



## Purpose

1. This document provides an analysis of responses from colleges and providers to consultation circulars 03/01 and 03/02.

## Background

2. Consultation circulars 03/01 and 03/02, published in January 2003, set out the Learning and Skills Council's proposals for the implementation of the framework for quality and success.

3. Circular 03/01 was addressed to further education colleges, specialist designated institutions, higher education institutions with further education provision, local authorities (former external institutions, adult and community learning provision, and where relevant, work-based learning), University for industry hubs, and specialist colleges for learners with learning difficulties and/or disabilities. It consulted on development planning and development plans, headline targets, performance assessment, three-year funding agreements, funding rates linked to performance, floor targets, and implementation of *Trust in FE*, including the identification of pilot and pathfinder colleges.

4. Circular 03/02 was addressed to providers who only offer work-based learning. It consulted on development planning and development plans, three-year funding, and floor targets.

5. We received over 400 written responses to the consultations. In addition, together with the Department for Education and Skills (DfES), we held 18 regional consultation events during March and April 2003, where we explained our proposals for three-year development plans and three-year funding. The events were attended by over 1000 delegates representative of all parts of the sector. This level of involvement has been of immense value to us in shaping the arrangements set out in Circular 03/09.

## Summary

6. Figures 1 and 2 show the quantitative responses to each of the questions that required a "yes" or "no" response. The text that follows draws mainly on those questions that prompted an overwhelming majority of either "yes" or "no" answers, and those that resulted in a rather more varied range of responses. We have used comments from the responses to illustrate the range of views.

The principles which attracted very high levels of support were:

- The five key principles to support the implementation of the framework;
- The concept of a single high-level development plan to be agreed with the local LSC;

- That in due course, providers should have a single development plan covering all Council-funded provision;

Additionally for work-based learning providers:

- That the full range of work-based learning provision should be within the scope of three-year funding;
- The proposals for providers giving cause for “serious concerns” and for those moving into and out of this category.

Proposals where there was a significant difference in views were:

- That national floor targets and headline success rates should be disaggregated into long and short qualifications for general further education and specialist colleges but not for sixth form colleges;
- That national floor targets for success rates should be set at different levels for general further education, sixth form and specialist colleges, respectively, with no separate differentiation for colleges with high widening participation factors;
- The characteristics required for an excellent college or provider of further education in order to receive premium funding;

Additionally for work-based learning providers:

- That success rate targets and national floor targets should be set at a high level of aggregation;
- That it is reasonable to regard “average in learning” (AiL) volumes within 3% of target as meeting that target, for the purposes of confirming the flowing year’s allocation;
- That a single national floor target should be set for work-based learning.

The LSC carried out further analytical work relating to proposals where there were significant differences in views, and sought advice from its three advisory groups covering Further Education, Work-Based Learning, and Adult and Community Learning.

## Responses to consultation circular 03/01

Figure 1

		% completed yes	% completed no	completion rate	
Q1	Do you agree with the five key principles to support the implementation of the quality and success framework?	95%	5%	94%	
Q2	Do you support the concept of a single, high-level development plan to be agreed with the local LSC?	95%	5%	97%	
Q3	Do you agree that in due course colleges and providers should have a single development plan covering all Council-funded provision?	97%	3%	93%	
Q4 (CF)		customer focus?	18%	82%	93%
Q4 (ETL)	Do you think there should be more targets and milestones for:	excellent teaching and learning?	25%	75%	93%
Q4 (TQ)		enhancing capability?	23%	77%	93%
Q5	Do you agree that FTEs or learners aged 16 to 18 and over 19, respectively, are reasonable headline measures of learner numbers?	77%	23%	93%	
Q6	Do you agree that the headline improvement target or learner numbers on work-based learning programmes should be based on the average number of learners aged 16 to 18 and over 19 on programmes?	82%	18%	64%	
Q7	Do you think that the Council should agree one or more headline improvement target(s) with each college or provider or employer engagement?	71%	29%	91%	
Q8	Are there other important employer engagement targets or colleges and providers that should also be considered?	46%	54%	80%	
Q10	Do you agree with the proposed way the success rate for learners in colleges and former external institutions will be calculated?	73%	27%	86%	

Q11	Do you agree with the proposal that work-based learning provision success rates should be calculated as the combined number of modern apprenticeships completed and NVQs achieved expressed as a percentage of the number of learners who have either left or successfully completed their programme?	79%	21%	58%
Q14	Do you agree that success rate targets and national floor targets should be set at a high level of aggregation?	78%	22%	86%
Q15	Do you agree with the proposal that national floor targets for success rates should be set at different levels for general further education, sixth form and specialist colleges, respectively, with no separate differentiation for colleges with high widening participation actors?	58%	42%	86%
Q16	Do you agree with the proposal that national floor targets and headline success rates should be disaggregated into long and short qualifications for general further education and specialist colleges but not or sixth form colleges?	58%	42%	87%
Q17	Do you agree with the proposal that national floor targets and individual institution headline success rates should not be differentiated by age or both long and short qualifications?	67%	33%	83%
Q18	Do you agree with the proposal to set targets or individual success rates and sector-wide floor targets or the further education funded provision in former external institutions using the same approach as for further education colleges?	94%	6%	73%
Q20	Do you agree with the proposals for headline success rates for work-based learning provision in relation to colleges' or providers' development plans?	86%	14%	58%
Q24	Do you agree with the characteristics required for an excellent college or provider of further education in order to receive premium funding?	53%	48%	82%

Q25	Do you think a procedure for dealing with disagreements is necessary? If so, please suggest what frameworks might be adopted.	94%	6%	88%
Q26	Are the features of the three-year funding agreement acceptable?	89%	11%	82%
Q27	Do you accept the proposal that colleges and providers should be offered a three-year funding agreement, other than those assessed as giving cause for 'serious concerns' through performance review?	89%	11%	90%
Q28	Are the proposals for dealing with colleges or providers moving into or out of 'serious concerns' reasonable?	88%	12%	83%
Q29	Do you agree with the proposed calculation method for three-year funding?	77%	23%	81%
Q30	Do you agree that it is reasonable to regard estimated FTEs which come to within $\pm 3\%$ of target as meeting the target for allocations?	74%	26%	89%
Q32 (level)	Do you agree with the suggested level for the setting of floor targets for external institutions?	80%	20%	55%
Q32 (achble)	Are they achievable?	91%	9%	42%
Q33	Do you agree with the proposal to set a single national floor target for work-based learning?	70%	30%	60%
Q34	Do you agree with the proposal to set floor targets for work-based learning or 2005/06 at 40%?	63%	37%	52%
Q35	Do you agree that where a trust relationship has been developed (and the risk of retrospective clawback removed), then colleges and their local LSCs should exchange data and information more openly and frequently?	90%	10%	80%
Q36	Are the informative criteria reasonable and comprehensive?	84%	16%	76%

### **Question 1: Do you agree with the five key principles to support the implementation of the quality and success framework?**

95% of respondents agreed with the five key principles to support the implementation of the quality and success framework. One respondent encompassed the general view by saying:

“these are all key to support and encourage the development of the post-16 learning and skills sector.”

Principles 1-3 were particularly welcomed. These are that the LSC will:

- Work in partnership and share information with colleges and providers;
- Aim to achieve simplicity rather than complexity;
- Make the development plan and the planning process central to implementation.

The aim to achieve simplicity rather than complexity was anticipated with some urgency. Most respondents also agreed with principle 4 – that we should use existing data and information wherever possible – provided that the data are both valid and accurate.

There were some concerns, however, about proposed principle 5 – that the LSC will make decisions based on the professional judgements of the local LSC, supported by quantitative and qualitative data. Some respondents were concerned about the level of knowledge and skills in local LSCs to make the professional judgements on which decisions would be based. Although our principle is to resolve disagreement through further dialogue between the college or provider and the local LSC, we recognise that there may be some occasions where a formal appeals process will be necessary. The Council’s appeals procedure (included on the website at <http://www.successforall.gov.uk>) has been designed to ensure that cases are heard at a national level by a panel that includes an external representative with appropriate experience and expertise.

### **Question 2: Do you support the concept of a single, high-level development plan to be agreed with the local LSC?**

95% of respondents supported the concept of a single, high-level development plan to be agreed with the local LSC. Providers anticipated that it would give greater focus to quality improvements and lead to a more stable environment in which to work. There were some concerns, however, that it might add to existing layers of bureaucracy.

Rather than adding to existing demands, the three-year development plan is intended to *embrace* current strategic documents in an executive summary. As one provider put it, it will be a “high-level strategic document – the key tool for ensuring that staff at all levels of a provider institution will understand its strategic direction for the next three years”.

### **Question 3: Do you agree that in due course colleges and providers should have a single development plan covering all Council-funded provision?**

97% of respondents agreed that a move towards one single development plan for colleges and providers would be sensible. Not only would this significantly reduce the complexity of diverse funding streams for providers, it would also help to converge the administrative demands and timescales placed upon them. As one respondent commented:

“a single plan will add coherence and cohesion to the planning process and will enable providers to plan strategically over a three-year period.”

Some respondents agreed with the proposal on condition that non-Council-funded learning should also be included within the plans, thus providing local LSCs with a full picture of post-16 provision in the area. Others in favour were keen that the proposed single plan should be closely linked to their current strategic plan.

Although the general consensus was that this would be a “common-sense” solution to the current administrative burdens, some HEI providers of FE were concerned that the LSC’s planning requirements would differ from those of HEFCE, hence increasing the pressure on their time and resources. HEIs with FE provision will have until 31 October 2003 to agree their three-year development plans.

### **Question 8: Are there other important employer engagement targets for colleges and providers that should also be considered?**

46% of respondents said “yes” to this question. Suggested measures included: involvement with Sector Skills Councils and Trades Unions, engagement in the “Skills for Life” strategy, and the number of NVQs delivered in the workplace. Some adult education services and local education authorities suggested work with voluntary sector organisations and the provision of Information, Advice and Guidance; while a number of sixth form colleges would like to see a target related to work-experience placements.

The other 54% of respondents preferred a different emphasis. Many HEI providers of FE, for instance, are more inclined to encourage their learners to progress to HE before entering employment, and so considered employer engagement targets to be of less relevance to them. Others feared that providers in rural locations – and also those in deprived/regeneration areas – would have fewer opportunities to engage with employers than those in the more developed large towns and cities.

The major resounding message from respondents was that the target should be both relevant to the main business of the provider, and meaningful to the local area.

### **Question 12: What are your views on the application of *Success for All* to higher education institutions in the light of different data collection arrangements?**

Respondents from higher education institutions (HEIs) with FE provision were concerned about the possible implications of *Success for All* for their institutions. Although many of them agreed with the proposals in principle, some thought that the data collection arrangements may lead to a disproportionate administrative burden on their resources, and that the development planning regime may overlap with their existing planning processes for HEFCE.

However, the majority of other providers that responded to this question took an opposing view. Respondents wished to see a “standardised” approach across all providers in receipt of LSC funding, and a mechanism that would enable the Council to “measure like with like”. One respondent noted that a harmonised approach would “ensure that learners have the same entitlement and opportunity”.

The Council will continue to work with HEIs to resolve data and other issues, and has extended the deadline for them to agree their Development Plans to the end of October 2003.

**Question 13: What are your views, as higher education institutions, of the current arrangements for data collection on further education provision in higher education institutions, and how (if at all) would you see these changing to accommodate the requirements of *Success for All*?**

Many respondents from HEIs were content with the current arrangements for data collection in their institutions. Nevertheless, most would be happy to work with their respective local LSCs to develop a simple system which would enable submission of the required data to the LSC without unnecessarily duplicating the work that they already do for HESA. One respondent pointed out that HEIs' term dates are generally different to those of FE colleges, and that the LSC's timetable for requirements would need to take account of this.

One respondent was particularly keen to find a way of applying *Success for All* to HEIs with FE provision, and felt that the current arrangements were sometimes disadvantageous to them. He wrote:

“an example of this is where over-achievement in the 16-18 category was not treated in the same way as for (FE) colleges, as the available funds were distributed on the basis of the ISR return, well before any equivalent data was submitted by HEIs.”

However, there were other HEI respondents who were more sceptical. One respondent commented:

“the data issue is less about how data collection needs to change to accommodate *Success for All* and more to do with whether HEFCE and the LSC can resolve the differences in approach and propose a single solution.”

Another respondent pointed to the need to remember the “five key principles” when considering a way forward, particularly the points about achieving simplicity and using existing data wherever possible. The Council will bear these comments in mind as it continues to work with HEIs to resolve these issues.

**Question 16: Do you agree with the proposal that national floor targets and headline success rates should be disaggregated into long and short qualifications for general further education and specialist colleges but not sixth form colleges?**

58% of respondents agreed with the proposal, and considered that the amount of short-course provision in sixth form colleges is not sufficient to justify this level of disaggregation. However, numerous others pointed out that this type of provision is significantly increasing in sixth form colleges across the country, and that it would only be fair for the same rules to apply. As one provider commented:

“if they have short courses, their systems will be capable of disaggregation... this would give more meaningful and transparent comparators, even if the numbers were small in some categories.”

42% of respondents, including the majority of those from sixth form colleges, disagreed that sixth form colleges should be excluded from this level of disaggregation. They said that “one system for all” would allow more meaningful comparisons to be made between their success rates, and that it would be essential in the move towards a level playing field across the post-16 sector.

After carefully considering these comments, and seeking the advice of the FE Advisory Group, the LSC has concluded that individual institution success rates should be disaggregated into long and short qualifications for *all* colleges (including sixth form colleges) and former external institutions.

**Question 17: Do you agree with the proposal that national floor targets and individual institution headline success rates should not be differentiated by age for both long and short qualifications?**

Two-thirds of respondents supported this proposal. One provider commented:

“under the current target-setting arrangements, the differentiation by age has caused unnecessary difficulties when taken down to an operational level, so this would be a welcome simplification.”

Indeed, there was widespread agreement that the proposed arrangements were suitably aligned with the Council’s aim to achieve simplicity in its arrangements, and that keeping differentiation to a minimum would significantly reduce providers’ administrative burden.

There were a few concerns, however, that the implementation of this proposal would make it impossible for the Council to compare “like with like” across different providers. Some respondents were particularly concerned that success rates that are undifferentiated by age might conceal weak performance in some age categories, particularly in areas of adult education.

Although Circular 03/09 maintains the proposal that age-related disaggregation of the headline improvement target is unnecessary, it also emphasises the importance of using such background information in discussions between the institution and the local LSC. So while providers are not required to set the success rate target by age group, they are likely to use internal data, disaggregated by age, in order to agree the higher-level headline target.

**Question 21: How do you think colleges and other providers of further education can best contribute to the achievement of the interim national target for teachers’ qualifications?**

There was widespread consensus that the setting of annual milestones for teacher qualifications would be a positive step towards achieving the interim national target. Other suggestions included: offering in-house courses, delivering training through collaboration with other local providers, and providing incentives to those staff engaged in learning. One respondent envisaged:

“a culture of continuous professional improvement and updating within an institution by encouragement, facilitating release and providing adequate resources.”

However, the general support for the principle of this headline target was not without concerns about the possible effects of its implementation. One respondent from the voluntary sector said:

“institutions (particularly smaller and voluntary sector providers) will need support to ensure that they are not investing heavily by employing unqualified staff, giving them experience and paying for their qualifications only to find they leave to work for a college who can afford to pay more.”

Some colleges were equally concerned about their newly qualified staff heading for better pay in the schools sector. Other concerns were about losing skilled practitioners who may not be qualified to teach but whose contribution to post-16 provision is often considered to be invaluable. One respondent commented that “given difficulties in recruiting staff, some may well choose not to teach if they are required to obtain a qualification”.

**Question 22: How should agency staff or staff provided by third party providers be included in headline improvement targets for teachers’ qualifications?**

An overwhelming majority of respondents considered that agency staff, and staff provided by third party providers, should be included in a provider’s target in exactly the same way as its permanent staff. “Achieving a world-class service will depend on including all staff in arrangements to ensure high levels of professionalism and excellent delivery,” commented one respondent. “All learners are entitled to the same level of qualification in their teacher,” said another.

Some respondents thought that to set different standards for these staff could lead to perverse incentives for providers. One provider commented:

“any dilution of qualification requirements/targets for third party staff will provide an incentive for providers to move from direct employment to third party employment.”

Most thought that it should be the responsibility of agencies to ensure that their staff are appropriately qualified, and some suggested that a “kitemarking” system for agencies could be introduced so that colleges and providers can “purchase with confidence”.

**Question 23: How do you think work-based learning and adult and community learning providers can best set targets in their three-year development plans, to help accelerate progress towards a fully qualified teaching and training workforce?**

Responses to this question ranged from a wish to see “one system for all” to a view that this target would be completely inappropriate for WBL and ACL providers. Again, some respondents were concerned that a “one-size-fits-all” approach to this target might drive away skilled practitioners from these sectors, leading to an even greater shortage of teachers in some curriculum areas; and one respondent also reiterated the view that “some (WBL) providers are reluctant to train their staff in case they leave for the FE sector where they will be better paid”.

Others, however, said that they would favour a broadly standardised system for setting targets, but one which would take account of the different services offered by the WBL and ACL sectors. A resounding view was that the proposed qualifications must be relevant to the role of the individual teacher/trainer. Many respondents also thought that targets should be

set in relation to a provider's current level of qualified teachers, with a series of annual milestones which would encourage progression.

**Question 33: Do you agree with the proposal to set a single national floor target for work-based learning?**

Only 60% of respondents completed this section of the consultation response. Of those that responded, the majority agreed with the proposal in principle, but had reservations about the potential effects of its implementation.

A frequently arising concern was about the current differences in success rates for different occupational areas. Respondents also had doubts about the reliability of the data upon which the targets would be set. One provider asserted that it is "not against a challenging national floor target, but cannot agree to one based on unreliable information".

Following detailed analysis of work-based learning completion rates, and full consideration of these concerns, the LSC has set two floor targets for work-based learning provision to reflect the significant differences in current levels of success across the various areas of learning. As more data becomes available, we will assess whether the disaggregation and level of the floor targets remain appropriate.

**Question 34: Do you agree with the proposal to set the floor target for work-based learning for 2005/06 at 40%? Is this achievable? If not, why not?**

Only 52% of respondents answered this question. Again, the majority of those respondents agreed in principle to the proposal – some suggested that the floor target for work-based learning should be the same as for colleges – but there were many concerns about the possible effects of its implementation, similar to those raised in response to question 33.

One respondent who disagreed with the proposal commented:

"(t)he poor level of achievement of the full framework nationally indicates that the standard has been set too high for the targeted cohort of young people who have a history, in many cases, of underachievement."

Others who shared this view reiterated their concerns about the wide diversity in current completion rates across different occupational areas, and were doubtful that a 40% floor target would be attainable in some of these areas.

As explained above, the LSC has therefore set two targets for work-based learning provision to reflect the significant differences in current levels of success. The two floor targets (40% and 35%) and the areas of learning to which each apply are shown on page 19 of Circular 03/09.

## Responses to consultation circular 03/02

Figure 2

		% completed yes	% completed no	Completion rate
Q1	Do you agree with the five key principles to support the implementation of the quality and success framework?	97%	3%	96%
Q2	Do you support the concept of a single, high-level development plan to be agreed with the local LSC?	99%	1%	97%
Q3 (CF)	Customer Focus	54%	46%	88%
Q3 (ETL)	Do you think there should be more targets and milestones for: Effective Teaching & Learning	63%	37%	90%
Q3 (PO)	Enhancing Capability	61%	39%	91%
Q4	Do you agree that in due course providers should have a single development plan covering all Council funded provision?	95%	5%	90%
Q5	Do you agree that the improvement target for learner numbers on work-based learning programmes should be based on the average number of learners aged 16 to 18 and over 19 on programmes?	71%	29%	91%
Q6	Do you think that the Council should agree one or more improvement target(s) with each provider for employer engagement?	80%	20%	95%
Q7	Are there other important employer engagement targets for providers that also should be considered?	56%	44%	57%
Q9	Do you agree with the proposal that work-based learning provision success rates should be calculated as (1) the combined number of modern apprenticeships completed and NVQs achieved expressed as a percentage of the number of learners who have either left or successfully completed their programme and (2) a similar calculation based solely upon framework completion?	60%	40%	82%
Q10	Do you agree that success rate targets and national floor targets should be set at a high level of aggregation?	55%	45%	81%
Q12	Do you agree with the proposals for success rates for work-based learning provision in relation to providers' development plans?	90%	10%	89%

Q14	Do you think a procedure for dealing with disagreements is necessary? If so, please suggest what frameworks might be adopted?	90%	10%	99%
Q15	In light of possible significant changes to the demand for particular types of learning activity, do you consider it reasonable for the Council to reserve the right to redistribute resources to take account of these?	77%	23%	92%
Q16	Are the features of the three-year funding agreement acceptable?	95%	5%	96%
Q17	Do you agree that the full range of work-based learning provision should be within the scope of three-year funding agreements?	94%	6%	99%
Q18	Do you accept the proposal that providers should be offered a three-year funding agreement, other than those categorised as giving cause for 'serious concerns' through performance review?	90%	10%	98%
Q19	Do you agree with the proposals for providers giving cause for 'serious concerns', and for those moving into or out of this category?	95%	5%	92%
Q20	Do you agree that it is reasonable to regard 'average in learning' volumes within 3% of target as meeting that target, for the purposes of confirming the subsequent year's allocation?	41%	59%	99%
Q22	Do you agree with the proposal to set floor targets for work-based learning for 2005/06 at 40%?	62%	38%	92%
Q23	Do you agree with the proposal to set a single national floor target for work-based learning?	43%	57%	89%

### **Question 1: Do you agree with the five key principles to support the implementation of the quality and success framework?**

97% of respondents welcomed the five key principles, and were looking forward to adopting the new ways of working with their local LSCs. Many respondents noted, however, that to work in a true spirit of transparency, trust and collaboration, local LSCs and their providers would need to be completely committed to developing this new relationship. One respondent commented that:

“partnership working, sound planning and minimized administration are very much in tune with the ways in which providers wish to work with the LSC. Placing three-year development plans at the centre of the contracting process will allow providers to invest in the future with more confidence. Hopefully, it will also lead to the removal of the need for the micro-management systems that currently undermine provider effectiveness.”

However, the proposal to use existing data and information wherever possible was of concern to some respondents, as there were doubts about its reliability. There were also a few concerns about the level of knowledge and skills in local LSCs to make the professional judgements on which decisions would be based.

### **Question 2: Do you support the concept of a single, high-level development plan to be agreed with the local LSC?**

An overwhelming 99% of respondents supported this concept and the planning and development benefits that it would bring. One commented that “this must help in reducing bureaucracy and enhancing the planning process”.

Although the principle of a single, high-level development plan per provider was considered to be sensible, respondents pointed to the need to implement a formal appeals procedure for providers contracting with more than one local LSC. They also emphasised that development plans must be meaningful to individual local areas, and reflect local needs as part of the strategic planning process.

### **Question 3: Do you think there should be more targets and milestones for:**

- **Customer focus?**
- **Provision of excellent training and effective learning?**
- **Enhancing the capability of the provider’s staff?**

Although responses to these questions were mixed, there was a slightly higher proportion in favour of more targets and milestones than not. Many respondents considered that the image of work-based learning is poor when compared with other types of learning and that the “introduction of more targets and milestones would lead to an increase in the quality of provision and increase the professionalism of work-based learning providers.” Many suggested that this could be dealt with by more detailed discussion with local LSCs rather than an increased numbers of headline targets, as these could be difficult to agree, monitor and evaluate. However, the key message from most respondents was that “initially, everything should be kept as simple as possible”.

**Question 4: Do you agree that in due course providers should have a single development plan covering all Council-funded provision?**

95% of respondents welcomed this proposal, subject to receiving clarification from the LSC on what details the plan should contain. One provider wrote:

“We support this proposal, and believe that a single plan will lead to a more strategic approach to the development of work-based learning provision. The introduction of a single plan will enable greater integration of a provider’s activities.”

Concerns were expressed, however, about the proposed timescales for work-based learning providers to agree their plans with local LSCs. In response to these concerns, the Council extended the deadline to 31 July for plans to be either fully agreed or agreed subject to amendment.

**Question 5: Do you agree that the improvement target for learner numbers on work-based learning programmes should be based on the average number of learners aged 16 to 18 and over 19 on programmes?**

71% of respondents agreed that the average number in learning (AiL) is a sensible way of measuring learner numbers, as it is already familiar to work-based learning providers. There were some concerns, however, about the timeliness and accuracy of data on which these targets would be based, and the difficulty to project learner numbers split by age. As one respondent commented:

“agree in principle. However, in the majority of sectors, numbers fluctuate year on year. Improvement targets for learner numbers should have a solid foundation based on provider performance over the past two or three years, local and national trends, and demography.”

Some respondents mentioned the status of work-based learning as an option for learners. One provider commented that:

“targets alone will have little effect on engagement from sections of the community that do not understand or value work-based learning provision. Getting the commitment of all sections of the community relies on getting full parity of esteem for work-based learning provision.”

**Question 6: Do you think that the Council should agree one or more improvement targets with each provider for employer engagement?**

**Question 7: Are there other important employer engagement targets for providers that should also be considered?**

80% of respondents answered “yes” to question 6. They emphasised that employer engagement is part of their core business “taken as read” by providers, and that “consideration must be given to the current high level of activity that work-based learning providers undertake to engage employers generally”. With this in mind, they viewed the achievement of one headline target for improvement in employer engagement as an opportunity to put in place a programme of continuous improvement in this key area. The

challenges would be around the appropriateness of the target and measuring progress. There was strong agreement for one improvement target, individually discussed and agreed with local LSCs and specific to individual training providers.

Only 56% of respondents thought that there are other important employer engagement targets for providers that should also be considered. Of these respondents, many commented that it would be appropriate to expand clear targets that are already in place. Others noted that a change in the way that work-based learning provision is funded would encourage participation amongst older learners and widen the scope of funded provision.

**Question 8: What are your views on early thinking on future measures for evaluating learner success as set out in Annex E?**

The general consensus was that whilst the current measures are important and should remain in place, there is a great deal of achievement by learners, providers and employers that currently cannot be measured by qualification statistics. The development of a range of measures of success would be welcomed. As one respondent commented, “learner success should be measured in many varied ways to improve motivation and encourage learning and advancement. I welcome this proposal.”

**Question 9: Do you agree with the proposal that work-based learning provision success rates should be calculated as (1) the combined number of modern apprenticeships completed and NVQs achieved expressed as a percentage of the number of learners who have either left or successfully completed their programme, and (2) a similar calculation based solely upon framework completion?**

Whilst the majority of respondents welcomed option (1), many commented that they would also like to see separate recognition for NVQs, Key Skills, Technical Certificates and frameworks. One respondent commented that:

“the achievement of NVQs should not be the sole basis for judging success within work-based learning. Those learners below level 2 will often achieve a range of other provision which ought to be equally recognised.”

Many also took the opportunity to reiterate their support for alternative measures of success, and a number of respondents noted that recognition of partial achievement and achievement of individual units of NVQs would be welcomed so that training programmes can be tailored to meet the needs of clients/learners.

**Question 10: Do you agree that success rate targets and national floor targets should be set at a high level of aggregation?**

**Question 11: What should be the focus of the Council’s work to disaggregate work-based learning successful completion rates?**

Responses to question 10 were mixed. The 55% of respondents who agreed with a high level of aggregation were keen to see only one measure and one floor target, as they saw this as a good pragmatic starting point for the introduction of floor targets and success rates. On the other hand, many respondents (including many of those who agreed with the proposal in principle) were concerned that the sector-specific nature of success rates in

some areas may not be recognised and that particular trends needed to be taken into consideration. Comments from providers were that “this gives us real concerns, as many of our local providers are working across multiple skills areas and programmes, it will be impossible to measure success fairly”, and that “a high level of aggregation would be simple but providers do not feel that it would give a fair or meaningful measure”.

The majority of respondents considered that the focus should be on disaggregation by occupational/vocational sector.

For the first three-year development plan for the period 2003/04 to 2005/06, the measures used for work-based learning provision (including work-based learning provision in further education colleges) will be different to those used for further education colleges and former external institutions (for their FE provision). The arrangements are outlined in Circular 03/09.

**Question 12: Do you agree with the proposals for success rates for work-based learning provision in relation to providers’ development plans?**

90% of respondents agreed with these proposals. Their views were largely encompassed by one provider who commented that:

“this approach would seem appropriate as it is based on individual provider performance and striving for continuous improvement which I think we would all subscribe to.”

Some providers saw this as an opportunity to set their own targets broken down into useful areas that are not currently measured, and thought that they would be an important factor in focusing the provider on increasing the quality of provision. Many commented however that although targets should be challenging, they also need to be realistic and achievable.

**Question 13: How do you think work-based learning providers can best set targets in their three-year development plan, to accelerate progress towards a fully qualified training workforce?**

Practical and positive solutions were suggested, and respondents considered the professionalisation of the workforce to be a key driver in raising the status of work-based learning. At the same time, however, they recognised the challenges that this would put before them, and pointed out that there are important differences between the skills and knowledge required for work-based learning and those required in colleges.

Some respondents asked for further clarity about the particular qualifications appropriate for work-based learning providers/trainers. Many were concerned about the cost of funding the training of their staff if at some later point they were likely to lose these staff to the FE sector.

**Question 14: Do you think a procedure for dealing with disagreements is necessary? If so, please suggest what frameworks might be adopted.**

An overwhelming 99% of respondents answered this question, of which 90% supported the implementation of such a procedure. One provider said:

“There must be some form of appeal to maintaining open and transparent transactions between the LSC and providers.”

As outlined above, our principle is to resolve disagreement through further dialogue between the college or provider and the local LSC. However, we recognise that there may be some occasions where a formal appeals process will be necessary. The Council’s appeals procedure (included on the website at <http://www.successforall.gov.uk>) has been designed to ensure that cases are heard at a national level by a panel that includes an external representative with appropriate experience and expertise.

### **Questions 15-19: Three-year funding**

The vast majority of respondents strongly supported the proposed features of three-year funding agreements, and agreed that three-year funding should be available to all work-based learning providers. One provider noted that “this is a welcomed opportunity to focus on strategic development and quality-related elements”. Another asserted that “all providers are entitled to the same level of contract security that a three-year funding agreement should provide”.

The proposal that those providers categorised as giving cause for “serious concerns”, and those moving into or out of this category, should not be offered three-year funding was accepted in principle by 90% of respondents. Respondents emphasised, however, that there needs to be a nationally consistent definition of what constitutes “serious concerns”, as well as a formal appeals process for those providers that wish to dispute such categorisation.

**Question 20: Do you agree that it is reasonable to regard AiL volumes within 3% of target as meeting that target, for the purposes of confirming the subsequent year’s allocation?**

**Question 21: Do you think that the range should be wider/narrower? If so, please indicate what you consider the range should be and why.**

Responses to question 20 were mixed. 59% of respondents considered that it would be unreasonable to regard AiL volumes within 3% of the target as meeting that target, for the allocations purposes as outlined above. The main concerns expressed were about the difficulty in projecting accurate learner numbers due to changes in local demand. Other comments were about entering contracts for new provision for which there is limited background data on levels of demand, and the need to develop the strategic relationship between local LSCs and providers in order to address the current issue of over-bidding.

Those respondents who suggested that +/- 3% was too narrow suggested a variety of wider ranges. After giving consideration to the specific comments made by these respondents, we have concluded that for work-based learning providers with fewer than 200 learners the margin will be at +/-5%.

### **Questions 22-23 – Floor targets for success rates**

Whilst most respondents acknowledged the need to implement a minimum standard for work-based learning success rates, many considered that a single national floor target of 40% would be inappropriate. As one provider commented, “the sector variations in

achievement and completion are immense”. Another noted that “in some (occupational areas) 40% is low, but in others it represents a massive increase on current levels which reflect trends in the sector as a whole”.

Many respondents suggested that a banding approach to floor targets should be adopted for work-based learning providers. After full consideration of these comments, the LSC has set two floor targets – 35% and 40% - to reflect the significant differences in current levels of success across different occupational areas. These targets and the areas of learning to which each applies may be found at Table 3 in Circular 03/09.