.14 James McKenney described professionalism thus:

"It is about buying into the mission of the institution and delivering citizens into a higher calling and a higher level of performance. To do that you must respect your own work and its quality, and you must respect the students, what they are doing and why they are there. There is a sense of quality about all the pieces of the organisation".

The Review panel's hope for further simplification and rationalisation of the infrastructure surrounding FE, is not only reflected in Dr McKenney's description of a professionalism which is essentially autonomous, but also in the perceptions of employers surveyed by the CBI.²⁴ Employers in the survey, almost two thirds of whom were involved in apprenticeship, reported the following:

- 58 per cent wished to see more business relevance in vocational qualifications;
- 56 per cent wanted less bureaucracy around government funding and nine out of 10 had perceived no improvement so far;
- Among the 90 per cent of employers which commission training externally, nearly eight out of 10 prefer private providers over other FE organisations, but only about one-third of that training leads to accredited qualifications.

5.15 The Review panel welcomes the government's early thinking on chartered status for able FE providers. We would like to see that status conferring a substantial degree of earned autonomy, conforming wholly with government policy in that respect, so that providers might be freer to address concerns such as those highlighted by the CBI. The panel hopes that the credibility of the Charter awarding body as well as its potential to raise the professional standing of all those who will work in chartered providers, might be sought through placing it at arm's length from government, securing at the earliest opportunity a Royal Charter through an approach to the Privy Council. The Charter awarding body will have to take decisions about the entry of providers into chartered status (or even their exit from it) which may be

²⁴ *Learning to grow: What employers need from education and skills*. CBI/Pearson. London, June 2012

controversial. We suggest, therefore, that it will need to be both authoritative and independent. We suggest that there might be a number of developments derived from earned autonomy, for example:

- An ability for the sector to offer its own distinctive awards acting collectively, perhaps through the agency of the Guild;
- Further extension of the established freedom from inspection granted to outstanding providers, so that those which achieve chartered status might move instead to a form of peer review of their annual self-assessment procedures;
- Greater freedom of operation among chartered providers underpinned by further strengthening of their governance.

Our belief, based on our consultations, is that high professionalism is intimately connected with acceptance by lecturers and their employers of full responsibility for the education and the qualifications they offer. Any compromise which tends to obscure that direct responsibility we suggest weakens professionalism and it is with that thought in mind that we explore these possibilities in greater detail below.

5.16 In many respects this country benefits considerably from its accrediting universities and charitable and private national awarding bodies. They have, in many cases, built up worldwide reputations for reliability and honesty, and for the transferability of their qualifications. Through the Qualifications and Credit Framework (QCF) in England and the European Qualifications Framework (EQF), that special blend of reliability and portability has been further enhanced. However, in the April-June quarter, 2012, there were 164 national vocational awarding organisations and 17,331 vocational qualifications (source: Ofqual). This plethora of vocational awards fuels the bewilderment of many employers when they strive to understand what qualifications mean, what value should be placed upon them. The Review panel believes that the time has come for a reduction in the number of different awards, in favour of the establishment of a simple set of 'benchmark' qualifications for the sector. This might be achieved by the Guild taking responsibility for rationalising and enhancing the cost-effectiveness of awards on behalf of its members. It seems to us to be a logical extension of the Guild function suggested in the government *Prospectus*: 'to develop appropriate qualifications for people working in the sector', that it should also play an important part in determining appropriate awards for students. Given the high level of expertise in the national awarding bodies it seems probable that the Guild would wish to work in partnership with them. The aim might be to evolve a set of awards which are comparable in their general applicability; in their easy recognition by employers and the

wider community; and in their flexibility to meet changing needs; with the system of bachelors' and masters' degrees used in HE.

- 5.17 Regular inspection of the FE sector since 1993 by the Further Education Funding Council Inspectorate (1993-2001), by the Training Standards Council (1997-2001), by the Adult Learning Inspectorate (2001-2007) and by Ofsted has helped to drive up standards and to build reliability in providers' own self-assessment. As HMCI acknowledged in last year's annual report (see 4.11 above), however, inspection policies concentrating on weak or apparently weak providers do not provide the FE sector with any reliable picture of its overall capability or of its progress, up or down. It is clear that overall perceptions of the sector may alter according to the progress of inspection policy.²⁵ The change in grade descriptions in the latest, 2012, version of the *Common Inspection Framework* from grade 3 'satisfactory' to grade 3 'requires improvement', is likely to have an impact.²⁶ For the organisation concerned, a sudden change in the government's view of its quality of service to learners (as represented by Ofsted) is certain to claim a central place in the attentions of the governing board and the senior management team: a renewed focus on the views of those beyond the institution and its client students and employers such as that which the government is committed to reduce in many other respects through its programme of administrative reform and deregulation.
- 5.18 As we have suggested in 4.12 above, regular provider-by-provider self-assessment has long been established throughout the sector. The professionalism of staff is inextricably entwined with their capacity to carry it out reliably although, as currently practised – effectively as a dialogue with the inspectorate – it is widely acknowledged as being prone to exaggeration of strengths and understatement of weaknesses. What may now be more appropriate is a means of benchmarking each self-assessment to ensure consistency among chartered providers. The body which already carries out this function for HE is the QAA. It has the virtues of being itself independently quality assured by the European body, ENQA; of being sector-owned rather than being a non-ministerial government department as is Ofsted; of its

²⁵ Fifty-two general FE/tertiary and sixth form colleges, other than those where mergers had obscured comparison with former grades, received full inspections and their reports were published between August 2011 and August 2012. Of these, 29 were awarded lower grades for 'overall effectiveness', in one case declining from 'outstanding' to 'inadequate'. Only 5 colleges (10 per cent) were judged to have improved. To the layman or someone unaware of the *caveat* in HMCI's 2011 report, this result might suggest erroneously a sector in decline.

²⁶ *Common Inspection Framework for further education and skills*. Ofsted, June 2012. N° 120062

reputation for reliability in appraising universities; and of using peer judgement, including students, to carry out its reviews. As noted earlier in this Review, many FE providers already work with the QAA and those we have consulted speak well of its combination of rigour and helpfulness in moving organisations forward. The expression of its judgements in terms of the reliability which the public and employers may place on self-assessment by institutions, rather than in numerical grades which can no longer be aggregated to determine the progress of the sector, we also think appropriate. We would like to see serious consideration given to a model of peer-reviewed self-assessment, perhaps supported by the QAA, for those providers that achieve chartered status.

- 5.19 As noted earlier in this Review, good governance in FE has been recognised for its critical importance in assuring appropriate strategic direction, viability and probity since at least 1993. Arguably, the detailed oversight exercised by government agencies up to a year or so ago, has prevented the quality of governance being tested to its limit and boards maturing fully, along with the professional responsibilities of those many staff involved in governance at various levels. With the greater autonomy granted to chartered providers may come a greater risk of failures in governance. Now may be the time for another decisive step forward in the rigour of governance, which we suggest might be led by LSIS in collaboration with the sector or by the Guild. The *UK Corporate Governance Code* (see 4.13 above), probably represents the best in current thinking. The most faithful adaptations of it to the FE context, particularly for publicly-owned organisations, that have come to the panel's attention are the *AoC Foundation Code* and that recently adopted in Wales based on the *Humphreys Report*.²⁷ Whilst Humphreys' vision has been modified somewhat subsequently in the light of public consultation, the essence of this arrangement will be adopted in Welsh colleges from 2015. It seeks to make more distinct the task of a board which is modelled very closely on the functions, blend of executive and non-executive directors and required professional skills, which are found among their counterparts in public companies, from those of a wider body fully representative of the community of staff, students and customers. It has some parallels with current arrangements in LSIS and in universities. Some account of this approach might be taken in further developing guidelines for those FE organisations which are not directly regulated under the Companies Acts (the *UK Code*) or by the Charity Commission.

²⁷ *An independent review of the governance arrangements of further education in Wales* (the Humphreys report). Welsh Government, Cardiff 2011. WAG 10-11171

- 5.20 The panel's understanding of the government's position is that chartered status should be achievable over time by most providers. That stance is well founded on an observation that outstanding quality is present across the whole spectrum of organisations, from the very smallest to the largest. We do have a concern however, that chartered bodies should be stable in terms of their long-term viability. This would lead us to suggest that in refining its conception of the qualifications for chartered status, the government might wish to add financial robustness – either for individual organisations or for permanently-committed clusters of organisations.
- 5.21 An important contributor to any sense of staff professional disenfranchisement remains to be addressed. The Review panel does so with some hesitation, conscious that it has no place in negotiation of terms and conditions. We must observe, nevertheless, that the average salaries of FE staff, relative to their counterparts in schools and universities, appear to have declined substantially over time, and particularly sharply so in the last decade. It must be a commonsense conclusion that this would have an impact on FE lecturers' sense of professional self-worth and, in particular, on the appetite for interchangeability of qualifications with school teachers which was noted in our *Interim Report*.
- 5.22 Referring back to records from 1974 onwards, the Review has found that, with some reservations based on the comparability of the data derived separately from the New Earnings Survey and the ASHE tables produced by the Office of National Statistics, the long-term position appears to be that FE lecturers' salaries, on average, have been somewhere between those of their counterparts in schools and universities. The respective gaps have been perhaps around 10-15 percentage points above secondary school teachers and 20 percentage points below university lecturers. From 2001 the position seems to have changed abruptly from the established trend (possibly because of the wider definition of the sector adopted at that time, among other factors). FE lecturers' salaries increased by about 27 per cent over the decade to 2011 and both secondary teachers' and university lecturers' salaries by 53 per cent over the same period. FE lecturers' average pay has settled out around 6-8 percentage points below school teachers and about 27 percentage points below university lecturers. Some desire to secure an ability to transfer into school teaching is understandable in this context (but undesirable from the point of view of staff retention in FE), particularly among those lecturers whose disciplines match the secondary curriculum.

- 5.23 It may be of significance to consider whether the strength of a sense of professionalism relates to the proportion of permanent or full-time lecturers in the workforce of FE colleges, in particular. It appears to have altered very little in the past decade. However, among some 130,000 FE college lecturers in 2009-2010, 79,000 were permanent and full-time, the remaining 51,000 being made up of fixed-term, casual, agency-employed or self-employed lecturers: just under 40 per cent. Whether there is a 'correct' proportion of staff who are permanently committed to the institution, as against those who are in varying degrees 'casually-employed', is open to debate. College leaders have to balance continuity against the professional currency of part-time staff, flexibility and cost. However, it should be noted that the (FEFC) chief inspector's annual reports in the years following college incorporation warned against the potential impact on quality of increasing casualisation of the workforce. Discussions held by the panel suggest that private providers may be more wary of a heavy reliance on a body of staff which is not securely attached to their businesses, not least because of the high financial cost of staff turnover. Alongside a consideration of any effect that average salary levels might have on lecturers' sense of professionalism, FE sector leaders may wish to consider whether or not there is an optimum balance between permanent and varying staff in a professional teaching workforce, perhaps in the context of the panel's suggested negotiation of an FE Covenant or as part of wider debates in the Guild.
- 5.24 The professionalism of most established groups includes the extension of their body of knowledge and practice. Personally directed research is fundamental to the professionalism of HE lecturers, for example. Procurement of funding for that research outside the university by well-known individuals or teams gives them a marked degree of autonomy. In our *Interim Report* we quoted research by Norman Lucas and Professor Lorna Unwin of London University that 'too many colleges are characterised by restrictive features of job design and work organisation' which render FE lecturers into 'productive workers' without the dual identity of teacher and learner found in HE.²⁸ Since 1993, conditions of service in FE have been determined locally and since that time there appears to have been an average increase from 21 contact teaching hours each week to around 24 or 25. The time that lecturers are required to be in a provider (rather than working in its service off as well as on the premises) has increased from 30 hours a week to an average of around 37 hours (source: UCU). Whilst the panel is clear that FE should not ape HE – any research

²⁸ Lucas N and Unwin L, *Developing teacher expertise at work: in-service trainee teachers in colleges of further education in England*. Institute of Education, London, 2009

in FE would necessarily reflect its central concern with the application of technology and skill rather than the discovery of new knowledge – there may be lessons to be learnt from it in terms of giving FE lecturers throughout the sector, space to innovate. An international comparison from Canada's VET sector was made for the panel by James Knight, President of the Association of Canadian Community Colleges. He said that “many (Canadian) staff members continue to work in their fields (to) remain current in their areas of expertise. ... There is an informal understanding that every five years we will release a (lecturer) to go into industry for a year so that they stay up-to-date”. This, too, may be a matter for exploration between employers' and employees' representatives in the Guild as they develop a Covenant. It is creativity, innovation and depth of understanding of the world outside education and training which, in the end, is the gift of those who teach to those who learn.

- 5.25 The Review panel has sought to identify better means to support the professionalism of FE lecturers, in accordance with established government policy and taking account of new government initiatives such as the prospective FE Guild and chartered status for providers. That has not been difficult to do because the thrust of government decisions is towards greater autonomy and responsibility at both the organisational and individual levels: the very heart of professionalism. We want to help create an environment in which professionalism might thrive naturally, refreshing the sector with creative new ideas and continuously improved practices which do not rely on government and its agencies either for permission or prompting. In that, we believe the panel is at one with government policy.
- 5.26 There is no doubt in our minds that some of the changes we think necessary to transform the sector will take time. They are complex because the sector is complex but their ultimate intention is to sweep aside enough hindrances to the pursuit of excellence – in the service primarily of the national economy – to create greater simplicity of operation for providers and a sense of enhanced professional responsibility and confidence among their staff. The underlying principle we have adopted is that, if excellence experienced by students is the goal, then it is at the level of national infrastructure that rationalisation might best take place, liberating those who deliver the service from unnecessary hindrances. The value of changes should be judged against that criterion.
- 5.27 This report intervenes at some point in the midst of the government's pursuit of that rationalisation. As our *Interim Report* noted, most of the government organisations that were in being

when the Regulations of 2007 were conceived, have been abolished: the LSC, the Qualifications and Curriculum Authority (QCA), Lifelong Learning UK, the Government Standards Unit and others. Together with the normal, detailed, work which might be expected from providers and other organisations in the sector, it is possible that many of our aspirations could transform the sector within the lifetime of this Parliament. The sector deserves no less, both to recognise what has been achieved in the past 20 years and to create circumstances in which it will achieve at least as much in the next 20. We might envisage the following developments – at least – within the next few years:

- Introduction of revised teaching qualifications for staff, including those teaching literacy and numeracy or working with students with learning difficulties or disabilities;
- Formation of the FE Guild or similar organisation and negotiation of our proposed Covenant;
- Our proposed consolidation of awards;
- Publication of the FE Charter proposals, establishment of the Charter awarding body and application for conferment of a Royal Charter;
- Selection of chartered providers which would be granted additional autonomy;
- Further development of good governance in providers.

5.28 Governments of every era face intractable issues; those that are not only difficult to solve but appear beyond solution. One of these is the achievement of parity of esteem between vocational education and academic study. The panel knows of no country where this has been attained fully and it would be a bold claim that it might be reached were the government to accept all the suggestions and aspirations of this Review. What the panel can and does claim, however, is that our proposals, if followed, would remove a number of obstacles in the way of attracting and retaining the best and most highly-motivated professional staff to teach students of vocational and technical subjects, in order that our economy and society might be robust in future. In suggesting the evolution of a single post-compulsory sphere of education – not ‘further’, not ‘in between’, but a destination of choice for the ambitious and creative – we are not advocating academic drift or confusing further education with universities. We are, however, suggesting that an important impediment to parity of esteem can be removed, possibly achieving some cost-savings along the way. If that single destination after compulsory education could be developed, one with consistent autonomy in every respect, then the solution to most of the challenges around supporting lecturers’ professionalism would be within reach.

Appendix 1

Terms of Reference

Overall Objective

To review the current arrangements to regulate and facilitate the professionalism of the Further Education and Skills workforce and make recommendations as appropriate for how these should be changed or improved, taking account of the broader context of the government's strategy in Skills for Sustainable Growth and its belief that building the status of the workforce is central to growing and promoting the reputation of the sector.

The independent Review is not partisan and will be carried out on the basis that there will be no public lobbying by any parties.

Key Tasks

- Review progress made with professionalising the FE and Skills workforce following the introduction of the reforms stemming from Equipping Our Teachers for the Future;
- Investigate if lessons can be learned from the way professional status is facilitated and regulated in other sectors;
- Examine the appropriateness and effectiveness of the current regulations;
- Examine the role, functions, benefits for members and governance of the Institute for Learning as the sector's professional membership body, its regulatory functions and how effectively it is facilitating the achievement of a professionalised workforce, and, where relevant, the contribution of the other partner bodies;
- Consider what is the fairest, most efficient and appropriate way of meeting the costs of facilitating a professionalised FE and Skills workforce;
- Make recommendations for any changes and improvements required to enable continued progress in raising the professional standards and status of the FE and Skills workforce, to support continuing professional development, and to engage and give confidence to all key stakeholders.

In understanding these tasks, the Review would be expected to take account of:

- Views and evidence invited from practitioners and other key stakeholders in the FE and Skills sector on the current arrangements, and what 'professionalism' means to them;
- Advice and research evidence from those with expertise in professionalism and the functioning of the professional membership bodies in other sectors;
- Related reviews of the funding of initial teacher training and teaching qualifications as these may bear upon the professional standing of the FE teaching workforce;
- Changes in the institutional landscape that have taken place following the de-licensing of LLUK as a sector skills council, and the contribution of the Learning and Skills Improvement Service;
- Changes affecting how the professionalism of the school workforce is regulated and facilitated.

Appendix 2

Visits and Witnesses

Association of American Community Colleges (AACC)

James McKenney	Vice President, AACC
Michael Vitale	Vice President, Daytona State College

Association of Canadian Community Colleges (ACCC)

George Andrews	Vice President, Northern Alberta Institute of Technology
James Knight	President and CEO of ACCC

Association of Colleges (AoC) Principals' Portfolio Group

<i>Principals/representatives</i>	<i>Colleges</i>
Alison Birkinshaw	York
Paul Cassell	St Helens
Kim Clifford	Cirencester
Andy Cole	City of Westminster
Suzanne Duncan	City of Sunderland
Tim Eyton-Jones	John Ruskin
Michael Farley	Tower Hamlets
Lois Fowler	Hackney
Fiona Gray	Boston
Asha Khemka	West Nottinghamshire
Anne Lees	Thanet
Sunaina Mann	North-East Surrey (NESCOL)
Paul May	Walford & North Shropshire
Amanda Melton	Nelson & Colne
James Mettyear	City College Brighton and Hove
Ian Rimmington	West Cheshire
Sara Russell	Alton
Graham Taylor	New College, Swindon

In attendance

Joy Mercer	AoC
Ayesha Williams	AoC

CBI

Jim Bligh	Head of Labour Market Policy
-----------	------------------------------

City of Westminster College

Karen Barber	Director of Curriculum, Swindon College
Vivienne Bish-Bedeau	Assistant Principal, Building Services & Engineering, City of Westminster College

Ann Bullock	Organisation Development Manager, Loughborough College
Donna Campbell	HE Co-ordinator, Greenwich College
Kim Caplin	Vice Principal, City of Westminster College
Keith Cowell	Principal, City of Westminster College
Angela Cox	Director, Innovation in Learning, Bournemouth & Poole College
Helen Curtis	Teaching and Learning Manager, Runshaw College
Chris Davies	Head of Teaching & Learning, Birmingham Metropolitan College
Ian Evans	Head, Building Services Engineering, City of Westminster College
Emily Jenkins	Assistant Principal, ESOL, City of Westminster College
Barbara Hughes	Birmingham Metropolitan College
Wendy Moss	Head of Programme, City Lit.
Andrew Rogers	Trainee Teacher
Nicola Sharp	Wet Cheshire College
Pete Sharrocks	Senior Assistant Principal, City of Westminster College
Janet Smith	Deputy Principal-Curriculum and Quality, South Thames College
Pat Squires	City of Westminster College
Hilary Yuille	Teaching & Learning Manager, Weymouth College

In attendance

Emma Mason	Employment Policy Manager, AoC
Joy Mercer	Director of Education Policy, AoC

Commission on Adult Vocational Teaching and Learning

Frank McLoughlin	Commission Chairman
------------------	---------------------

Enable, Nottingham

Lisa Barker	Senior Manager, Nottinghamshire Clubs for Young People
Claire Bartle	Lead, Quality Improvement, Enable
Hannah Blackwell	Course Co-ordinator, Double Impact
Karla Cook	Manager, Nottinghamshire YMCA, Training Skills Development
Naomi Fearon	Office Manager, Take One
Sarah Fox	Assistant to the CEO, Enable
Don Hayes	CEO, Enable
Sharon Horder	Lead, Curriculum & Accreditation, Enable
Sam l'Anson	Business Development Manager, Aspire
Aiden Jackson	Co-ordinator, Young People's Programmes, Enable
Melanie Jeffs	Manager, Nottingham Women's Centre
Veronica Johnson	Manager, Quality & Support, TCV
Marianne Keeler	Director of Operations and Curriculum, Aspire
Sharon Marshall	Training Co-ordinator, Right Track

Gatsby Foundation

James Epps
The Lord Sainsbury
Nigel Sandford -Smith
Nigel Thomas Director of Education

GTA England

Mark Maudsley Chief Executive

Higher Education Academy

Craig Mahoney Chief Executive

Highbury College, Portsmouth

Charlotte Assomo Advanced Practitioner
Nadim Bakhshov Head, Centre for Excellence in Teaching & Learning
Ellen Barrable Advanced Practitioner
Graham Carter Lecturer
Michael Chittenden Lecturer
Vanessa Cooter Lecturer
Teresa Cole Head, Community College
Georgetta Forster-Pert Advanced Practitioner
Stella Mbubaegbu CBE Principal
Andy Morris Lecturer
Emma Patchett Lecturer
Jennifer Pearce Lecturer
Martin Porter Head, Automotive, Constructional & Engineering Technologies
John Royston-Ford Head, Business, Computing & Creative Technologies
Deborah See Executive Director, Collegiate College
Anne Selway Advanced Practitioner
Dominic Thompson Lecturer
Sue Ward Head, Skills for Life and Work
Alison Winter Head, Quality, Learning and HE Development

Holex

Bob Powell Chief Executive

Institute for Learning

Sue Crowley Chair
Toni Fazaeli Chief Executive
Paul Tredwell Director of Communications

Institute of Education, University of London

Helen Casey Executive Director, National Research and Development
Centre for Adult Literacy & Numeracy (NRDC)
John Conlon Co-ordinator, Post-graduate Certificate of Education (PGCE)
Sam Duncan Lecturer

Irene Schwab	Course Leader, PGCE
Lorna Unwin	Professor, Vocational Education
John Vorhaus	Research Director, NRDC

Learning and Skills Improvement Service (LSIS)

Dame Ruth Silver	Chair
Rob Wye	Chief Executive

National Institute of Adult Continuing Education (NIACE)

Jennifer Adshead	National Federation of Women's Institutes
Colin Barnett	Worcestershire County Council
Michael Coates	Hull College
Sally Dicketts	Principal, Oxford & Cherwell College
Tony Forster	City & Guilds of London Institute
Ian Forward	Kent County Council
Elaine Goodall	University of Warwick
Graham Griffiths	Institute of Education, University of London
Helen Hammond	London Borough of Lewisham
Cath Harcula	Derby City Council
Liz Laycock	Newham Community College
Pip Kings	Institute of Education, University of London
Wendy Moss	City Lit.
Louise Mycroft	Northern College
Martin Rose	NIACE: The Army
Dan Taubman	UCU
Alistair Thomson	NIACE
Brian Watts	City Lit.
Ann Walker	Workers' Educational Association (WEA)

Newcastle College Group

Angela Allen	Director of Projects
Phil Bawden	Director, Creative Industries
Dame Jackie Fisher	Group CEO
Sheran Johnson	Head of Teaching Development
Sharon Karaa	Operations Manager, Computing
Carole Kitching	Deputy Principal, Newcastle College
Gael Milligan	Team Leader, Computing
Greg Smith	Vice Principal (Quality), Newcastle College
Gina Steele	Head, Quality & Standards, Rathbone
Diane Thurston	Business Development Manager
Nicky Turnbull	Director, National Construction Academy
Richard Turner	Lecturer
Alison Whatsize	Group Quality, Curriculum, Teaching & Learning Manager, Intraining Ltd

North-East Surrey College of Technology, Epsom (NESCOT)

Oke Azubike	Assessor
Charlotte Bibby	Lecturer
Lindsey Biggs	Director, Employer Responsiveness
Alice Bimpong	Lecturer
Margaret Emson	Head, Care & Early Years
Sapphire Gold	Lecturer
Mel Healey	Lecturer
Sunaina Mann	Principal
Darren Piper	Lecturer
Seida Salifu	Head, Teacher Education

Ofsted

Matthew Coffey	National Director, Development, Learning and Skills
Christine Dick	HMI

PARN

Andrew Friedman	Chief Executive
-----------------	-----------------

Rolls-Royce

Neil Fowkes	UK Apprentice Training Manager
-------------	--------------------------------

The Law Society

Desmond Hudson	Chief Executive
----------------	-----------------

Training 2000, Blackburn

Sue Broster	Staff Development Officer
Steve Gray	Chief Executive

TAFE Directors, Australia

Stephen Conway	Chair and CEO of Adelaide South Institute
----------------	---

TUC

Richard Blakeley	Policy Officer
Tom Wilson	Director, Unionlearn

University & College Union (UCU)

Barry Lovejoy	National Head, Further Education
---------------	----------------------------------

Appendix 3

Reference Documents

<i>A dynamic nucleus: colleges at the heart of their community</i>	The Sharp Commission, Final Report. 157 Group/NIACE/AoC, 2011
<i>A Review of Governance and Strategic Leadership in English Further Education</i>	Matthews J, Schofield A and Shaw S, AoC/LSIS, LSIS 202, 2009
<i>A Simplified Further Education and Skills Funding System and Methodology</i>	BIS, URN 10/1070, 2010
<i>American Association of Community Colleges: Fact Sheet 2011. Building a Nation of Learners by Advancing America's Community Colleges</i>	AACC, 2011
<i>An Association for VET's professionals: what's the story</i>	Clayton B and Guthrie H, Victoria University, Australia
<i>An independent review of the governance arrangements of further education institutions in Wales</i>	Humphreys R, et al, WAG10/11171, Welsh Government, 2011
<i>Aspects of vocational education and training in Australia</i>	Adult Learning Inspectorate (ALI) 2005
<i>Audit Process: Fact Sheet</i>	Australian Skills Quality Authority, Australian Government, 2012
<i>Boards That Make A Difference</i>	Carver J, Jossey-Bass, San Francisco, 2005 (third edition)
<i>Challenges for the dual system and occupational self-governance in Denmark</i>	Jorgensen C H and Juul I, Journal of Vocational Education and Training. Vol. 63, N° 3, Routledge, London 2011
<i>Code of Practice for the assurance of academic quality and standards in higher education</i>	QAA, 2010
<i>Common Inspection Framework for further education and skills: for use from September 2012</i>	Ofsted, 2012
<i>Consultation on Revocation of the Further Education Workforce Regulations</i>	BIS, URN 12/706, 2012
<i>Consultation on Revocation of the Further Education Workforce Regulations: Government Response</i>	BIS, URN 12/970, 2012
<i>Developing a Guild for Further Education: Prospectus</i>	BIS, URN 12/988, 2012
<i>Developing teacher expertise at work: in-service trainee teachers in further education in England</i>	Lucas N and Unwin L, Institute of Education, London, 2009
<i>Employer Views on how well FE Colleges serve the training needs of employers</i>	Evidence paper for the Wolf Review, UKCES, 2011
<i>European Standards and Guidelines in Quality Assurance in the European Higher Education Area</i>	European Association for Quality Assurance in Higher Education (ENQA), Helsinki, 2007

<i>Foundation Code of Governance</i>	AoC, 2011
<i>From learning for the knowledge-based economy to learning for growth: re-examining clusters, innovation and qualification</i>	Guile J, James L and Unwin L. LLAKES Research Paper 29, Institute of Education, London 2011
<i>Governance in Work-Based Learning</i>	Unpublished Draft, LSIS, 2011
<i>Great Teaching and Learning</i>	Gannon A, IfL/157 Group. 157G/105, to be published September 2012
<i>Guide for Members of Higher Education Governing Bodies in the UK</i>	Code of Practice and General Principles, Committee of University Chairmen, 2004
<i>It's a matter of time: Low income students and community colleges</i>	Mullin C, AACC Policy Brief, 2012
<i>Leading learning and letting go: Building expansive learning environments in FE</i>	Institute of Education/IfL/157 Group. London 2012
<i>Learning through life</i>	Schuller T and Watson D, Report of the National Inquiry into the Future of Lifelong Learning, NIACE, 2009
<i>Learning to Grow: What employers need from education and skills</i>	Education and Skills Survey, 2012. CBI/Pearson, 2012
<i>New Challenges, New Chances: Further Education and Skills System Reform Plan – Building a World-class System</i>	BIS, 2011
<i>Not Just the Economy: The Public View of adult learning</i>	Flint C and Hughes C, NIACE, 2008
<i>Practitioners leading research</i>	Davies P, Hamilton M, James K, NRDC – literacy and numeracy. Institute of Education, London, 2007
<i>Professionalism – education and training practitioners across further education and skills</i>	IfL, 2012
<i>Professionalism in Further Education: Interim Report of the Independent Review Panel</i>	BIS, URN 12/670, 2012
<i>Promises of freedom; Citizenship, belonging and lifelong learning</i>	Fryer R H, NIACE, 2010
<i>Prosperity for all in the global economy – world-class skills</i>	Final report of the Leitch Review of Skills, HM Treasury, TSO, London, 2006
<i>Quality Improvement in Adult Vocational Education and Training: Transforming Skills for the Global Economy</i>	Perry N and Sherlock D, Kogan Page, London 2008
<i>Review of Vocational Education – The Wolf Report</i>	DfE/BIS, London 2011
<i>Skills and Economic Performance</i>	Campbell M and Porter S (ed.), Sector Skills Development Agency, 2006
<i>Skills for Jobs: Today and Tomorrow</i>	The National Strategic Skills Audit for England, UKCES, 2010
<i>Skills for Sustainable Growth: Strategy Document</i>	BIS, URN 10/1274, 2010

<i>Taking Part? Active Learning for Active Citizenship and Beyond</i>	Annette J and Majo M, NIACE, 2010
<i>Tertiary Education & Training in Australia</i>	National Centre for Vocational Education Research, Australian Government, 2010
<i>The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills</i>	Ofsted, TSO, London 2011
<i>The Armed Forces Covenant</i>	Ministry of Defence, 2011
<i>The Beneficial Use of Coaching and Mentoring in Adult and Community Learning Initial Teacher Training and Organisational Quality Improvement</i>	HOLEX, 2011
<i>The Effective Board: Building Individual and Board Success</i>	Bain N and Barker R, Institute of Directors, London 2010
<i>The Essential Trustee</i>	Charity Commission, London 2010
<i>The Government's Policy on Inspection of Public Services</i>	Office of Public Services Reform, London, 2003
<i>The Principles of Accreditation: Foundations for Quality Enhancement</i>	Southern Association of Colleges and Schools; Commission on Colleges, 2012
<i>The Quality Assurance System for post-16 education and training provision</i>	BIS/DCSF, London, 2010
<i>The Road Ahead: A look at trends in the educational attainment of Community College students</i>	Mullin C, AACC Policy Brief, 2011
<i>The UK Corporate Governance Code</i>	Financial Reporting Council (FRC), 2010
<i>Training and Skills in the UK: Meeting the global skills challenge</i>	British Council
<i>Wolf Review of Vocational Education: Government Response</i>	DfE/BIS, DfE 00038-2010, London 2011

Appendix 4

Review Panel

The Lord Lingfield Kt DL
Pro-Chancellor, Brunel University

Chairman

David Sherlock CBE
Director, Beyond Standards Limited and former
Chief Inspector of Adult Learning for England

Professional Lead

Dawn Ward OBE
Chief Executive and Principal,
Burton and South Derbyshire College

Dan Wright
Chief Executive, First 4 Skills Limited

Alexander Morris

Secretary to the
Review

© Crown copyright 2012

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. Visit www.nationalarchives.gov.uk/doc/open-government-licence, write to the Information Policy Team, The National Archives, Kew, London, TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is also available on our website at www.bis.gov.uk

Any enquiries regarding this publication should be sent to:

Department for Business, Innovation and Skills
1 Victoria Street
London SW1H 0ET
Tel: 020 7215 5000

If you require this publication in an alternative format, email enquiries@bis.gsi.gov.uk, or call 020 7215 5000.

URN 12/1198