



Department for Business, Innovation & Skills

Chartered status for the Further Education sector: proposals to create a Chartered Status scheme for Further Education institutions. Response form

There is no obligation to use this form when responding, but doing so will make your responses easier to analyse. There is no obligation to answer all questions. We look forward to receiving your feedback.

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is **16 January 2013**

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Please select which of the following best describes you as a respondent

<input type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input type="checkbox"/>	Charity or social enterprise
<input type="checkbox"/>	Colleges funded by the Skills Funding Agency
<input type="checkbox"/>	Individual
<input type="checkbox"/>	Large business (over 250 staff)
<input type="checkbox"/>	Legal representative
<input type="checkbox"/>	Local Government
<input type="checkbox"/>	Medium business (50 to 250 staff)
<input type="checkbox"/>	Micro business (up to 9 staff)
<input type="checkbox"/>	Small business (10 to 49 staff)
<input checked="" type="checkbox"/>	Trade union or staff association

	Training provider funded by Skills Funding Agency
	Other (please describe)
	Other Training provider funded by Skills Funding Agency

Question 1 (on page 7)

Do you think there is a case for having separate descriptors and criteria for “college” and “community college”?

UCU does not believe that there is a case at present for having separate descriptors and criteria or ‘college’ and ‘community college’. This is a new initiative and it remains to be seen if there is a great demand among providers for such a status. Until it is seen how this initiative is regarded by providers, we believe that it is better to have one list of descriptors and criteria for all providers. This would mean that the only term of ‘chartered’ was used. This would make for a simpler and more direct message which could be more easily understood by users of learning and skills services, including students, potential students, communities and employers. If there is only one descriptor, there could then be a list of criteria to be used for providers to meet. Such a list of criteria could be customised to the type of provider going for chartered status. In time once the term and the status has been accepted and understood, it may be possible to further refine the term and status and for there to be separate descriptors and criteria.

We would also be concerned if the use of two terms, ‘college’ and ‘community college’ indicated or was seen as implying some sort of hierarchy of providers, with perhaps ‘chartered community college’ seen as local and small and ‘chartered college/training provider’ seen as national and more prestigious.

Would both terms be attractive to providers?

We believe that having more than one term and descriptors and criteria will be distracting and potentially confusing to providers as well as users.

Questions 2 (on page 7)

Is there merit in extending the chartered status scheme to private education businesses?

UCU considers that chartered status should be limited to publicly funded providers. Privately funded organisations have other means of denoting their quality and status. To include them, certainly at this stage of development of the initiative, would be distracting and confusing. We acknowledge that there may be some advantages for those privately funded organisations to be able to use a term that would signify a degree of respectability when operating in international student markets. But we believe that the Home Office and UK Border Agency should develop their own scheme in partnership with these organisations that could signify such respectability and quality.

Question 3 (on page 7)

Is the list of criteria right? Are there other criteria that should be included or should any be removed?

We do not consider that the proposed list of criteria is correct.

Overall UCU considers that the criteria set out, whilst covering some of the essential aspects of a provider's performance, does not define what the standards of performance in these criteria will merit chartered status. For example financial health is given as indicator of quality, does this refer to what was termed 'A' of financial health only? Among the criteria for the learner is one that states 'a full programme of extra curricula activity for students'. Is this directed at younger students or aimed at all students within a provider, including part time adult students who may not want such a programme if there are limits on their time? The criteria for the learner also include that 'equal opportunity for all students'. This is undefined and difficult to measure as the list of criteria acknowledges. This is an area where it is easy to pay lip service but far more difficult to implement policies that actually make a difference. Interestingly there are no criteria defining a benchmark for equal opportunity for staff.

We realise that the proposed panel may set out and develop the performance benchmarks for the criteria, but it is difficult to make judgements as to whether the criteria are right without more information as to what the standards meriting chartered status will be. The panel's decisions will over time become benchmarks, and it would be better if these were set out from the beginning in an open and transparent way.

We believe that there is one component in a provider's profile and performance that is not included sufficiently. In Section iii. 'The draft criteria for chartered status', the criteria are grouped into 5 categories. It is both noticeable and a cause of great concern that there is one essential and vital category entirely missing, the staff of a provider. It is the staff both those directly teaching and training students and those supporting teaching and learning that are key to what providers contribute in a range of spheres, especially teaching and learning.

In the suggested criteria there are only two that relate directly to staff and these do not set targets that are in anyway challenging to providers. On staff qualifications, the criteria do not set anything that would denote beyond a minimum expectation of what a provider should have. The criteria could be further defined to set levels of staff qualification above the minimum baseline. Similarly the criteria for continuous professional development (CPD) do not define in any meaningful way what support is made by the provider. Support could range from the extremely minimal such as publicising CPD opportunities with no real support and encouragement, to providing full financial and time off support for CPD opportunities. Given the centrality of staff to everything a provider does, it would be useful and instructive to have a criterion that measured staff morale.

We also have concerns that some of the criteria reflect current government priorities and initiatives such as FE Choices and the Sharp Commission. Some may not stand the test of time. If the chartered status initiative is to be long lasting, then the criteria but be based on fundamentals that will not change even if governments and their policies and initiatives come and go.

Question 4 (on page 7)

Do you have any suggestions for how we could the measure these criteria?

We have already expressed our concern over the criteria: that as expressed in the consultation document, they are bald statements with no indication of what the benchmark will be. Some do not stretch or challenge a provider but merely express what any provider should undertake as normal practice, such as students feeling 'safe while at college'.

The criteria and the standards to be reached for each criteria must be open and transparent if a provider is to be judged as being worthy of chartered status. We note that in the indicator for quality, quality of subcontracting is a criterion and that its quality is neither currently measured nor is it straight forward to put a measure in place. This is hardly surprising, when some if not a lot of subcontracting, has not been introduced for educational reasons but

because the Skills Funding Agency will not contract to providers for less than £500,000 in total.

On the criteria on staffing that we have suggested including in the list, we would suggest the following being used to measure whether a provider has reached a level where it can be considered for chartered status:

- On staff qualifications: we would want to see set out the various minimum and maximum qualifications different categories of staff should have and the percentages of these categories that have the minimum qualifications necessary and what is the highest level of qualifications can be obtained. Progress from the minimum level to the maximum level could then be monitored and a benchmark derived and used. In addition a provider's support for initial training, especially for part time staff could be measured.
- On CPD: evidence of the existence of an open and transparent CPD policy for all staff would be used as a measurement of meeting this criterion. Given the incidence of part time working in the FE and Skills sector and the difficulty of such staff accessing CPD opportunities, the uptake and the support given these staff would be an important indicator of not only the existence of good CPD policies, but also their implementation. External kit marks such Investors in People could also be an indicator of a provider's support for CPD.
- On the new criterion of staff morale that we have suggested, we would use staff satisfaction surveys as a means of measuring this. Surveys are used to measure employer and student satisfaction. We see no reason why they could not be used in relation to staff. These could also be used to measure 2 issues that have been of great concern to UCU and its members, stress and bullying.

Question 5 (on page 8)

Which criteria do you think could not apply to training providers. In these cases, are there other criteria that would be more appropriate for independent training providers?

The criteria that may not apply to training providers will depend on the type of training provider they are. We are aware that some training providers are private companies whilst others are third sector organisations and charities. So for example Criterion 8 in the section on The Learner, 'Student involvement in the running of the college/organisation' may be relevant to some training providers but not all. Another measure for training providers might be speed of response and resolution of student/trainee complaints and suggestions. It also may be that some training providers may be operating in niche areas and/or operating on a national level, so that the criteria in the section on the Community may not be relevant. Where this is the case, it may be that the needs of the sector for which the training is intended could be measured and used instead of the wording in Criterion 17. Similarly a Sector Skills Council may be a more appropriate body than LEPs.

We are unclear whether the proposals around chartered status include community learning providers. They are part of the wider FE and Skills Sector. If they are included then Community learning providers may have some difficulty with the section on the indicators for the Employers. Such providers may not be delivering primarily to employers. It may be that the section on the Community could be expanded to include community learning services' support and involvement with other organisations such as local authority and health services, feedback from such services and involvement of them and students in course provision. Similarly some of the criteria on open and transparent data may not be applicable to all providers. This might include those criteria that relate to FE Choices. More appropriate and relevant sites where provider information and data are displayed might be used instead of FE Choices.

We are mindful that the White Paper on Informal Adult Learning that was part of New Challenges New Choices, recommended the creation of some sort of local body that could bring all informal adult providers and users together at local level. There are now 15 Community Learning Trust Pilots which are exploring different ways that this can be realised. It may well be that rather than programmes of activity endorsed with LEPs, progress and endorsement by Community Learning Trusts if and when these are fully developed, would be more appropriate.

Question 6 (on page 9)

Do you have any comments on the make up or operation of the panel?

We are mindful of the comments of the final Lingfield Report on FE workforce professionalism that noted the importance of an independent basis for a chartered status scheme. We would support this view. We would also that the manner in which chartered status is awarded should be seen as transparent, open and undertaken as a partnership project including all FE and Skills stakeholders. With these points in mind we would want to see that any BIS involvement is carefully explained in a way that demonstrated the independence and impartiality of the process of achieving chartered status. In the interests of openness and transparency, if BIS officials are to undertake an initial sift to eliminate clearly inappropriate applicants, then the reasons for their rejection should be clear and communicated to those unsuccessful applicants. In the interests of partnership, we would argue that the selection panel for the Expert Panel should include a person drawn from the organisations representing the sector's employees, the trade unions.

Question 7 (on page 10)

Are there any features of the process that could discourage applicants? If so, how could these be changed to make the process more attractive and less burdensome?

The process of applying to be on the Expert Panel will be more attractive and less burdensome if the process is conducted along the established lines of fair selection, and that it is open and transparent. Feedback to unsuccessful applicants should be provided through all the process. Some applicants especially those not in leadership positions may be discouraged from applying because of its formal nature and that the early stages will almost certainly be through written submissions. BIS, with stakeholders, should explore ways in which less confident candidates could be supported through the application process.

Question 8 (on page 10)

Which criteria do you believe should automatically trigger reassessment and potential withdrawal of chartered status?

If chartered status is to have some credibility and validity in the wider world beyond the FE and Skills Sector, then we consider that all the criteria proposed, and any that others that have been suggested including those from UCU, should be met. We have already stated that more than just the criteria as presented needs to be known. This would include some benchmarks for the various criteria. This would help providers to know that they had met the criteria sufficiently to be awarded chartered status. We also consider that some of the criteria need to be further explained including how they will apply to different types of provider. Again we repeat that some of the criteria would appear to be linked to particular government policies and initiatives; we believe that the criteria need to be restricted to those that are fundamental to high quality in the sector over time.

Question 9 (on page 10)

Do you have any other comments on the application, assessment and removal process?

As should be clear from this response to the consultation proposals, UCU strongly believes that all the process involved in applying, being assessed and being awarded and where necessary having chartered status removed should be open and transparent. Careful consideration will have to be given to the reasons why chartered status is being removed: whether failure to maintain standards around one or a few criteria would be sufficient, or whether the failure would need to be on a greater scale and/or be systemic. We believe that chartered status running for 4 or 5 years may be too long a time. Providers' quality can drop quite quickly for a number of reasons. We have over the years witnessed some providers being praised and lauded by the government of the day and in

line with the then current policies and priorities, only to be seen as failures when governments and/or policies and circumstances change. We would recommend chartered status is given for 3 years.

Do you have any general comments/observations that might aid the consultation process as a whole?

UCU has concerns that this initiative is in some ways a retreat back into bureaucracy and measuring too many aspects of a provider's performance. This seems to run contrary to the government's policy of providing learning and skills providers' freedoms and flexibilities. We acknowledge this is an attempt to give FE and skills providers an increased profile and enhance their reputation, and demonstrate their responsiveness. However we consider that this is a very much a top-down initiative and has not arisen from providers. We are unsure of what being a 'chartered provider' will mean outside the FE and Skills Sector. We are concerned that providers and their staff will have to undertake a great deal of work collecting the information and evidence necessary to gain chartered status, and that the rewards from this will be disproportionately small when compared to the effort of achieving this status.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below:

Please acknowledge this reply

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

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URN 12/1275RF