

Raising Expectations: enabling
the system to deliver
(Joint DCSF/DIUS consultation)
Consultation Response Form

The closing date for this consultation is: 9 June
2008

Your comments must reach us by that date.

department for
children, schools and families

Department for
**Innovation,
Universities &
Skills**

THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Children, Schools, and Families e-consultation website (<http://www.dcsf.gov.uk/consultations>).

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

Please tick if you want us to keep your response confidential.

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If your enquiry is related to the policy content of the consultation you can contact James Addy on:

Telephone: 0207 925 6209

e-mail: James.Addy@dcsgsi.gov.uk

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 113

e-mail: consultation.unit@dcsgsi.gov.uk

Please tick the box that best describes you as a respondent.

<input type="checkbox"/> Young person (under 18)	<input type="checkbox"/> Parent or carer	<input type="checkbox"/> Adult learner
<input type="checkbox"/> Teaching staff	<input type="checkbox"/> Professional working with young people	<input type="checkbox"/> Headteacher/college principal/leader of educational institution
<input type="checkbox"/> Local authority	<input type="checkbox"/> School	<input type="checkbox"/> General Further Education College
<input checked="" type="checkbox"/> Private sector organisation	<input type="checkbox"/> Sixth Form College	<input type="checkbox"/> Voluntary and community sector organisation
<input type="checkbox"/> Tertiary College	<input type="checkbox"/> Work-based learning provider	<input type="checkbox"/> Large employer
<input type="checkbox"/> Small or medium-sized employer	<input type="checkbox"/> Other (please specify)	

Please Specify:
Awarding Body

Chapter 2: Local authorities commissioning provision to meet the needs of young people

1 Do you agree that transferring funding from the LSC to local authorities to create a single local strategic leader for 14-19 education and training is the right approach?

Yes

No

Not Sure

Comments:

Edexcel believes that the transfer of funding will allow local authorities to deliver on the responsibilities granted them under the 2006 Act, namely to deliver an entitlement to every 14-19 learner. Moreover local authorities can assure local political accountability for effective provision. Furthermore this provision may be integrated within LAs' Children's and Young People's Plans so that the needs of the of the whole community and the 'whole' young person may be met, including those in juvenile custody and those with identified learning needs and disabilities.

Chapter 3: Operational models for commissioning

2 Do you agree that the model we have proposed for transferring funding to the local authority is the best way to give local authorities effective powers to commission, to balance the budget, create coherence for providers and retain the national funding formula?

Yes

No

Not Sure

Comments:

Yes, on the basis of a consistent national funding formula, 'ensuring that providers receive comparable rates for comparable provision' (3.2). Edexcel believes this model will allow greater opportunities for learners to benefit from all post-16 providers' distinctive capabilities. Edexcel is not convinced that local markets need to be managed by presumptions in favour of specialist school sixth forms whose provision may be less successful and less cost effective than that offered by colleges. Indeed, we believe that authority commissioning powers are best served by as few presumptions and restrictions as possible.

Do you agree that there is a need for:

3 a) Sub-regional groupings of local authorities for commissioning?

Yes

No

Not Sure

Comments:

Edexcel agrees with the proposal to form 'structured collaborative groups' (3.14) in line with the Sub National Review, since 'travel to learn' patterns often span LEA and indeed regional boundaries as in Sussex and across Hampshire/Dorset. Regional Development Agency and Government Office planning groups are able to develop coherent and integrated regional and sub-regional planning in response to shared needs analyses, especially where adjoining LAs have very different educational priorities and plans, as with Kent and Medway. These plans may effectively be integrated into multi-area agreements as proposed.

3 b) Authorities to come together regionally to consider plans collectively?

Yes

No

Not Sure

Comments:

Edexcel supports the collaboration of local authorities in seeking to assure that the needs of mobile learners within a 'travel to learn' zone are met. This may provide welcome opportunities to share needs analyses, to minimise counter-productive competition and to address pockets of inequality within both regions and sub regions. The danger however is that this could become a bureaucratic rather than a needs-driven exercise.

3 c) A slim national 14-19 agency with reserve powers to balance the budget and step in if needed?

Yes

No

Not Sure

Comments:

Edexcel does not believe the rationale for this 'slim' agency has been sufficiently clearly articulated. Local authorities are able to balance their own budgets and assure sub-regional provision through collaborative agreement in response to the progressive devolution of power.

Moreover lead local authorities are able to commission GFEs, specialist and third sector organisations on the basis of aggregated demand across a sub-region, as illustrated in commissioning model (b), (3.26). There is no reason why an identified local authority should not be able to lead a single conversation with a GFE college, on the basis of a single plan containing aggregated information, in comparable manner to that adopted with Sixth Form Colleges, and indeed equally applicable to academies (3.8, 3.37, 3.38) . Accountability of local authorities would be to the sub-regional group. (3.9). Nationwide 3rd sector contractors may be managed via the Skills Funding Agency on the basis of aggregated demand from local authorities. (3.42). There may well be a need for a very 'slim' team to liaise with the Skills Funding Agency in key areas but these needs, coupled with LAs' capabilities, do not warrant the additional layer of bureaucracy represented by such an agency.

4 Do you agree that we have described the way that these bodies would function in broadly the right way? Is the balance of responsibilities between them right?

Yes

No

Not Sure

Comments:

Edexcel believes that the models presented should permit effective regional and sub-regional provision. Edexcel is however concerned that the proposals require a high degree of effective local partnership working which will therefore require locally sensitive negotiation. Moreover there is the potential for much additional bureaucracy and communication, along with potentially damaging competition between authorities over learner numbers which attract funding.

5 Do you agree that there is a need for a single local authority to lead the conversation with each provider?

Yes

No

Not Sure

Comments:

Edexcel agrees with this proposal because LAs will be able to contribute to strategic sub-regional plans. Edexcel believes the LA in question should be the 'host' authority in whose geographical area the provider is located, as opposed to the 'home' authority in which the greatest number of a provider's students reside, reflecting 'travel to learn'. There is no reason why an identified local authority should not be able to lead a single conversation with a GFE college, on the basis of a single plan containing aggregated information, in a comparable manner to that adopted with Sixth Form Colleges, and indeed equally applicable to academies (3.8, 3.37, 3.38) . Accountability of local authorities would be to the sub-regional group. (3.9).

6 Do you agree with the proposed approach for Learners with Learning Difficulties and/or Disabilities?

Yes

No

Not Sure

Comments:

Edexcel believes this approach supports mainstreaming of LLDD provision which may particularly support learners in rural areas in accessing high-cost specialist providers. There may however be greater travel demands placed on vulnerable learners as a result which would need to be reviewed at a sub-regional level.

7 a) Do you agree that local authorities should be responsible for commissioning provision for young offenders in custodial institutions?

X Yes

No

Not Sure

Comments:

Edexcel agrees with this proposal; locally accountable provision should entail local quality assurance and monitoring arrangements. These are urgently required in order to address the dramatically lower educational attainment by such learners under current provision.

7 b) Do you favour the 'host' funding model, or the model where 'home' authorities are charged?

X Host

Home

Not Sure

Comments:

Edexcel thinks that links with the 'home' rather than 'host' authority would provide stronger support to learners following detention so that reintegration into mainstream learning can be adequately supported.

7 c) Are there planning or legislative levers other than funding systems which would create the right responsibilities and incentives to promote the best outcomes for this group of young people?

X Yes

No

Not Sure

Comments:

Edexcel is not convinced that coerced participation will assure the policy intention of 'every young person pursuing a programme which engages them and enables them to progress in learning and employment'. Edexcel welcomes the stated proposals requiring 'local authorities to ...find out the views of young people... so that these can inform decisions' (4.5). In particular Edexcel believes that there is much good practice within established Entry to Employment (E2E), Increased Flexibility and KS4 Engagement programmes in meeting the needs of young people at risk of disengagement which should be identified and built upon. Critically however, this is not simply an educational problem; it is one that reflects a number of wider social issues and that is why Edexcel favours an integrated approach.

Chapter 4: Management of the system

Do you agree with:

8 a) Proposals to ensure that informed learner choices should be a key part of shaping the system?

X Yes

No

Not Sure

Comments:

Edexcel agrees with the need for IAG to be impartial (2.8), and ' provided in the best interests of young people', respecting the differences between different types of institution'. This will require a much better understanding of the contribution for learners of colleges and work-based learning providers by local authorities than is evident currently.

8 b) The proposed approach to a common performance management framework based on the Framework for Excellence?

Yes

No

Not Sure

Comments:

Edexcel supports this proposal and has been working closely with some providers who have been piloting this framework.

8 c) The local authority role in commissioning to improve quality?

Yes

No

Not Sure

Comments:

Edexcel believes the local authority is best placed to identify and evaluate the effectiveness of all local state-funded 16-19 provision, including academies, and to commission expansion and contraction accordingly. However this is contingent on local authorities being able to understand local learner and market needs and mapping effectively against them. Edexcel believes that this should be implemented gradually and at 16-19 first.

9 Do you agree with the proposals for managing changes to 16-19 organisation and adjusting the arrangements for 16-19 competitions and presumptions?

Yes

No

Not Sure

Comments:

Edexcel is not convinced that a presumption in favour of specialist school sixth forms enhances learner achievement or provider cost effectiveness compared to 16-19 college provision.

Are you content with the proposals:

10 a) To retain a national funding formula based closely on the existing one?

Yes

No

Not Sure

Comments:

Edexcel welcomes the retention of a substantially unchanged national funding formula, ensuring 'providers receive comparable rates for comparable provision' (3.2, 5.6) and awaits further detail on proposed refinements.

10 b) For funding to flow to institutions on the basis described?

Yes

No

Not Sure

Comments:

Edexcel supports the view that funding should reflect learner demand.

11 Would you support a move to a single national 14-19 funding system?

X Yes

No

Not Sure

Comments:

Yes but this should await the outcome of the current review of school funding.

12 Do you agree with the proposals for capital funding?

X Yes

No

Not Sure

Comments:

13 Do these proposals about timescale and transition appear reasonable?

X Yes

No

Not Sure

Comments:

Broadly yes but the worry is about the extent of change being planned at present. In particular there will be a need for local authorities to establish effective working relationships with colleges and work-based learning providers as mentioned above.

Chapter 7: Reforming the post-19 skills system to secure better outcomes for adults

14 Do you agree with the proposal to create a new Skills Funding Agency to replace the Learning and Skills Council post-19?

X Yes

No

Not Sure

Comments:

Edexcel believes that if the LSC is to go, clearly a distinct funding agency is needed.

Edexcel does not believe however that the Department has clearly articulated how it will 'establish a market' (Summary 7) which will respond reliably or accurately to the training needs of employers and employees. The proposed nature of the Funding Agency suggests an undue reliance on 'the market' but this need to be managed and it is unclear, for instance, who sets the conditions for engagement.

15 Do you agree with the proposed role of the Agency?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments:

Edexcel believes that further research and possible extension of pilot arrangements, along with clear leadership by UKCES and relicensed SSCs are required to devise a model which will meet the needs of the majority of employers. The Learning and Skills Network research report, Employability Skills Explored, April 08 indicates that only 6% of employers have used a skills broker. This is a clear example of market failure and an inadequate basis on which to generalise a national system for meeting skill needs. Moreover, Departments are yet to define an indicator which will accurately and comprehensively reflect demand for training by both employers and employees.

We welcome the scrutiny of the Agency by UKCES on behalf of employers. We also welcome the Agency's role in managing the National Apprenticeship Service and look forward to seeing how it will resolve the current 'bottleneck' of unmet demand for placements. We also await clarification of how the SFA will ensure the 'trading conditions' in FE will effectively meet national skill needs.

Chapter 8: Funding and commissioning

16 Do you agree with the funding and commissioning role proposed for the Skills Funding Agency?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments:

Edexcel questions the assumption that brokerage through Train to Gain and Skills Accounts adequately reflect the demand for training by both employers and employees. We believe there is a need for strategic commissioning not only for provision for learners with difficulties and disabilities, but also for informal personal and enrichment learning, and to meet the needs of disadvantaged communities out of a spirit of 'social equity'. We believe there is a critical need to develop the regional and sub-regional skills not reflected through current so-called 'learner and employer responsive models'. We believe that these skill needs are evidenced through regional/sub-regional skills partnerships and employment and skills boards, collaborating with sector skills councils, reflecting shared priorities for economic development and deliverable through local and multi-area agreements.

The Agency's 'oversight of the sufficiency of colleges and providers to meet the region's needs in terms of range and patterns of service' may therefore lead to effective 'commissioning through competitive tendering of provision to fill gaps'. The SFA should therefore commission provision where there is reason to believe the 'purchasing decisions of customers' understate demand.

17 Do the proposals in this chapter reflect the right balance of strategic commissioning and individual customer choice?

Yes

No

Not Sure

Comments:

Edexcel questions the evidence base supporting the view that Train to Gain and Skills accounts 'herald a radically different model of organisation of the skills system in the future' (7.12); There is not yet sufficient evidence that these are a reliable or accurate indicator of demand from both employers and employees. Edexcel therefore believes that strategic commissioning remains of key importance alongside the twin systems of Train to Gain and Skills Accounts in meeting the needs of employers. Colleges, for example, have longstanding relationships with local employers and know their communities, hence the impressive achievements recorded by providers in recent years (7.4). There will be other regional and sub-regional bodies such as RDAs, Employment and Skills Boards and SSCs which will evidence the demand for skills more accurately as reflected in local labour market conditions and economic development and regeneration plans.

Chapter 9: Sponsorship of the FE system

18 Do you agree with the proposals on performance management and the performance intervention role of the Skills Funding Agency?

Yes

No

Not Sure

Comments:

Edexcel believes these mechanisms closely resemble those which have been developed and applied over recent years by the LSC and which have proved workable and equitable.

19 Have we got the right approach to sponsorship of the FE sector as a whole?

Yes

No

Not Sure

Comments:

Edexcel supports the proposed sponsorship arrangements but believes there is a risk of fragmentation to the education and skills landscape by the separation of pre-19 and post-19 provision. Lessons learned and expertise developed in one arena, eg through 16-19 provision in Sixth Form colleges, should inform practice in others, eg in a neighbouring FE college or training provider. At a time of increased collaboration and willingness to learn from comparable practices across the sector, such fragmentation may disserve learners by dividing practitioners. The Increased Flexibility Project whereby 100,000 learners per year for many years have benefited from complementary provision in FE colleges and schools, is an important case in point, especially in so far as this provision is capable of addressing the 16-18 disengagement which leads to some young people becoming NEET. There is therefore a need for more joined-up thinking across the environments of schools, sixth form colleges, FE colleges and work-based learning providers, and a real risk of excluding the

contribution of FE to 14-19 learning, ignoring valuable lessons learned.

Chapter 10: An integrated system: other functions of the Skills Funding Agency

20 Do you agree that each of the functions in this chapter should be performed by the Skills Funding Agency?

X Yes

No

Not Sure

Comments:

Edexcel welcomes the development of the 'adult advancement and careers service' with accompanying adult IAG services, alongside the National Apprenticeship Service, especially in view of the current absence of employer placements. The Agency would also seem a sensible place to house both the NES and OLASS in meeting the needs of both large employers and particular groups of learners.

Chapter 11: An integrated system: how the Skills Funding Agency fits into the wider skills landscape

21 Do you agree with this description of the wider skills landscape within which the Skills Funding Agency will operate?

X Yes

No

Not Sure

Comments:

Edexcel broadly supports the division of responsibilities described here. There are concerns about the maintenance of separate data sources for schools and FE, especially in view of the post 14 Learner Registration Service.

Edexcel sees a danger that this survey of the skills landscape may omit learning which takes place in employment via non-accredited training and informal skill acquisition. There is therefore a need for the Agency to connect with the wide range of employment and skills activities which may not be adequately represented through Government sponsored bodies.

Edexcel further believes there is evidence that the Leitch Review has not taken account of large numbers of jobs which have minimal skill requirements, are not likely to evolve and which reflect employers' intention to drive down wage costs to the lowest possible level in a highly competitive globalised market.

The significant rise in performance across the FE sector in recent years merits wider recognition and indicates providers' growing capacity to identify and meet the needs of both employers and learners, including at 14-19. It is therefore vital that the full contribution of FE providers to learning and skills pre-and post 19 society is facilitated rather than restricted by bureaucratic funding structures. In that context, one data collection agency able to accommodate the porous boundaries between schools, FE and HE is more efficient, flexible and preferable to three.

22 Have you any further comments?

Comments:

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply X

Here at the Department for Children Schools and Families we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

XYes

 No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the Cabinet Office Website: <http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/content/introduction/index.asp>

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 9 June 2008

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