



Response to the FE White Paper by the University and College Union (UCU)

1. Introduction

The University and College Union (UCU) was formed out of a merger between the National Association of Teachers in Further and Higher Education (NATFHE) and the Association of University Teachers (AUT) on June 1st 2006. UCU represents 120,000 members working across all universities and higher education institutions, general and specialist further education (FE) and tertiary colleges and adult and prison education services. UCU welcomes this opportunity to respond to the White Paper and set out our views on the FE system.

UCU is pleased that in the White Paper, the government recognizes the crucial role of FE in the education and training structures of the nation and the lives of young people and adults, and that the White Paper starts with setting out the impressive achievements of FE. We welcome that the White Paper pays tribute to the hard work and commitment of those working in the sector. However whilst not denying that the sector has weaknesses, we consider that the Paper overstates these. Only 2% of colleges are regarded as failing. This low a figure for failure is impressive for any public service, and although the figure for unsatisfactory areas of work is 25% and should be eradicated, it still falls within a normal statistical distribution. For example the Technical Paper which accompanies the White Paper, shows that when value-added measurements and the prior achievement of young people studying in general FE colleges is taken into account, the success rates of such colleges can be favorably compared with school 6th forms. The same data source also demonstrates that the FE system takes higher proportions of young people from black and ethnic minorities and lower socio-economic groups attend FE colleges. Thus FE has equality of opportunity at the heart of its work and is widening participation to the very groups that the government are targeting.

This response will set out the UCU views on the various proposals made in the White Paper. It will begin with setting at some of our more general views on the Paper.

Overall UCU finds the White Paper a mixed bag. We welcome some of its proposals such as the extension of entitlements to those up to the age of 25 without a level 3 qualification. Others we disagree with, others we consider misguided, and some may lead perverse outcomes undermining the very goals that the government is seeking.

Taken as a whole, the White Paper seems to be a roll out to the learning and skills sector, of a more generalized public sector reform policy which UCU believes to be wrong especially in relation to choice, specialization and contestability/privatization. It is our belief that the communities that FE

seeks to serve would prefer strong well resourced local institutions which offer easy access to a comprehensive range of high quality learning programmes delivered by committed professional staff.

One of the main misgivings that the Union has with the White Paper is that it fails to take into account sufficiently the demographic realities that the nation faces over the next decade. These demographics will impact on both FE students and staff.

UCU considers that the White Paper fails to take in account the fact that the country's demographic profile is ageing and that the numbers of young people aged 16 to 19 will peak in 2009, and for some years decline. Yet the White Paper deals with this in only one paragraph and does not recognize the challenges that this will set for the nation and the sector. 2 in 3 jobs to be created over the next ten years will have to be filled not by young people entering the labour market but by adults. The White Paper over emphasizes measures to improve arrangements for those aged 14 to 25. But it offers far less to those over 25, and much of this is contingent on the ability to pay for learning and on the training intentions of employers.

Similar demographic pressures are at work with the staff in the FE system. The FE system has an ageing workforce, 50% of which will retire over the next ten years. Although the White Paper does put forward some proposals to increase recruitment to the sector, it fails to grasp its essential problem in regard to recruitment and retention of staff that is salary levels and conditions of service that attract high quality staff and compare favorably to similar careers such as school teaching.

The White Paper focuses as has most if not all of Government policies over the last twenty years, on the sector's need to meet employers' needs in terms of education and training the current and future workforce. UCU does not deny the importance of the economic role of FE in supplying the knowledge and skills required for this country to compete internationally in an increasingly globalised economy. We recognize that the many if not most of those learning in FE do so to gain qualifications that will gain them entry into work and/or open opportunities for more challenging and responsible higher level and more complex work. However we would wish to see this economic role expressed in terms of employment needs, rather than just those of employers. Both sides of the employment relationship have requirements in terms of learning and these must be fulfilled by the FE system. As we will expand below in this response, we would argue that the White Paper and before it the various Skills White Papers recognizes the inadequacies of the UK skills base in terms of competing in the global economy, the White Paper does not yet propose a coherent plan to address both the demand and supply side of the issue. It and the we look forward to the Leitch Report on the longer term skills needs of the country that is to be published later this year. The White Paper does recognise that many colleges have long standing and highly successful partnerships with local industry, and do provide much of what employers state they want from training providers. Indeed there are high levels of satisfaction from the employers who do use the FE system. The problem is those that do not. But it will take efforts on both sides, providers and employers, to meet the challenges. The White Paper makes proposals to improve the supply side, that is the work in colleges to meet employers' needs. It says far less about the long standing low levels of investment in skills by employers, put by the National Employer Skills Survey at only £205 per year per employee. The White Paper does not put forward any view of how the propensity of employers to see training as a cost to be cut during recessions and not an investment in future success could be changed. It is the view of UCU that the key problem in skills generation is the voluntary basis on which rests, and that allows too many employers to poach from those employers that do invest in training their workforce through higher wages. UCU considers

that the problems around skills training and the relationship of the long tail of underachievement especially at basic skills and level 2 and 3 qualifications compared with our international competitors could begin to be resolved by moving to a post-voluntarist system of education and training in support of skills generation. We would advocate a balanced approach of a legislative underpinning for training at work through initiatives as laying down a right to statutory minimum of time off to learn for all employees, and the insertion of a right of employees and their representative organisations to be consulted on training plans in collective bargaining. This could be balanced by a system of tax credits for those employers willing to invest in their workers' learning.

The White Paper places quality and its improvement at its heart and UCU would not demur from this. However we would emphasise that definitions of quality and proposals to improve quality in the FE system must rest on concept and definition of quality being owned by everyone in the system, including staff. For this to happen quality must not be tied to a compliance or tick box culture. UCU and its members look forward to a fruitful relationship and discussions with the newly created Quality Improvement Agency, especially in relation to the establishment of its Quality Improvement Strategy.

UCU strongly regrets that the White Paper is relatively silent on funding, and especially the need for more resources to the sector. WE do acknowledge that since 1997, there has been an unprecedented increase in resources to the sector. However it is the union's contention that positive as this is meet the gaps created by the legacy of historic under-resourcing of the sector. Nor does it take into account the way that these additional resources have all too often been linked to new initiatives, rather than addressing the poor and increasingly over-strained infra-structure of the sector. UCU would urge that if the government is serious about the role and position of FE as expressed in the White Paper. then the next Comprehensive Spending Review will need to see the injection of real resources into FE. Any such additional resources would need to redress longstanding inequities between FE and schools in relation to similar work, and to redress equally longstanding disparities between salaries and rewards and conditions of service and professional status between schools and school staff and FE and FE staff. Only if these inequities and similar ones between higher education and FE are resolved, can FE grow out of its status as the overlooked "middle child" as the recent Foster Report stated.

FE colleges are at a pivotal point in their development. It would seem to UCU that they face a choice of being vibrant, high quality institution delivering a comprehensive programme of learning appropriate and relevant to the localities and communities it serves, with courses starting at foundation level and reaching to degree and post graduate courses: a true community college; or the equivalent of a "tertiary modern" delivering vocational qualifications and routes to those young people aged 14 to 25 who are deemed to be not suitable for high status academic education and learning programmes. Such students would take up programmes which are as yet untried and of uncertain value whilst the bulk of adult learning would take place on employers' premises and be aimed at meeting employers' short term job specific needs. UCU believes that only the former option should be contemplated and striven for.

The final sections of the White Paper Real discuss increasing the accountability of the FE system. They spell out redefinitions of roles for the major government departments and agencies involved with the sector. Such clarification is welcomed. However UCU regrets that the long standing democratic deficit in its accountability which dates from the incorporation of colleges in 1993, has not been tackled and remains. UCU believes that it is this lack of accountability to local communities through democratic processes that is the single greatest barrier to the sector enhancing its reputation.

The FE sector and system has seen almost continual change and upheaval for more than a decade now. In that period it has moved from local authority control to a form of bureaucratic autonomy. It has experienced at least two major funding methodologies and is now moving towards a third. It has been subject to at least three inspection regimes and is now looking at a new manifestation of inspection. There has been an ever changing alphabet soup of agencies and non departmental government bodies that has researched and analysed the sector and tried to meet its various requirements. Throughout all of this FE colleges and their staff have delivered their learning programmes to young people and adults. In doing so they have received very high satisfaction rates of those using their services. They have responded quickly and flexibly to all the demands made upon them by government policies. UCU believes strongly that what the FE sector needs now is a period of consolidation without dramatic change in its fundamentals of structures, curriculum and funding.

2. The role, purpose and mission of FE

UCU is pleased to see the very economically instrumental role for FE outlined by the Foster Report has been modified in the White Paper, with a recognition that general education is important, and is recognised as such by employers, and that FE has a vital role to play in social inclusion and widening participation through the creation of stepping stones to progress and opportunities. UCU welcomes that colleges themselves through their governing bodies will determine the mission and role of the college.

UCU supports the proposals in the White Paper on higher education in further education including the delivery of sub degree programmes and “filling in” the geographic gaps on HE coverage. UCU supports the extension of FE-HE links through the Local Learning Networks. UCU particularly welcomes direct HEFCE capital funding of FE providers.

However UCU does not consider that HE in FE should be HE on the cheap. Colleges will require additional resources to ensure that the student experience of HE in FE is comparable to that in purely HE institutions. This also means equity between salaries and conditions of service for staff in colleges delivering HE as those pertaining in HE institutions. UCU regrets that the White Paper is silent on FE accreditation of HE courses and the funding part time provision

UCU is unhappy at the suggestion that FE colleges may leave non accredited adult education programmes and personal and community development courses to Local Authority services and voluntary organisations. There are a number of colleges who have delivered these programmes for many years, some predating the incorporation of colleges. UCU would not wish to see such providers stopped from delivering these programmes.

UCU would not wish to see new 6th form colleges and school 6th forms undermine long standing tertiary arrangements and college

2. Specialisation

UCU is not opposed to colleges developing specialisms, especially in courses at level 3 and above where there may not be enough students/learners to support more than one college delivering programmes at these levels in an area/region. However such specialisms should not be at the price of access either in a geographical or physical sense.

UCU does not oppose the creation of National Skills Academies to spear head curriculum development within an occupational sector. However we would wish to see such institutions based on

existing FE colleges and conditions of service, and not the creation of any wealthy individual or vested interest.

UCU has a concern about ensuring access to provision and would wish to see questions of physical access in terms of transport and access in buildings addressed in any further moves to specialisms. If “hub and spoke” means that there are a number of entry/access points at level 2 and below in any area/region and learners come to these and then are passed on to the specialist centre/COVE for level 3 and above courses, UCU would not be opposed to this.

UCU is mindful that many general FE colleges have as good and sometimes better record of achievement than existing specialist colleges in the specialist subject. General FE colleges should not be disparaged as they provide local comprehensive education post-16 across the country. Such provision enables both young and adult learners to progress not only upwards in their learning but also across subjects and vocational areas without changing institution. This can have a positive impact on participation as learners can drop out when faced with having to change institution,

3. Responsiveness: meeting employer and learner needs

UCU does not disagree that colleges should be responsive to the needs of their users. These obviously include all students, learners and potential learners. It includes employers as it is of little use colleges delivering qualifications to young people and adults that are no use in obtaining and keeping jobs. UCU would argue that colleges also should be responsive to the communities they seek to serve, and that there are collective learning needs as well as individual ones.

UCU welcomes the extension the entitlement to level 3 programmes for those aged 19 to 25. This has been recommended by a number of important reviews over the last decade including the Kennedy Report and the National Task Force on skills. The extension will mean that those young people who may have difficulty achieving at level 3 within the tight time frame of 3 years from 16, will not face financial barriers to them completing their studies. We welcome the level 3 entitlement will be piloted with the low skilled, women, members of black and ethnic minority communities and that resources are being allocated to these. UCU would wish to see the entitlement extended to all adults, and certainly to those up to aged 30.

UCU’s predecessor organisations always viewed Individual Learning Accounts with some concern, and this was unfortunately justified by the experience with the first set of Accounts. We are pleased to see this pilot will be under the supervision of the LSC and not put to a private company. We also support the TUC in their call for the creation of collective learning accounts brokered by Union Learning Representatives.

UCU supports the national roll out of the Adult Learning Grant but would wish to see it increased so that it can realistically support those who wish to learn who have family responsibilities

UCU would have preferred to see an overarching diploma at 4 levels that would cover all 14-19 qualifications and achievements as recommended by the Tomlinson Working Party. However we will work to make the specialized diplomas work so that young people are not disadvantaged. UCU does not believe that after the problems with the introduction of GNVQs and Curriculum 2000, the system can take another disastrous introduction of new qualifications. We also have grave concerns about the timetable for introduction of the new diplomas and believe that the start date of 2008 does not give sufficient time for piloting and evaluation. There will be problems with schools introducing the new

diplomas in 2008 as this is the year there will be new GCSE specifications and a new Key Stage 3 being introduced.

UCU wonders what the entitlement for all 14-19s to the diploma means in practice. Does this mean an entitlement to all 14 diploma lines and all the optional units that may be part of any diploma? Will the current Schools Bill be amended to extend transport, so crucial to the fulfillment of the entitlement in rural areas, to FE colleges? In the absence of implementation of the Tomlinson recommendation for an inclusive 4 level diploma, the work in a Foundation Tier of learning below level 2 is welcome, although the union is concerned that the proposals may assume that all adults have firm and explicit ideas of their vocational intentions

Information, advice and guidance(IAG) must underpin learner empowerment in any new system of both 14 to 19 and adult learning so that all learners can navigate their path through what is and could remain, despite the proposed reforms of qualifications, a jungle of routes and qualifications. UCU welcomed the transfer of Connexions and IAG for young people back to the responsibility of local authorities. We also support the proposals around IAG for adults. We would wish to see in the long run, IAG for young people and adults brought together as one one-stop all through free service. There have been proposals to improve IAG on a number of occasions. Given the crucial position it must occupy in any revitalized and coherent system, we hope that the proposals being made in the Youth Matters Green Paper and in the White Paper will be implemented swiftly.

UCU supports the White Paper's proposals on empowering the learner voice in FE. We welcome the suggestions for the creation of the National Learner Panel, the increase in student governors from one to at least two, although this should not be at the expense of staff governors, and the National Learner Satisfaction Survey. We consider regular learner feedback sessions are a positive idea, although these will have resource implications, as will having effective mechanisms for learner engagement such as student committees. We do have concerns that the interests and voices of part time learners and adult learners will be strengthened along with those of full time younger learners.

UCU's predecessor organisations have for some time fully supported campaigns for time off for study. In as much Train2Gain goes some way to implement this in a limited manner, UCU has supported it. We therefore continue to support its expansion both in terms of volume and in terms of the pilots for Train2Gain programmes above level 3. UCU does welcome the intention to direct the pilots around the Learning Accounts and Train2Gain at level 3 and above to the low skilled, women, and members of black and ethnic minority communities.

We do have concerns however

- Around possible "deadweight" that is public funds in Train2Gain just replacing training that employers would have undertaken anyway. The expansion of Train2Gain for level 3 and above programmes may increase the possibility of this deadweight as these tend to be the programmes that employers do spend on.
- The use of "brokers" and "contestability" in Train2Gain. Brokers add yet another level of possible bureaucracy just at a time when the sector is trying to reduce this. It also increases the possibilities of fraud and abuse including collusion between brokers and some providers. Contestability introduces an element of instability into the sector.

- Continuing confusion for employers as to the message around training. Providers will be approaching employers with free level 2 training, some free training at level 3 and above, yet other level 3 and above programmes are going to be much more expensive. All of this may be extremely confusing to employers.
- The new entitlements do not come into operation until 2007-08. In 2006-2007 there are cuts in adult learning funding which will result in half a million adult learning places being lost. The Government expects that 250,000 of these will be replaced by Train2Gain but there will be a time lag as this programme is rolled out nationally. There may also be negative impacts on colleges meeting their fee targets as employers may wait until 2007-8 and the various new initiatives being piloted.

UCU recognises that employers are key stakeholders in FE. It is little use colleges providing learning programmes and qualifications which do not enable young people and adults reach their life and employment goals. However we would argue that often employers are unsure of what they want from colleges, and approach colleges with expectations which cannot be met, or requests for provision that is subject to external constraints. UCU would also wish to see learning in and for the workplace expressed in terms of “employment” needs. At a time when employment is no longer for life and the mantras are around employability and transferable skills, then both side of the employment equation merit consideration – the employers’ needs and the employees’ needs.

UCU would also argue it takes two sides to make employer engagement real. Whilst we recognize that some colleges could do better in this field, UK employers have a poor record in training when compared with the UK’s international competitors. UCU considers that the problem lies in the voluntary nature of vocational education and training. If VET is to be demand-led, then there needs to be a move towards post-voluntarism, towards more government intervention in terms of both incentives and sanctions against those employers who would rather poach than coach. Incentives could be in the form of tax credits against a list of measures that indicate the employer is taking their responsibilities in VET seriously. We would advocate a statutory base to employers’ obligations in; for example a statutory right to a minimum of time off for study, and the inclusion of the right to consultation over training matters included in collective bargaining. UCU hopes that the strategies that providers are required to formulate around employer engagement, are not just a repackaging exercise for existing work and policies.

UCU has supported the development of Sector Skills Councils, not least because it may bring some coherence to the employers’ voice in terms of education and training policies. We consider that it may be more effective for the government to concentrate its efforts on employer engagement on ensuring that all employers are full and active members of their appropriate SSC, rather than seeking to obtain employer involvement in a myriad of different initiatives and policies. Thus the suggestion in the White Paper the Sector Skills Qualifications strategies and Sector Agreements will point the way for employer engagement in relation to various pilots, is sensible. We look to the final Leitch report to articulate direction in many of these areas.

UCU fully supports the moves already being undertaken to reform the qualifications structures for adult learning. We look forward to steady progress towards the credit system outlined in Framework for Achievement. We firmly believe that this credit framework has to link to a credit framework for 14 to 19 education and training and the credit framework for higher education. Such a seamless credit

framework system would fit much better both learner and employer needs, correlate to the type of “small bite” learning and discontinuous learning that will increasingly be the mode of learning for and in the workplace. We support the proposal for a new Apprenticeship qualification that will encourage completion of Apprenticeships. We are concerned with the poor completion rate but wonder how much this has to do with employers’ pulling apprentices out of the scheme when they have the parts of the qualification that employer values, but is short of completion.

4 Quality

UCU is pleased that the real facts about quality in FE colleges is finally emerging and that so few colleges are actually failing. We are very concerned about this concept of the “coasting” college raised in the White Paper, and exactly what this means and who has defined the term.

During the creation of Quality Improvement Agency, the UCU position was that we were unsure whether what was needed was yet another quality assurance agency but given that this was government policy, we were not displeased with building the new agency on the foundations of LSDA which had always enjoyed support and a good reputation in the sector. If QIA can ensure that there is a single message around quality improvement emerging from the various national agencies with some remit for quality improvement ie the Inspectorates, the Centre for Excellence in Leadership, LLUK and the LSC, then this will be a positive move.

UCU has also pressed for responsibility for poor quality to be properly ascribed to those who are responsible for it. If this is college managers and leaders, then they should take the responsibility. All too often we have seen lecturers and support staff being made redundant after mistakes made by poor management. UCU is not opposed to self-assessment but we have been concerned about the amount of resources that have been devoted to self-assessment including the use of expensive consultants. The kite marking by QIA of quality improvement consultant materials is welcome.

UCU supports the creation of a single Quality Improvement Strategy. UCU calls for full involvement in the establishment of this strategy by the unions that represent the staff in the sector. We hope that this will be able to establish a single definition of quality that all can agree on; one that does not focus on a “blame” culture and recognises the financial constraints that can limit quality improvement.

UCU considers that the work by the DfES Standards Unit around placing teaching and learning at the heart of everything that FE does to have been very useful. We trust that the way that this work was carried out in full consultation and using expertise in the field will continue. There will need to be careful consideration of resources to support this work, as our understanding was that the financial constraints on colleges prevented some staff from participating in some of the work conducted by the Standards Unit.

The concept of a single quality “balanced score card” made in the White Paper, is a useful one. We would wish to see added to the key performance indicators included such as Equal opportunities work, widening participation and human resource management record including numbers of industrial disputes, staff turnover and numbers of staff qualifications.

UCU supports all the proposals around of the “expert learner”, better IAG, and more effective assessment of learner needs at the start of programmes, However all of these will require additional resources for both implementation and workforce development of staff delivering them

UCU supports all the proposals for students with learning difficulties and disabilities, and the proposals around the creation of a Foundation learning tier, but as with the proposals for expert learners, better IAG and more personalized learning, they will require additional resources for both implementation and workforce development of staff delivering these.

UCU rejects the concept of contestability. We consider that it has little relevance to local situations, learners and potential learners who basically want good quality comprehensive provision that is accessible. UCU agrees that poor quality cannot be acceptable but we would argue the causes of this quality are many and varied. At the heart of the issue of quality lies an historic under funding of the sector that recent increases in resources still has not remedied. The historic undervaluing of vocational education and training in this country has carried forward into an undervaluing of FE. This is reinforced by the fact that in what remains an elitist and class based society and education system, FE is still largely concerned with working class education and learning and so continues to be considered of inferior importance and quality. This inferior status is reflected in FE staff salaries and professional status. It is these that must be tackled urgently.

UCU welcomes the references to the urgent need for workforce development in the White Paper. We have with others, been involved in the consultations leading up to the publication of "Equipping Our Teachers" which proposes a number of reforms to Initial Teacher Training for lecturers, tutors and trainers in the FE system. However we are extremely disappointed that the White Paper proposes to implement these proposals without additional resources for workforce development and continuing professional development. UCU does not oppose on principle the proposals made in the White Paper on the requirement for 30 hours CPD per year and the maintenance of CPD logs. However the union strongly believes that the bulk of this 30 hours and the work inherent in maintaining a professional log must not be in addition to existing workloads but contained within these workloads. Similarly UCU does not oppose registration of teachers and lecturers with a professional body but there will need to be extensive consultations with the appropriate representative bodies around how this will work in practice and how it will work alongside long standing agreements and practices concerning capability, competence and dismissal.

The White Paper makes a number of references to the positive impact of Union Learning Representatives. UCU regrets that these sections of the White Paper on workforce development neglects to mention the beneficial effects that such representatives could make to the workforce development in the sector itself. UCU has been implementing a training programme for such representatives in FE colleges, and whilst some college managements have been encouraging and facilitated the work of these representatives, others have not and in particular have not allowed time off for the representatives to undertake their duties.

UCU is surprised at the figures for staff satisfaction as they do not accord with the reports we have from UCU members in colleges. The union has reservations about the methodology of this survey.

We do support the various new initiatives around staff recruitment and retention and are pleased that they will be within the remit of Lifelong Learning UK. We do maintain however that the underlying issue in terms of recruitment and retention of high quality and committed staff lies in the improvement of salaries in the sector to a level comparable with other relevant sectors such as school teaching. FE salaries remain persistently below that of school teachers. This becomes increasingly untenable as collaborative work between schools and colleges around 14-19 expands. College lecturers cannot be

expected to be teaching the same pupils as school teachers for salaries which are around 10% less. The problem is exacerbated when consideration is given to the fact that within the FE system, FE college salaries are the market leaders. Salaries in adult and community and work based learning are below those of colleges. ACL and work based learning employers express the same concerns as FE colleges at the loss of staff, in their case to FE colleges, and FE colleges to schools. With 50% of the FE workforce reaching retirement with the next decade, we consider that the White Paper shows a surprising complacency about future recruitment. UCU would argue that without a highly skilled and well rewarded workforce, the challenges set out in the White Paper around both skill generation and quality will not be met. The White Paper expresses its awareness of the concern around this but states that this is partly driven by the overall funding gap. However the Secretary of State's statement to the AoC Conference in November 2005 on closing the funding gap, still saw a gap of around 8% after 2008.

UCU welcomes the statement on sector workforce data collection and that LLUK will develop more accurate analysis and projections. The lack of such accurate information for over a decade has not helped the sector understand the features of its workforce and hindered its development. Similarly UCU will support and work with LLUK in its promotion of new programmes to increase recruitment, improve retention and promote diversity.

UCU particularly welcomes the proposals on diversity and equal opportunities in the White Paper. UCU agreed with the Foster Report's analysis of under representation of members of black and ethnic minority communities among managers and leaders in FE, and under representation among college governors. The union will support and work with those responsible for reviewing diversity in the light of institutions' legal obligations. We support the adoption of the Race Equality Standard in employment. UCU has been funded by the DfES and LSC for a highly successful project to work across the sector unions around implementation of the Race Relations Act Amendment. The union looks to a continuation of the funding of this vital work in developing impact assessments in colleges. UCU will work with LLUK and others to make a success of annual reviews of workforce diversity and looks forward to planning further action on this.

UCU supports the proposals on health and safety and will work with the LSC to develop and disseminate good practice.

UCU is opposed to the introduction of new providers unless there is an overwhelming need or "market failure" by existing institutions. Given the continuous change in the FE system for more than a decade, UCU considers that there is a need for stability and consolidation. Inspection reports for some time now have shown that quality in colleges is consistently higher than in private training providers. The union does not oppose the development of federations between colleges and between colleges and other institutions. There is a tradition of such initiatives between FE colleges and higher education institutions. Care will need to be taken to ensure that such federations are really needed and not about institutional imperialism. There could well be problems around who is the employer in such federations as well as issues around differing staff salaries and conditions of service for similar work of similar value.

Given the existing powers of colleges to set up a variety of collaborative arrangements and set up separate companies, we see little value or use for additional powers for colleges to set up trusts. We see this as an unnecessary extension of the kind of powers the government wishes to see for schools.

The union opposes the use of competitions to find new providers. We see them as divisive and unnecessary. Similarly we see little benefit or need to place a new remit on the LSC to encourage choice, diversity and specialization. We consider that the LSC has already sufficient powers through its funding and planning functions.

5. Funding

UCU is very disappointed that there is to be no further addition to resources for the sector beyond that announced for specific programmes such as the level 3 entitlement, and the additional funding for recruitment initiatives. Welcome as these are they do not reach the heart of the historic under funding of the sector which remains despite the increases in funding that the government has made since 1997.

The implementation of the White Paper's proposals will be hindered by the current financial context that the sector finds itself in. The cuts in adult learning that began last year and will continue to 2007-08 are damaging the infrastructure of FE. The sector is experiencing a wave of redundancies which will hit its capacity to meet employers' and individuals' learning needs.

UCU welcomes the proposals for the funding of 14-19 education and training. These must be accompanied by a rapid closing of the funding gap between schools and colleges for comparable learning programmes for students of the same age. This remaining 5% gap must be completely closed as soon as is practicable after 2008 and the principles for funding 14-19 set out in the White Paper must be implemented.

UCU is concerned by the proposals for the funding of adult learning, particularly the proposals to move to a demand-led system for 40% of provision by 2010-11. UCU remains unconvinced that the kind of demand-led provision so far outlined in government policies is not really demand-led nor does it tend to articulate longer term and national needs. UCU remains convinced that to see a true demand-led system will require greater government intervention in the vocational education and training market, including the use of legislation to underpin the system and incentives for employers to train and to use trained staff rather than poach the staff others train. We believe that intended move to 40% of adult learning allocated through demand-led mechanisms may lead to harmful destabilization of existing provision.

Similarly we would urge caution in withdrawing funding from provision that does not seem to lead to foundation learning. The recent prioritisation of adult funding to Skills for Life provision resulted in the loss of valuable programmes not within Skills for Life but that was necessary for progression to Skills for Life programmes. Given the crucial position that the foundation learning tier could well play in the transition of young people with learning difficulties from school into post-school education and training, the full funding implications of this need to be explored in some depth with local authorities with their new role as strategic lead for 14-19 education

UCU has concerns about the full implications of the statement in the White Paper that fee remission will not be open ended. Coupled with the statements about wishing to see more direction for those on benefit into particular learning directions, UCU is very concerned at the growing element of coercion that seems to be developing. It is a fundamental tenet of UCU that learning should not be based on the ability to pay, and that there should be no financial barriers to participation in learning. We acknowledge that many who have benefited from fee remission in the past, will now benefit from the

entitlements to full time learning programmes at level 2, and soon at level 3 up to the age of 25, and in particular geographic and sectoral areas. However the ability to remit fees is a very useful and important tool in providers' kits for widening participation. The danger is not that the unwaged and unemployed will not have access to learning programmes, but that the low waged employed who may be looking to part time level 3 programmes to increase their labour and income potentials, and whose employer does not develop their staff, may lose access to many programmes. These are concerns are particular acute in relation to the impact of the recent and intended fee rises for courses at level 3 and above, especially as there has yet to be research findings into the effects of these on demand for learning programmes. This lack of an robust evidence base of the impact on the elasticity of demand for learning in relation to the recent fee rises emphasizes our disquiet at the intention of the White Paper to make a 50% fee assumption within 4 years.

UCU welcomes the recognition that the current condition of premises and equipment affects the reputation of the sector and that too many of these are still poor. We are not opposed to national and regional capital strategies being developed by partners led by the LSC and Regional Skills Partnerships. We would also advocate strongly that both learners and staff in colleges with plans for re-equipment and new plant are also fully consulted as both will have pertinent things to say in this area. We are pleased to see some of the inconsistencies between college and schools removed especially if this distorts 14-19 delivery and that there will be a fully integrated local strategy for capital spend. The strategic leadership of 14-19 by local authorities should assist this. UCU has reservations about capital funding going to work-based learning providers. In the case of new providers any new capital inflows should be after they have secured sufficient quality to receive LSC funding. Public funded capital funds should not be used to bring the new provider up to sufficient quality, or this would give preferential treatment to that provider. Similarly public funds for capital to private providers must be at normal commercial rates. UCU is concerned that capital backing for the FE "presumption" for expanding colleges will further increase the gap between such colleges and others who may be more needful of capital to bring them up to the standard of the expanding colleges.

6. Accountability

UCU does not oppose the development of a new relationship between providers and the DfES and its various agencies operating in the sector. We would wish to see similar developments in terms of clarity and transparency, develop within colleges between college management and their staff. Staff are the most precious resource a college possesses. It is certainly the element on which there is most expenditure. UCU would argue that the commitment, knowledge, skills and support for both learners and the institution are the key component in the delivery of high quality learning programmes.

UCU supports the proposal for a single nominated strategic partner for each college to co-ordinate the relationship and discussions. We trust that the identities of these partners will be public information. Whilst supporting the concept of the self-regulating autonomous college that works to set review and raise standards, UCU would argue that there still needs to be some accountable authority above the college and its management, that interested stakeholders, be they staff, learners, the community, parents or employers can appeal if there are allegations of abuse or mismanagement by the college management. These have occurred in the past, although we acknowledge that they are now rare. However it was useful in the past for stakeholders to be able to take their grievances, issues and problems to a higher authority, be it the FEFC, the LSC or the DfES, when normal procedures had failed to resolve serious problems of management and accountability in certain colleges. With the

amount of public funds involved in colleges, there still needs to be this final source of outside accountability. The proposal for local authorities to be the strategic lead for 14-19 begins to redress some of the democratic accountability that has been missing since the incorporation of colleges.

Whilst a single communications gateway between the various government agencies and departments as proposed in the White Paper, is welcome, UCU would urge the continuation of the LSC email alert system for important communications. Information and communications technology has in many ways improved communications. In some ways it has also made it worse. There can be such a flow of information that trying to keep abreast of it all can be barrier to real and effective supported by UCU.

The proposal that data systems used by colleges is reformed and reduced is also supported. However we do have a proviso that in some areas such as workforce data, collection have been so poor in the sector for so long, that there may be a need for some expansion on the demands made on providers for to redress the past failures. UCU would argue that there are some data collection such as workforce data that are so key to developments in the sector that their accurate collection by all institutions in receipt of public monies should be made an obligation.

UCU hopes that the Paper's proposal that "excellent" providers receiving 3 year funding will actually be implemented this time unlike when it was proposed in 2003.

UCU supports college governors having a stronger role in defining the institution's mission. We are unsure how this sits with the proposal earlier in the White Paper, that the LSC should have the power to dismiss the governing body. We have already commented that whilst supporting a increased student voice on college governors, we would also want to see a strengthening of the staff voice on college corporations in line with our view that staff are an essential component of quality delivery and improvement. We hope that any new regulations around the Instruments and Articles of College Governance will ensure that the accountability of colleges through the governors is an open and transparent process in which all stakeholders feel ownership. We note that the White Paper hopes that employers will extend the definition of time off for public duty to cover sitting on college governing bodies. Colleges could actually begin this process, by allowing staff governors' time off for their attendance on governing bodies.

UCU welcomes the proposal in the White Paper for a National Learning Model and looks forward to being consulted on its construction and use.

On the proposals to give college powers similar to those given to schools under the Education Act 2002 the "power to innovate" to be extended to colleges. Such power would allow colleges to able to apply for exemptions and relaxations and modifications to legislation for limited period to pilot specific initiatives. Guidelines will need to be produced that will ensure that this power is not used to exempt providers from essential health and safety and equality and diversity legislation

The White Paper makes some interesting statement about the possible use of city regions in planning and structuring learning and skills. We believe there may be some merit in this, especially as it would seem that the creation of real regional government is some time away. UCU looks forward to engaging in discussions around city regions.