



Department
for Education

Performance reporting for FE college groups and multi-site colleges

Government response to consultation

August 2018

Contents

Definitions	3
Introduction	4
Summary of responses received	5
Question analysis	6
Policy objectives (Q1)	6
Government response	7
Colleges that are part of a group (Q2-6)	8
Government response	15
Multi-site colleges (Q7-12)	18
Government response	24
Implementation (Q13)	26
Government response	26
Other comments (Q14)	28
Government response	28
Next steps	29
Annex A: List of organisations that responded to the consultation	31

Definitions

In this document, we are using certain terms in line with the definitions on page 6 of the original consultation document. These are repeated below for convenience:-

Delivery site	We use the term delivery site to mean a geographical location operated by a corporation from which further education provision is delivered. A delivery site could in practice be labelled as a centre, campus, college, or farm, or with another similar term.
On-site provision	We use the term on-site to describe further education provision that is mostly delivered from a delivery site .
Off-site provision	We use the term off-site to describe further education provision that is mostly delivered from a location other than a delivery site .
College	We use the term college to mean an institution with a single learner-facing identity, brand or name, viewed by learners as distinct, with its own prospectus and/or website, through which a corporation delivers further education provision ¹ .
Multi-site college	We use the term multi-site college to refer to a college that has more than one delivery site .
Group	We use the term group to mean a corporation that delivers its further education provision through more than one college .
Corporation	We use the term corporation to mean a further education corporation or sixth form college corporation within the meaning of the Further and Higher Education Act 1992, or the governing body of an institution designated under Section 28 of the same Act ² .

¹ Although many such institutions will in practice also be labelled as a college, there are alternative terms that may be used - for example institute, sixth form, or "academy" (excluding academies under the Academies Act 2010)

² Where the designated institution is conducted by a company, this can be the governing body as provided for by any instrument of government, the company, or both.

Introduction

Between 10 April and 10 June 2018 we consulted on changes to the performance reporting system for college groups and multi-site colleges. This document provides a summary of the responses received, and sets out the Government response and next steps.

In the consultation, we explained that the majority of general FE corporations now have multiple delivery sites, and there are also an increasing number of college groups made up of multiple colleges. Those changes in the structure of the sector have implications for how well the performance reporting system works. We therefore invited comments on two main proposals:-

- For colleges that are part of groups, the introduction of separate performance reporting at the college level, in addition to reporting at a group level.
- For multi-site colleges, the introduction of separate performance reporting for individual delivery sites within a college, in addition to reporting at the college level

In both cases, the proposals set out in the consultation would supplement, and not replace, the existing performance reporting system that operates at the corporation level.

The proposals would apply to the further education provision of institutions within the further education sector³: further education colleges (including both general and specialist FE colleges), sixth form colleges, and institutions designated as being within the further education sector.

³ As defined by Section 91(3) of the Further and Higher Education Act 1992

Summary of responses received

In total, 50 responses to the consultation were received. Of these:-

- 4 (8%) were from representative bodies
- 37 (74%) were from FE corporations
- 6 (12%) were from Mayoral Combined Authorities (MCAs), the Greater London Authority (GLA), or local authorities

Of the remaining responses, two came from individuals, and one from a non-Ministerial Government Department (Ofsted).

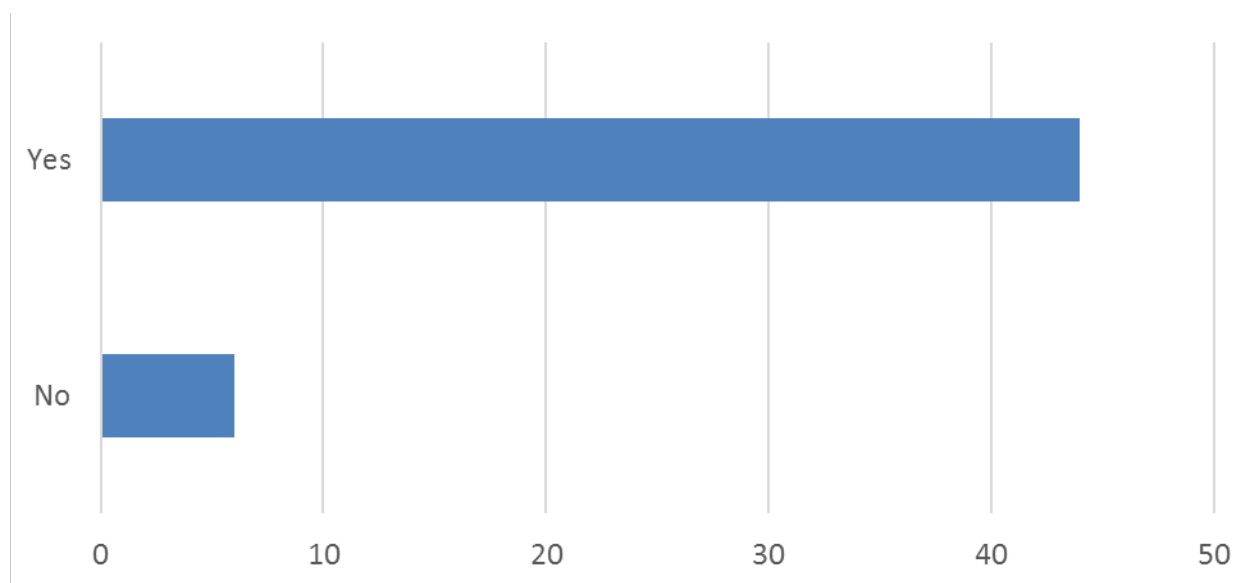
A full list of the organisations that responded is attached at Annex A.

Question analysis

Policy objectives (Q1)

The consultation document set out three main policy objectives: to improve information for learners, to strengthen local accountability, and to support quality improvement. Respondents were asked whether they agreed that these were the right objectives.

Q1: Do you agree that these are the right policy objectives?



There was strong support for the proposed policy objectives. For example, the Association of Colleges commented:-

“Many AoC members believe reporting performance in a more granular way will be fairer for colleges of all sizes. Currently, the reporting of accountability measures, especially for college groups does not function at all well and can impede inspection. The current reporting mechanisms also make it difficult for learners to make an informed choice about their local college.”

Whilst there was general support for the principle of enabling learners to make informed choices, some respondents questioned the extent to which learners make active use of performance measures data at present, particularly where choice was limited to a single provider. Others suggested that information for employers and parents should also be considered as policy objectives. Local performance reporting was also seen as consistent with the devolution of the adult education budget (AEB) to MCAs and the GLA.

One newly formed college group noted that visibility of performance by college would be helpful for management purposes and for students. Another college in a similar position stressed its commitment to principles of local accountability and responsiveness that were reflected in the policy objectives. A number of respondents also made a comparison with the accountability system for schools, under which performance was visible to parents and learners irrespective of whether their local school is part of a larger organisation such as a multi-academy trust.

In contrast, another college group questioned the emphasis on local accountability, suggesting that it would be a mistake to base disaggregation on a traditional geographically based college model. They felt that this would not be appropriate for other innovative models, including those based on particular sectors and career pathways for learners.

Whilst there was support for the objective of supporting quality improvement, respondents noted the difficulties associated with use of performance measures for ranking, particularly where college groups were being compared to single site colleges.

Respondents also highlighted the importance of reliable and useable accountability measures, citing for example the limited coverage of progress measures, and concerns around the burdens associated with data-checking.

Government response – policy objectives

We welcome the support from respondents for the key policy objectives set out in the consultation document: improving information for learners, strengthening local accountability, and supporting quality improvement. We also want to ensure a fair system that generates robust and reliable information without creating excessive burdens on colleges.

The wider system of performance measures also has other policy objectives – such as providing information for employers, and enabling corporations to compare their own performance against other providers. Equally, local accountability is one dimension of the broader accountability system in which colleges operate. However we believe that the three objectives identified are most relevant in shaping our response to the challenges for performance reporting associated with structural change in the college sector.

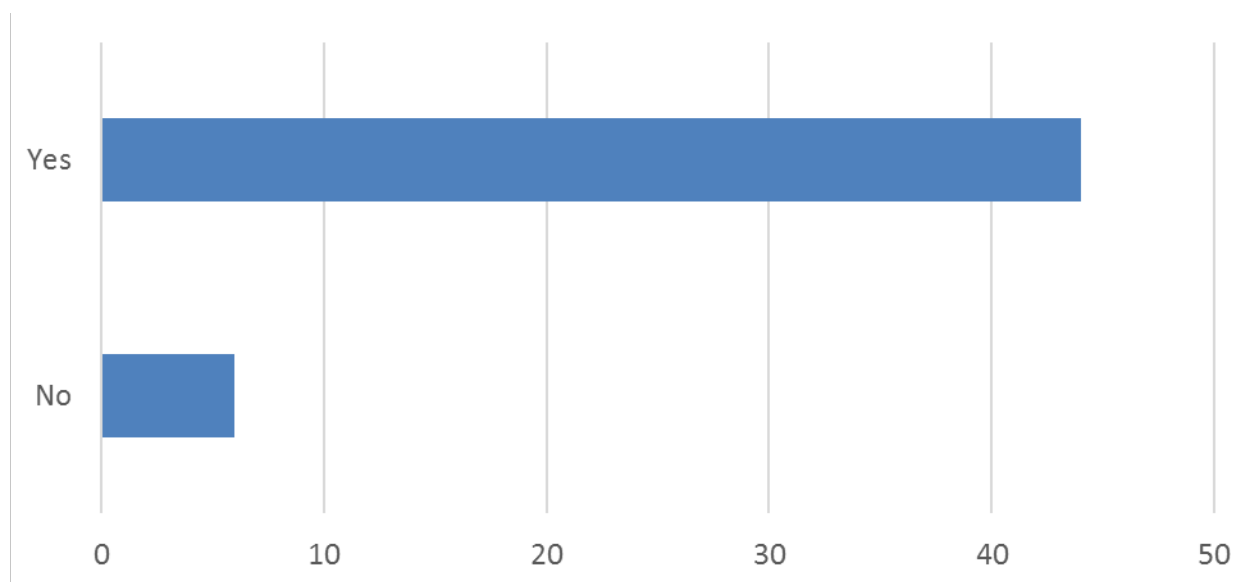
We will also keep the existing performance measures under review. That includes considering how they can be most easily accessed by learners to inform choice.

Colleges that are part of a group (Q2-6)

The first proposal put forward in the consultation document related to colleges that were part of a group, following the definitions of “group” and “college” set out in the consultation document. For those colleges, the consultation proposed that performance should be reported at college level as well as at group level⁴. This would mean that across the sector, there would be publically available performance information for all colleges, irrespective of whether those colleges were part of a group or not.

Consultees were invited to comment on whether they supported the proposals; on the proposed definition of a college; on the treatment of college sub-brands; on the impact on decision-making by corporations (including unintended consequences); and on whether there should be constraints on the ability of corporations to change their college identities.

Q2: Do you agree that for all groups, performance should be reported at the college level as well as at the group level?



Out of the 50 respondents answering this question, 44 supported of the proposal to introduce performance reporting at college level, as well as group level, for college groups. The reasons for support varied, but there was wide acceptance of the need for better alignment between performance reporting and learner choice, the importance of the close connections between colleges and their local communities, and the risks around variable performance between colleges being masked by group level data and grades.

⁴ See definitions for how we are using the terms college and group.

One newly formed college group noted that

“Prospective students and other clients will make decisions on where to study based on college identity, not the group. Consequently, it is crucial these decisions are informed by information that can be clearly linked to these identities.”

Ofsted noted that even if “campus-level” inspections were not introduced, performance data at a college level would support more detailed reporting at group level.

The proposals were also supported by local authorities and MCAs that responded to the consultation. One local authority explained their perspective:-

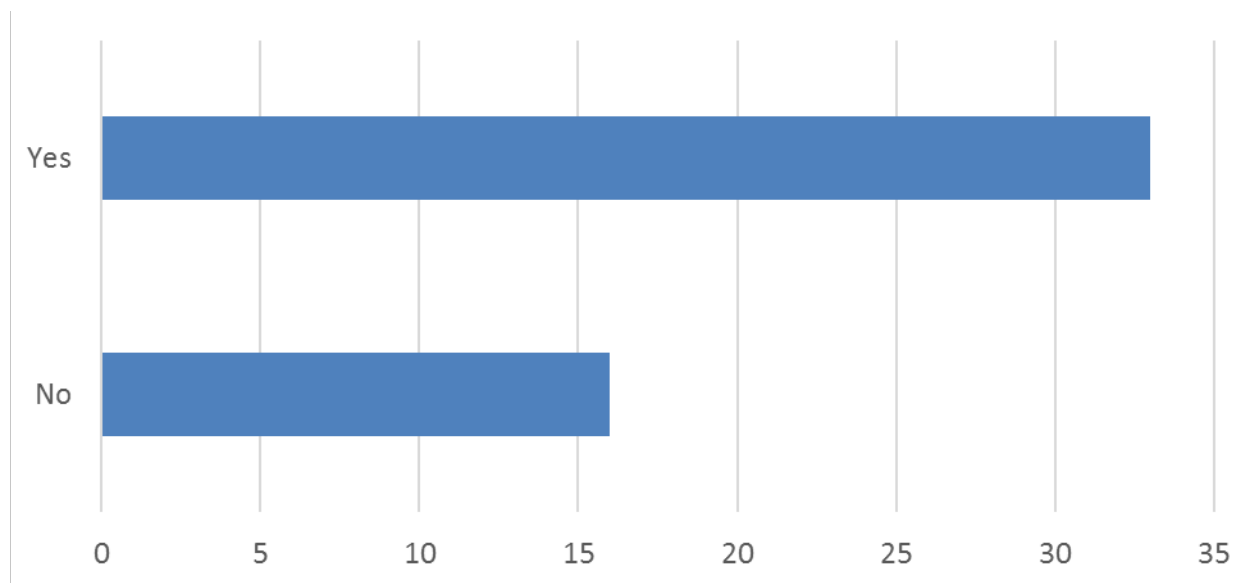
“Our local college, Lewisham, has merged with a massive national college group (NCG) and under the current Ofsted framework only the NCG inspection report is published. This is a problem for residents wanting to make a judgement about the provision in their local area. NCG is based in Newcastle, and has no relevance to our local residents' needs and interests. It is crucial that the performance of local colleges is disaggregated from the merged corporation so that residents, and ourselves as the local authority, can assess the local college.”

Respondents also noted the need for consistent application across colleges in different groups, and the need for a sustainable model that was not “open to interpretation” year-on-year.

There were six respondents who did not agree with the proposals; of these five were college groups, and one was a large multi-site college. They cited a variety of reasons, including:-

- The diversity and complexity of college groups, including parts of groups that are not colleges (for example apprenticeship training arms)
- Additional burdens associated with reporting, monitoring and inspection
- The drawbacks of basing disaggregation on geography, as opposed to subject or career pathway
- The limited value of disaggregated reporting for institutions that operated on a fully integrated basis, for example where mergers were historic (where differences in quality would have been addressed)
- The need for a more fully disaggregated model, with performance only reported at the college level (and not at the group level)

Q3: Is the proposed approach to defining a college for the purposes of separate performance reporting sufficiently clear to be applied consistently in practice? Are there other factors that should also be taken into consideration?



In the consultation, we defined a college as an institution with a single learner-facing identity, brand, or name, viewed by learners as distinct, with its own prospectus and/or website.

Two thirds of respondents agreed that this definition was sufficiently clear to be applied in practice, with one third disagreeing. Both groups of respondents made a number of further comments and suggestions.

One college that supported the proposed approach, commented:-

“It should, in practice, be sufficiently clear. One might argue about various elements of the definition adopted in this consultation but if the experience of FE colleges with separate sixth forms, subject to sixth form college benchmarks, is anything to go by, it should be possible, for the purposes of performance monitoring and inspection, to differentiate one college from another within a group.”

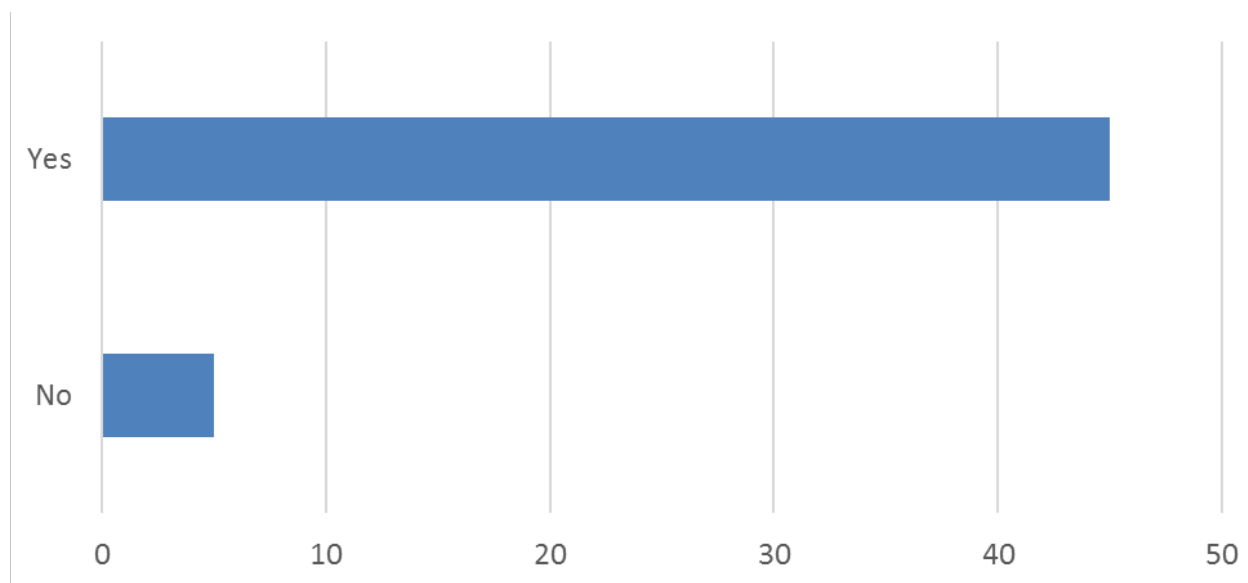
Some respondents suggested the need for a tighter definition to avoid “gaming” of the system. Others wanted more clarity on the treatment of other non-college entities within the group, such as an employer-focused training arm, and how these would be treated. One college group stated that the prospectuses it produced were now focused on a single learner type, rather than the college identity. It was also suggested that from a local accountability perspective, colleges with a separate website or prospectus were not always the principal unit of provision.

Respondents were also asked if there were other factors that should be taken into consideration. This produced a wide range of suggestions, including the mix and

balance of provision, the local context, management and governance structures, student travel to learn patterns, whether the colleges existed historically as separate institutions, the length of time since merger, the use of a recognised college brand (such as “Sixth Form College”), and the educational character and purpose of the college.

More generally, a number of respondents argued for a degree of flexibility in how the definition was applied by Education and Skills Funding Agency (ESFA), particularly where the application of the standard definition did not produce a clear result.

Q4: Do you agree that separate performance reporting should not apply to college sub-brands, where these are clearly part of a single college?



Almost all respondents agreed with the proposal that separate performance reporting should not apply to college sub-brands. Given that a single college can have a multiplicity of sub-brands, it was suggested that separately reporting at this level would be far too complex. Focusing on the college itself made sense because that was an entity that was understood, and doing so would help keep the data simple.

A number of respondents also noted the difference between college sub-brands, and sub-brands in college groups which may be treated as single entities. They suggested that “clearly part of a single college” may be difficult to apply in case of apprenticeships, for example, where the relevant provision was associated with a single group entity or brand. Clear guidance would be required on the circumstances in which such provision should be included within the provision reported against individual colleges within the group.

Q5: What impact might separate reporting for colleges that are part of groups have on decisions by corporations on how they are organised, and what might the unintended consequences be?

Respondents offered a variety of perspectives on the possible impact of the proposals on decision-making by corporations. For example one respondent described the “real danger” that where the proposals exposed areas of poor performance, corporations would seek to alter their structure to preserve the status of “good” or “outstanding” provision. Another respondent highlighted the risk of learners being moved between colleges within a group:-

“The unintended consequence could be the manipulation of enrolment and hence achievement data. Transfer of data between sites or colleges should be closely monitored, as should post codes of enrollees to ensure that unusual patterns are detected and investigated.”

In contrast, other respondents took the view that the proposals were unlikely to influence decisions about college structures over time.

A number of respondents suggested that the proposals would strengthen local accountability and governance within college groups. One college suggested:-

“Separate performance reporting will undoubtedly lead group corporations to devolve responsibility and accountability for academic quality to individual colleges, within an overall policy framework.”

Another college expressed a similar view:-

“Introducing campus level grades has a crucial organisational benefit, it allows groups to hold the leadership (i.e. the Principal) for each campus to account, with visibility to all. This allows greater delegation which is a prerequisite for groups to function. This then creates a framework to improve quality faster across a group.”

It was also suggested that the proposals would support quality improvement, through aligning with existing processes for self-assessment, and validating the importance of local performance. This would make it more likely that groups would encourage the spread of knowledge and expertise between colleges.

In terms of possible unintended consequences, a number of respondents flagged what they saw as risks around how corporations might respond where more granular reporting revealed areas of under-performance. In particular, there was a concern that this might strengthen incentives to close areas of under-performing provision, for example where this was seen as necessary to protect the overall corporation inspection grade. These risks could be greater in areas of small scale provision where there were

inevitably greater fluctuations in performance from year to year, and could have an impact on particular groups of learners. One college argued:-

“Colleges with campuses in a range of socio-economic areas may have different performance levels in each. If those in poorer areas with potentially poorer performance are singled out then these are much more likely to be closed by college boards and the provision relocated to campuses in more affluent areas. Learners in poorer areas are then forced to travel and so a large majority may then choose to not participate in education at all as a result.”

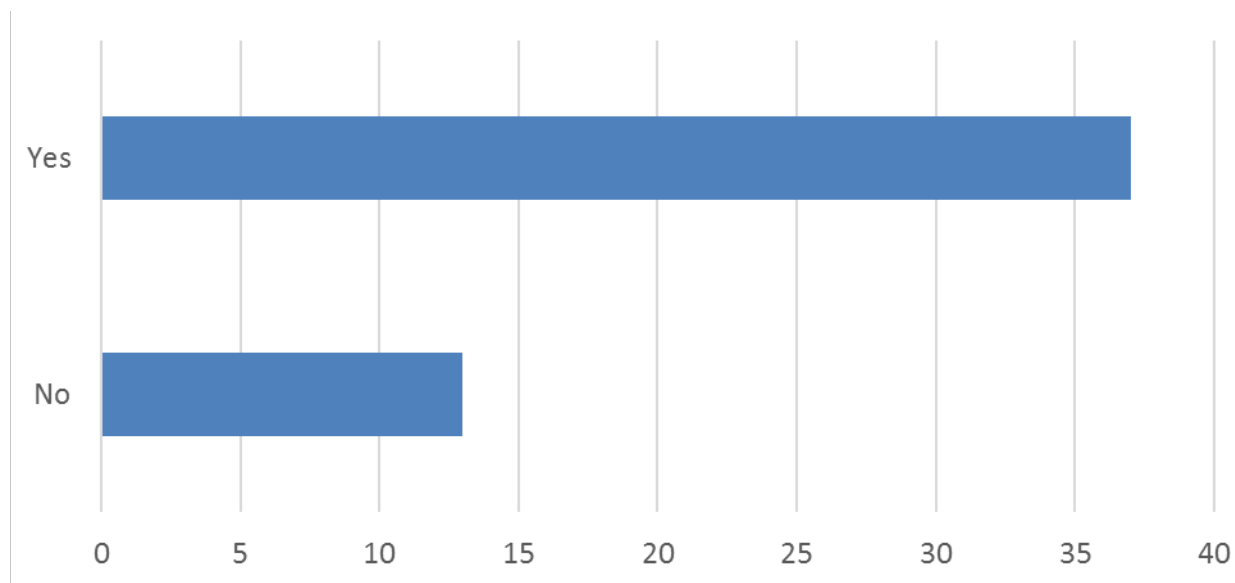
Another college drew attention to possible lessons from the schools system:-

“Be careful and don't try to encourage similar behaviour to MATs [multi-academy trusts] who are quite willing to cut poorer performing parts of the group adrift if it affects the overall 'brand reputation'.”

Respondents also raised the possible impact of the proposals on college mergers, with a range of views presented. Some argued that the proposals could facilitate mergers, for example by more transparently reflecting progress from a starting position with two separate colleges. Others felt that future mergers could be inhibited. The Association of Colleges reported concerns from a minority of colleges that in the period following a merger, college level reporting could derail strategies intended to secure consistency across a group.

One respondent raised concerns that the proposals would discourage innovation, in particular by driving groups to maintain their college entities. This could mean that they were unable to achieve cost savings that would otherwise be available, which would have an adverse impact on longer-term sustainability.

Q6: Do you agree that for an initial period there should be some constraints on the ability of corporations to change their college identities, other than in exceptional circumstances?



In the consultation, we noted the risk that the benefits from the proposals would be undermined by frequent changes to college and group identities. We therefore proposed a minimum three year period during which there would be constraints on the ability of corporations to change their college identities, other than in exceptional circumstances.

Whilst the majority of respondents were in favour of this suggestion, there was also a significant minority of respondents that were not in favour. The latter included a mix of colleges, representative bodies, and local/combined authorities.

Those supporting the suggestion cited the importance of being able to identify trends in performance over time, and making it easier for parents and learners to understand their local college. One respondent was concerned about the risk of a corporation changing to a single college identity in advance of an inspection before reverting to individual college identities after each inspection. In case of mergers, however, it was considered essential that name changes were permitted within the three year period, but that should be subject to a process, and changes should be exceptional.

There was also some support for constraints applying for longer than three years. More widely, one respondent suggested that DfE should define the criteria under which FE corporations could apply to be designated as a group, with subsequent restrictions on further sub-dividing or amalgamation within the group. It was also suggested that there should be a requirement for colleges also to consult with local stakeholders on changes to names.

Those opposed to the proposals argued that it would not be right to impose restrictions on something as fundamental as a college's identity, and that any constraints should be a last resort, because of the adverse impact on colleges and likely unintended consequences. One college suggested that the right response to a college found to be "fiddling" the system should be targeted action, rather than blanket restrictions on all providers.

It was also suggested that a consistent approach to capturing performance data for an individual college or provider for a period of time – for example 3-5 years, corresponding to a normal inspection cycle - would achieve the same outcomes as the proposals, but in a less burdensome way.

Government response – colleges that are part of group

Summary

We welcome the strong support from respondents for our proposals for separate performance reporting for colleges that are part of a group. We intend to proceed with implementation of this proposal.

Overview

The alignment between learner choice and performance reporting is one of the key principles under-pinning our proposals for performance reporting, and we note that it was endorsed by many of the respondents to the consultation. We also agree with the points respondents made in relation to the need for consistent application, and for a sustainable model that generates robust performance data and can operate across a variety of group structures.

However, whilst there may be some additional burdens on corporations, we have not seen any evidence to suggest that these are likely to be disproportionate. Responses also suggest that there are good reasons to think that any burdens are likely to be offset by benefits associated with the proposals – including the potential benefits to corporations themselves.

We do not agree with the suggestion that performance reporting at a college level removes the need for corporation level reporting: accountability at the corporation level must remain a fundamental principle of the system going forward.

We have noted respondents' views on the impact of the proposals on decisions by colleges, including both positive impacts and unintended consequences. We will keep those impacts under review as we implement the proposals and review whether further mitigating action is required to address some of the risks.

Where separate performance reporting reveals areas of poor performance, we are clear that the primary response must be for the corporation to take action to secure any

improvement in that college, drawing on support elsewhere in the group and elsewhere as appropriate. We will be vigilant in monitoring any cases where it appears that corporations may instead be responding with actions that are clearly detrimental to the interests of learners and local communities.

Defining a college

The definition of a “college” within a group is an important building block of the proposals. In the consultation document, we defined a college as:

“an institution with a single learner-facing identity, brand or name, viewed by learners as distinct, with its own prospectus and/or website, through which a corporation delivers further education provision.”

The central concept underpinning this definition is institutional identity, from a learner perspective. We believe that this remains the right approach, and is the one that is most closely aligned to our policy objectives.

As we set out in the consultation document, our view is that the best approach is to set out clear principles that can be applied in a wide range of scenarios, with ESFA having the ability to make the final determination for each corporation. We don't believe that an alternative approach based on more detailed criteria or rules is likely to be more effective: in practice, a “tighter” definition is likely to be more inflexible, more prone to gaming, and will deliver perverse results that are not consistent with our policy objectives.

For a similar reason we are not proposing to use additional factors such as the mix and balance of provision, travel to learn patterns, or whether colleges previously existed as autonomous entities. For example, whilst the fact that a college previously existed as an autonomous entity may have a bearing on issues related to institutional identity, applying that as a requirement in all cases would exclude new college identities created by groups. Equally, where there are clearly separate colleges with their own distinct institutional identities, it would not be consistent with our policy objectives to treat them differently according to whether they are in different travel to learn areas, or according to the mix and balance of their provision.

Some respondents asked about the treatment of parts of groups that deliver further education provision and could be described as having their own institutional identities, but which do not have the characteristics of a college. An example of that might be where a group operates a separately branded training or apprenticeship subsidiary or delivery arm, but that subsidiary does not have a separate funding agreement with ESFA.

Where that subsidiary is primarily an employer-facing brand, it would not be in scope for our proposals, which are focused on institutional identity from a learner perspective. In other cases, ESFA will review the case for extending disaggregation of performance

data to other parts of a group on a case by case basis, based on our over-arching policy objectives, and the specific circumstances that may apply.

Changes to college identities

We have considered the responses on the question of how to ensure a period of stability during implementation. We welcome the suggestion that this stability could be achieved in a less burdensome way, through maintaining the disaggregation of performance data on a consistent basis for a fixed period (for example three to five years) and where necessary discounting any changes to college identities during that period other than changes resulting directly from mergers.

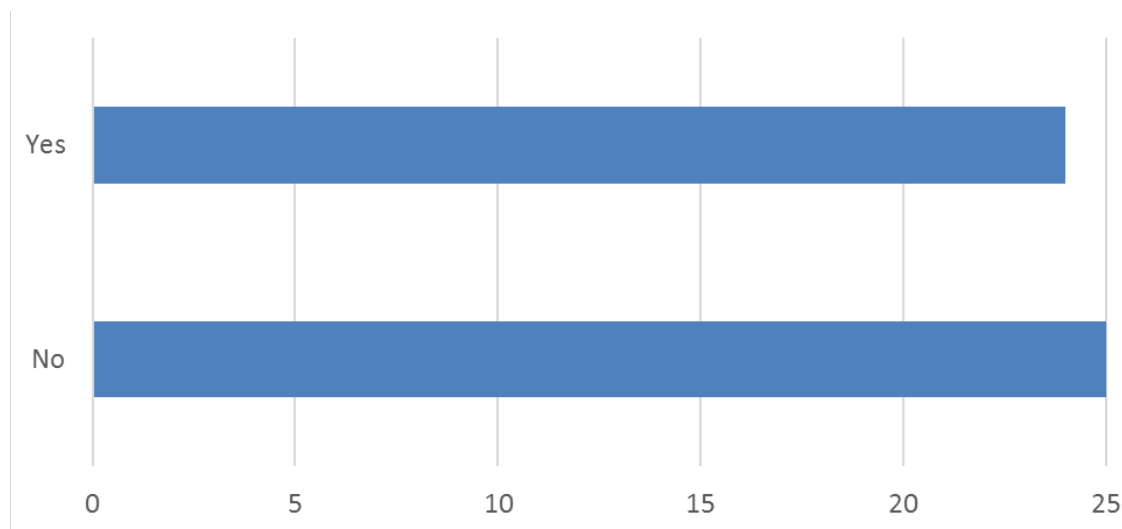
There are clearly some trade-offs here between the need to ensure consistent data and prevent gaming by colleges, and the risk that the units included in performance reporting could over time diverge from institutional identities from a learner perspective. However we intend to adopt this as our initial approach for the new system.

We are currently reviewing our guidance on changes to the statutory name of FE college corporations, including the use of the word “group” within a name. Revised guidance will be issued in due course.

Multi-site colleges (Q7-12)

The second proposal put forward in the consultation document concerned colleges that deliver through more than one site (multi-site colleges). The consultation invited views on the principle of introducing some form of performance reporting for individual delivery sites, and on the options for how that might be approached.

Q7: Do you agree that in addition to our proposals for separate performance reporting for colleges that are part of groups, some form of performance reporting for delivery sites within multi-site colleges should also be introduced?



Across respondents as a whole, there was an almost even balance between support and opposition to the introduction of performance reporting for delivery sites within multi-site colleges. Three out of four membership bodies were in favour, as were five out of six local/combined authorities. Amongst the individual colleges that responded, 58% were opposed, with 42% in favour.

Respondents in favour of the introduction of delivery site reporting suggested that quality and performance could vary significantly between sites, and the enhanced reporting would mean that colleges would no longer be able to “hide” poor provision. Other reasons for support included ensuring equal treatment between large delivery sites that are part of a single college and colleges that are part of a group, increased transparency for learners and employers, and for funding bodies (including MCAs).

Some respondents supported reporting for delivery sites in circumstances where it would lead to relevant and meaningful information for learners locally. Other caveats included application of a minimum threshold for learner numbers, the exclusion of smaller campuses that are close together, and focusing on “self-sufficient” campuses serving distinct, geographically distant, communities. One respondent argued that it should only be adopted if it generated meaningful data that could be used by Ofsted.

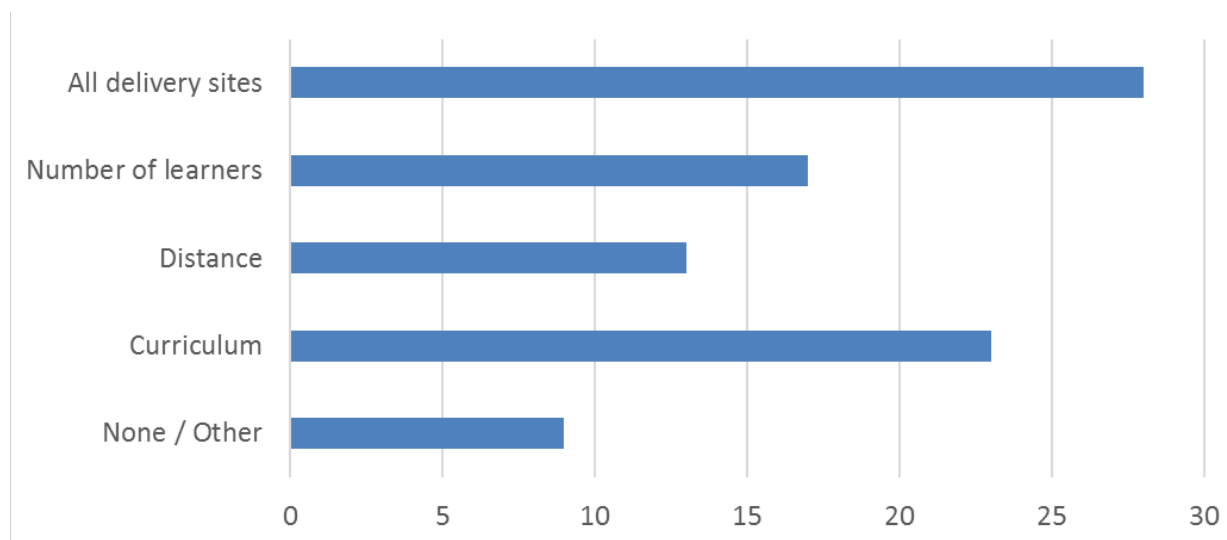
Respondents opposed to the proposals suggested that delivery site reporting was likely to be complex. The reasons given for this included: the difficulty of identifying an accurate cohort for measurement purposes; problems with reporting where delivery was across multiple sites; and the small size of cohorts which would mean that results may not be statistically significant. It was suggested that high levels of complexity would also create burdens on colleges, increase risks of misrepresentation, and diminish rather than increase transparency and public accountability. In particular, comparisons between different sites were likely to be meaningless or misleading, because they would not represent a proper “like for like” comparison.

Other respondents also questioned the likely benefits, arguing that subject level data – which was more important in informing learner choice - was already available. Where curriculum areas were already concentrated within sites, there would be no additional transparency for learners from the introduction of site-based reporting.

One respondent questioned the rationale for performance reporting being determined by the college estate, noting one example of an urban college with 12 delivery sites. Others suggested that delivery site reporting would only make sense if there was semi-autonomous management locally. There were also concerns about the implications for Ofsted inspection.

Q8: Of the suggested options for delivery site reporting, are there any that you think should be ruled out?

The consultation put forward four potential options for delivery site reporting: applying it to all delivery sites; applying a minimum size threshold (based on number of learners); applying a minimum distance threshold; or basing it on curriculum delivery. Respondents were asked if any of these options should be ruled out (allowing more than one choice).



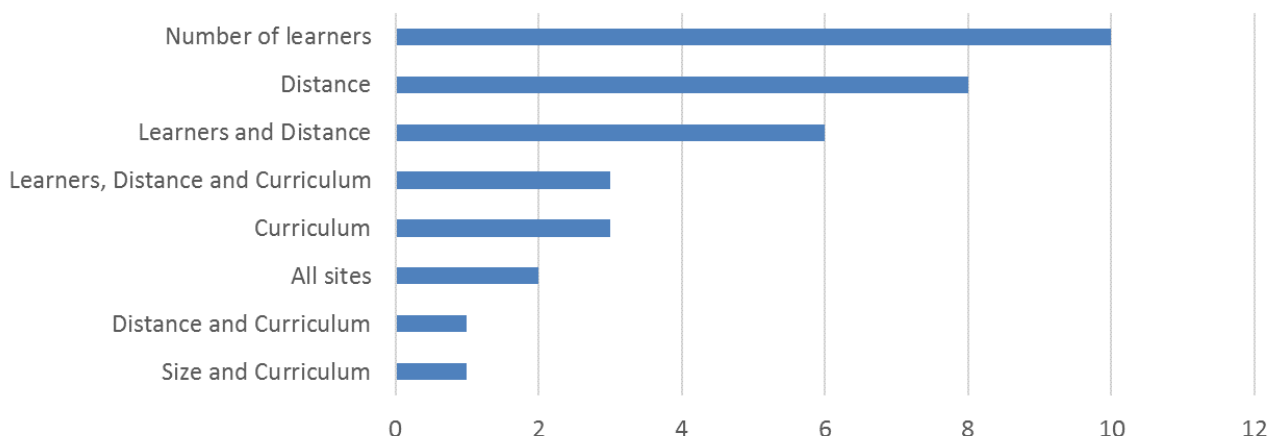
Of the options put forward, **reporting on all delivery sites** was most frequently cited as an option that should be ruled out. Respondents felt it would be expensive and burdensome, and would not bring sufficient benefit – particularly where sites were close together and considered by learners as being part of the same college. There would also be problems with small numbers being reported on, and learners moving between sites. One respondent suggested that it would be absurd for performance reporting to be based on the building that was used, where the same staff and the same group of learners also used another building. It was also suggested that it could have the unintended consequence of corporations making decisions that reduced local provision.

17 respondents suggested that the option of applying a **minimum threshold for the number of learners** should be ruled out. The key difficulties cited were that a threshold would be arbitrary, and that colleges could manipulate the system - for example by transferring learners and provision between sites to ensure a poorly performing site remained below the threshold. A further factor was that fluctuating learner numbers could mean that sites may dip in and out of reporting requirements.

A smaller number of respondents (13) suggested that a **distance-based option** should be ruled out. Amongst the difficulties cited with this option were the fact that distance and travel time could be measured in different ways (making it something of a blunt instrument), the fact that any threshold could potentially be arbitrary, and complexity of administration. A number of respondents also suggested that if it was based on a single threshold, it would lead to greater scrutiny of rural colleges than urban ones.

Respondents also highlighted a number of potential difficulties with the option of designating delivery sites for separate performance reporting on the basis of shared **curriculum provision**, with 23 suggesting this should be ruled out. The reasons cited included complexity of administration (given that curriculum provision is not static), and the ability of colleges to move provision between sites to manage outcomes from performance reporting. It was also suggested that the option would be hampered by low student numbers in areas of provision where learners were reliant on a single site to access learning.

Q9: Of the suggested options for delivery site reporting, which option or combination of options do you think would be the best overall approach?



Use of the **number of learners**, **distance**, or a **combination of the two** were the options that attracted the most support amongst respondents. In terms of individual options, **number of learners** and **distance** were cited most frequently (19 and 18 times respectively), with **curriculum** and **all sites** attracting much less support (8 and 5 times respectively).

Number of learners was felt to be important in ensuring a proportionate approach, and enabling comparison between large delivery sites and smaller single site colleges. Various views were given on what the minimum number of learners should be (see Q10 below).

Respondents suggested that **distance** had the advantage of being simple, and not being vulnerable to manipulation by colleges. Other reasons given for supporting this option include the fact that distant delivery sites were more likely to duplicate provision; and the relevance for local accountability – including local data for local learners. One respondent argued that:-

“Where the distance between each site is such that it is unrealistic to expect learners to travel between sites in order to complete their programme of study, the learner themselves would be concerned with how the provision they specifically are accessing will support their progression.”

Respondents also suggested that the minimum distance would have to be significant, and that the local delivery site should be seen as a “college”.

A number of respondents supported a combination of **number of learners** and **distance**, suggesting that these were the more substantive criteria, and struck the right balance between relevance for communities and a proportionate approach. One representative body suggested the distinctiveness of provision should also be a

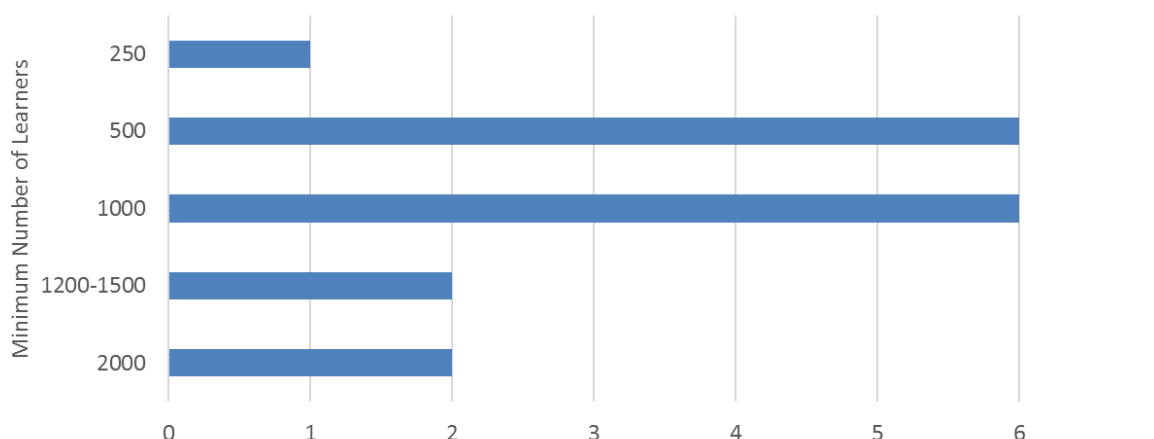
consideration – giving the example of a specialist land-based site a mile from a campus of a general FE college as one in which there was a strong case for separate reporting.

There was some support for the use of curriculum as the basis for separate reporting. One college argued:-

“If provision is not duplicated then by reporting separately you are not comparing like with like. i.e. if Motor Vehicle at Site A was a Grade 1 and Hairdressing at Site B was a Grade 3 (and neither were offered at the other site) then the performance reporting split is rather pointless.”

Support for the option of reporting on **all delivery sites** was more limited. One respondent suggested that this would not be overly onerous for colleges, and would be relatively simple to implement. Two MCAs suggested that they would want this in order to understand provision in their locality, and did not want to see any minimum thresholds applied.

Q10: If separate performance reporting for delivery sites was to be introduced based on number of learners (Option B), what do you think the minimum number of learners should be?

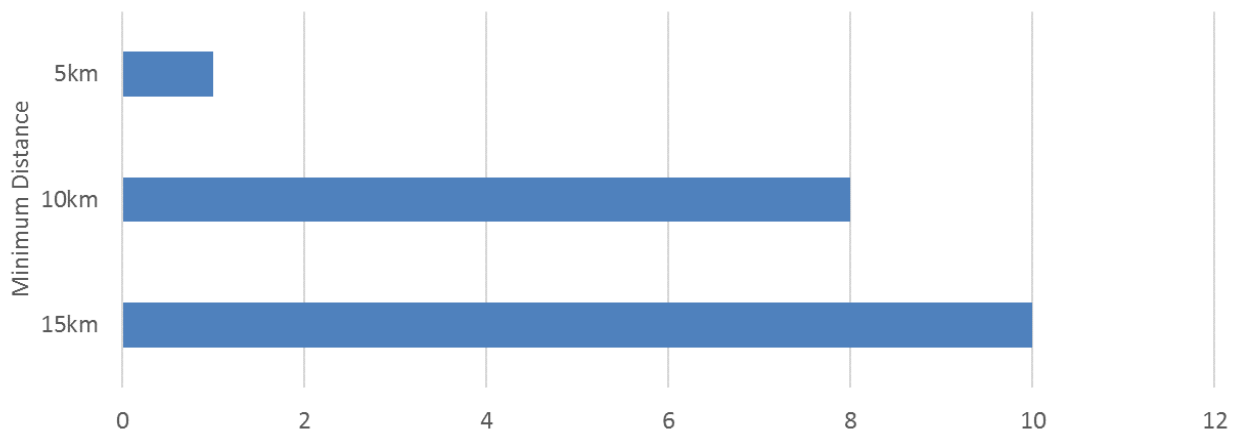


Of the respondents answering this question, the majority (58%) suggested a minimum number of learners equal to or greater than 1000 (including 1000, 1200, 1500, and 2000 learners). The reasons for setting a relatively high threshold included the need to focus performance reporting on a delivery sites that were comparable to a single site college, and the need for statistically meaningful data to be generated. However there was also significant support for a threshold of 500 full-time learners. One representative body suggested a lower threshold of 200 learners for specialist land-based sites.

A number of respondents suggested the use of a three year rolling average for learner numbers, to even out year on year fluctuations in numbers.

Q11: If separate performance reporting for delivery sites was to be introduced based on geographical distance (Option C), what do you think the minimum distance threshold should be? Should it be 5km, 10km, or 15km – and how should that distance be calculated?

Minimum distance threshold

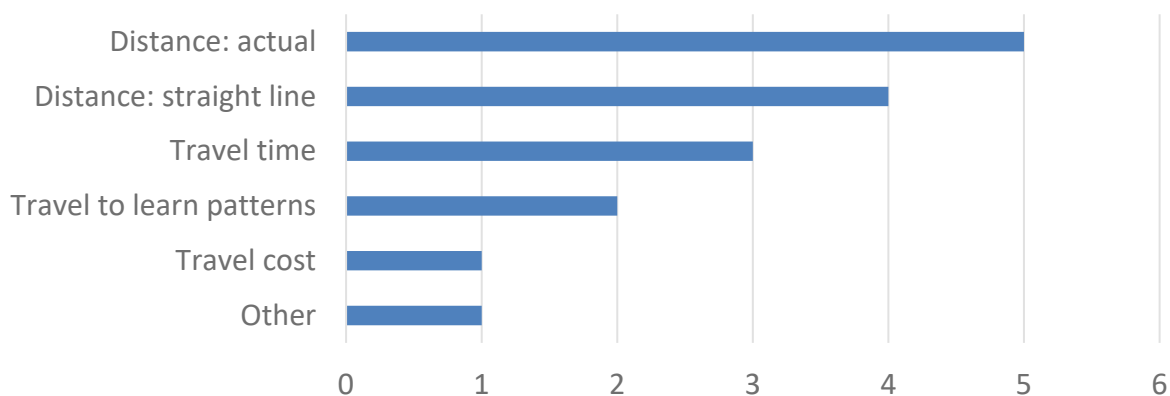


Of respondents answering this question, the greatest number suggested 15km as the best distance threshold – although there was also significant support for 10km.

In general, respondents felt that 10km or 15km would be a reasonable proxy for delivery sites serving different local communities. However it was also suggested that there were potential difficulties in applying a single threshold to delivery sites in both urban and rural areas, with learners likely to travel longer distances in rural areas. One college gave an example of learners attending their course on two different sites that were 25 miles (40km) apart.

Mayoral Combined Authorities responding to this question generally favoured either a lower threshold (i.e. less than 5km apart), or no distance threshold at all.

Calculation of the distance



Of respondents answering this question, the use of either actual distance, or a straight line distance, was the most common suggestion.

Respondents generally recognised the trade-offs between a method that was relatively simple to administer (such as straight line distance, or distance by road), and more complex methods such as travel times or costs that were potentially more accurate as proxies for learner behaviour. One respondent suggested that travel to learn patterns could not be reliably measured by other proxies.

Q12: Do you have any other suggested options for performance reporting for delivery sites within multi-site colleges?

The other comments and suggestions made by respondents included:-

- That performance reporting at delivery site level could unravel structural changes introduced through area reviews
- That recent changes to the performance metrics should be reversed
- That disaggregated reporting should only be applied for a limited period post-merger
- That individual colleges and groups should be allowed to determine how disaggregation should be applied in their local context
- That local performance reporting should be supported with local contextual data
- The possibility of additional burdens / costs for colleges

Government response – multi-site colleges

Summary

We have carefully considered the responses related to our proposal for delivery site reporting, including the views on the various potential options put forward. We intend to proceed with implementation of the proposal on a pilot basis, carefully targeted so as to mitigate the potential practical and technical issues, whilst maximising the likely benefits.

We will treat the data collected on delivery sites in 2018/19 as experimental data, and will carry out a review of the quality of the data generated through the pilot before making a final decision on whether delivery site reporting should be incorporated in performance reporting.

Our reasons

We believe that there are good policy reasons why introduction of delivery site reporting will help achieve our policy objectives. Performance reporting on a local delivery site should – in the right context – provide information that is more relevant for learners, and strengthen local accountability. Where there are differences in performance between different sites, greater transparency should also support quality improvement. In addition, as a number of respondents also pointed out, delivery site reporting should

help ensure equity of treatment between delivery sites with their own institutional identities (which would be subject to separate reporting as colleges that are part of a group), and other delivery sites with very similar characteristics which would not otherwise be caught because they were operated as part of a single college identity.

We accept that there a number of scenarios in which delivery site based reporting would result in relatively few benefits, whilst adding significantly to the complexity of the system. For that reason, we agree that the option of introducing delivery site based reporting for all delivery sites should be ruled out. Instead, we propose that reporting should be restricted to sites that are both large and also geographically distant from other delivery sites – whilst excluding any such sites where relevant provision is already fully transparent through existing subject-based performance reporting.

In determining the minimum size, and minimum distance, we are proposing thresholds of 1000 learners and 15km. Whilst we accept that there is no perfect threshold for either of these measures, we believe that setting them at this level is appropriate in terms of our policy objectives. It also reflects the balance of views from responses to the consultation.

We are proposing that distance should be calculated on the basis of actual distance by road between respective site post codes, and number of learners calculated on a three year average to mitigate risks around fluctuations.

A number of respondents questioned whether a single set of thresholds would work for colleges in different contexts – for example urban, semi-rural and rural catchments. Whilst this is something we will review after the first year of experimental data, for the moment we do not believe that the benefits of a more complex system of context-dependent thresholds are likely to be sufficient to outweigh the likely costs and risks. More generally, a system for performance reporting that relied on locally agreed thresholds would result in a further set of anomalies, whilst undermining the transparency and consistency necessary for any information used as part of a formal system for reporting and accountability.

Implementation (Q13)

Q13: Subject to the outcome of the consultation, do you have any comments on our high-level approach to implementation of the proposals?

Respondents generally welcomed a measured approach to implementation, agreeing with the need for a phased approach supported by clear operational guidance on the use of the new campus code in the Individualised Learner Record (ILR). Ofsted emphasised that they expected DfE / ESFA to agree which colleges and delivery sites were caught by the criteria, rather than Ofsted negotiating this with providers.

Other comments and suggestions included:-

- The need for a transparent appeals process covering how ESFA apply the rules
- The suggestion that disaggregated reporting should only apply for a transition period after a merger, rather than longer term
- The need for implementation to allow for changes to patterns of provision in the period immediately following a college merger
- The benefits of colleges being able to see their “test data” in advance of publication, to allow for amendments and corrections
- The need for further consideration of other aspects of college groups, such as apprenticeship delivery arms that operate on a national basis
- The benefits of possible application of campus codes to 2017/18 ILR data through the R14 return, to provide an additional year of data for comparison purposes
- The use of at least one year of shadow data to provide assurance around the quality of data and analysis
- Concerns over any retrospective application of the proposals
- The need to take into account the impact of devolution of the AEB, and for DfE to work closely with MCAs and the GLA to keep the burdens of measuring performance at a minimum

Some respondents pointed to the benefits of piloting implementation of the proposals with a smaller group of corporations, to identify unintended outcomes.

Government response - implementation

We are not proposing retrospective application of the proposals to 2017/18 data. There would be significant technical difficulties in doing that, because the Campus ID code is only being introduced from the 18/19 ILR. Attempting retrospective application would also be burdensome on colleges.

We do not believe it would be appropriate to restrict separate performance reporting to the period immediately following a college merger. That would not enable us to achieve our policy objectives.

Whilst ESFA will need to determine the application of the rules in each case, the process will include the opportunity for corporations to make representations – for example in ensuring that the factual information on which decisions are based is correct.

We will be building in a number of safeguards around the 2018/19 data to enable the data to be checked for robustness and reliability. That will include the opportunity for corporations to review their data.

We are continuing to work closely with MCAs and the GLA to ensure that an effective performance measurement system will continue to operate after devolution of the AEB.

Further information on our approach to implementation is provided under Next Steps, below.

Other comments (Q14)

Q14: Do you have any other comments on our proposals, including any unintended consequences, not already reflected in your responses to the previous questions?

Comments from respondents in this section generally re-iterated points made in response to earlier questions. Respondents who were broadly supportive of the proposals suggested that the benefits associated with more accurate and useful reporting would be welcomed, and the unintended consequences should be manageable.

The Association of Colleges flagged concerns around the possibility that the Ofsted inspection grades for a single college (or site) would act as limiting grade for the overall college corporation, suggesting that this would not be consistent with multi-academy trusts. Other respondents also raised questions concerning Ofsted use of the data, and its use by ESFA when setting minimum standards.

Other potential unintended consequences flagged by respondents included:-

- Additional demands on management and staff time in colleges, with the suggestion that this could have adverse outcomes for learners
- An adverse impact on colleges' willingness to merge, or set up new delivery sites, due to the greater perceived risks
- Acceleration of closure of under-performing sites, where performance cannot be improved
- Selective use by colleges of performance measures on which they do comparatively well, confusing potential learners

Respondents also raised a number of questions in relation to reporting off-site provision (including apprenticeships) and subcontracted provision, and to employer and learner surveys.

Government response – other comments

The implications of our proposals for Ofsted inspection will be considered as part of Ofsted's current review of the inspection framework. Decisions on implications for minimum standards will need to be made in due course. In both cases, the timing of any changes will need to reflect the timescales on which a full set of disaggregated performance data will be available (see Next Steps, below).

Whilst we note the concerns expressed by a minority of respondents that there will be excessive burdens on colleges, we do not believe these risks are significant. Colleges will be required to populate one additional field on records that they are already submitting via the ILR. Where the information generated prompts additional action to improve the quality of provision then that is clearly in the interests of learners.

Next steps

As proposed in the consultation, we intend to implement both of the proposals in the 2018/19 ILR. For the proposals related to delivery sites, this will be on a pilot basis.

In the short term, the first step will be for ESFA to allocate the relevant campus codes to corporations affected. ESFA will be writing to individual corporations over the next few weeks to start that process; we expect that relevant codes will be issued as soon as possible to enable corporations affected to start using them in their 2018/19 ILR returns early in the new academic year.

For colleges that are part of groups, we will treat the 2018/19 Qualification Achievement Rate (QAR) data as shadow data i.e. it will be analysed and made available, but will not be published as part of the National Achievement Rate Tables. This will provide the opportunity for corporations to familiarise themselves with the data, and for any issues with quality, consistency or the use of the relevant codes to be resolved.

For delivery sites, we will treat the 2018/19 QAR data as experimental data. This means that as part of the pilot we will look closely at the data collected, the thresholds chosen, and review how the data should be used going forward within the formal performance reporting system, before making a final decision. The experimental data will not be published as part of the National Achievement Rate Tables.

The equivalent process for data for 16-18 Performance Tables will start in 2020/21. That process is more extended, with two years of shadow data, because many students in that age group will be studying two or three year programmes.

An overview of the intended timescales for implementation, including some of the key milestones, is shown below:-

Academic Year	Key milestones
2018/19	Allocation of campus codes at start of year; colleges affected include campus code in their 2018/19 ILR returns
2019/20	2018/19 QAR shadow data available (colleges that are part of a group) 2018/19 QAR experimental data available (multi-site colleges)
2020/21	First publication of disaggregated QAR data in National Achievement Rate Tables (covering 2019/20) 2020 16-18 Performance Tables shadow data available

Academic Year	Key milestones
2021/22	<p>Outcome-Based Success Measure shadow data for 2018/19 available (adults and apprenticeships)</p> <p>2021 16-18 Performance Tables shadow data available</p>
2022/23	<p>First publication of disaggregated Outcome-Based Success Measure data, for 2019/20 (adults and apprenticeships)</p> <p>First publication of disaggregated data in 16-18 Performance Tables (based on 2022 exam data)</p>

Annex A: List of organisations that responded to the consultation

Activate Learning
Association of School and College Leaders / Principals' Professional Council
Askham Bryan College
Association of Colleges
Bedford College Group
Birmingham Metropolitan College
Cambridge Regional College
Capital City College Group
Chichester College Group
City of Bristol College
College of Haringey, Enfield & North East London
Derby College Group
East Riding College
Easton & Otley College
Greater London Authority
HCUC
Landex Ltd
Leeds City College
London Borough of Lewisham
London South East Colleges
NCG
Nelson & Colne College
New City College
Newcastle & Stafford Colleges Group
North Kent College
Oaklands College
Ofsted
Petroc
Solihull College and University Centre
South and City College Birmingham
Stockton Riverside College
Sunderland College
Surrey County Council
Tees Valley Combined Authority
Truro and Penwith College
West Midlands Combined Authority
Windsor Forest Colleges Group
Adult Learning Lewisham
Sixth Form Colleges Association
WCG



Department
for Education

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Reference: DFE-00234-2018



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