



Department
for Education

Skills and Post-16 Education Bill

Policy Summary Notes

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Summary

The following policy summary notes provide information on the Skills and Post-16 Education Bill as it continues its passage through Parliament.

The government published the first set of policy notes on the Bill in May 2021, with a supplementary set in October 2021. This is an updated document that combines those notes and provides updated information where relevant.

These notes provide information on measures in the Bill or cover issues raised in Parliament during the course of the Bill's passage.

Skills and Post-16 Education Bill: Overview

What is the purpose of the Bill?

- To legislate for landmark reforms that will transform post-16 education and training, boost skills and get more people into work as set out in the government's Skills for Jobs white paper, helping the nation to build back better.
- To deliver on the ambition to bring close together the further and higher education systems.
- To support the Prime Minister's Lifetime Skills Guarantee, as part of the blueprint for a post-16 education system that will ensure everyone, no matter where they live or their background, can gain the skills they need to progress in work at any stage of their lives.
- To increase productivity, support growth industries and give individuals opportunities to progress in their careers.
- To put beyond doubt the Office for Students' ability to regulate in relation to minimum requirements for quality.

What are the main benefits of the Bill?

- Offering adults across the country the opportunity to retrain throughout their lives through the Lifetime Skills Guarantee, helping them to gain in-demand skills and open up further job opportunities.
- Realigning the system around the needs of employers so that people are trained for the skills gaps that exist now and in the future, in sectors the economy needs, including construction, digital, clean energy and manufacturing.
- Improving the quality of training available by making sure that providers are better run, qualifications are better regulated, and that providers' performance can be effectively assessed.

What are the main elements of the Bill?

- To put employers at the heart of the post-16 skills system through local skills improvement plans, by enabling employers and providers to collaborate to develop skills plans aimed at ensuring local skills provision meets local needs.
- To introduce the powers needed for the Lifelong Loan Entitlement, which will give individuals access to the equivalent of up to four years' worth of student loans for level 4–6 qualifications that they can use flexibly across their lifetime, at colleges as well as universities.
- To strengthen the system of accountability by extending existing powers for the Secretary of State to intervene where colleges have failed to meet local needs, to direct structural change where required to secure improvement, and by amending the regulation of post-16 education and training providers to ensure quality.
- To put beyond doubt the ability of the Office for Students to determine minimum requirements for quality by reference to absolute performance levels for student

outcomes, and to use these when it makes decisions on registration and compliance.



Skills and Post-16 Education Bill: Statutory underpinning for local skills improvement plans

The government is legislating to place local skills improvement plans on a statutory footing. Local skills improvement plans will be employer-led, locally-owned and set out the key changes needed in a local area to make post-16 technical education and training more responsive to employers' skills needs. They are intended to be high-level documents that set out a limited number of key priorities for change that resonate with local partners to gain traction and maximise impact. They are not about the entirety of provision in an area. They will be created by employers and providers working together, in discussion with key local stakeholders.

What is the government's policy objective?

To ensure post-16 technical education and training is better aligned to employers' skills needs. To achieve this, employer engagement is required throughout the skills system, from identifying skills needs to developing the training and qualifications to meet them. That is why the government has introduced local skills improvement plans, which will support the government's Plan for Growth. This is part of a transformational approach to tackling long-term problems to deliver growth and create high-quality jobs across the country.

Why is legislation needed?

To create and embed a clear and binding framework to give employers more influence in shaping local skills systems and hold providers to account in responding to employers' skills needs, so that post-16 technical education and training is more responsive to the skills needs of local labour markets.

What is the effect of the legislation?

The Bill measures focus on:

- Providing powers to the Secretary of State to designate employer representative bodies to lead the development of local skills improvement plans in a specified local area in accordance with statutory guidance. The Secretary of State must be satisfied that a body is capable of developing and keeping under review a local skills improvement plan in an effective and impartial manner and that it is reasonably representative of employers in the area before they are designated. In exercising the power to designate an employer representative body, the Secretary of State will be subject to the usual principles of public law including the requirement to act rationally and fairly. A body must also consent in writing to be

designated. The specified area in which the employer representative body has been designated will be defined in the notice published by the Secretary of State upon designation. This enables the Secretary of State to have regard to local skills improvement plans when exercising their powers (i.e. funding decisions, contracting and intervention measures). For example, an approved local skills improvement plan will be one source of information the Secretary of State takes into account when considering whether there has been a failure to adequately meet local needs.

- Placing duties on providers to co-operate with employer representative bodies in developing the plans and to have regard to these plans, once developed, when considering their post-16 technical education and training offer. This will help ensure providers co-operate effectively to develop and agree plans with actionable priorities and help ensure relevant changes are implemented by providers to align their provision more closely to employer skills needs.
- The Secretary of State will have the ability, through regulations, to add certain additional providers to the group upon whom duties are placed in the future.

How will this work in practice?

The government is running eight local skills improvement plan trailblazers in 2021-22 to test how employers, providers and stakeholders can most effectively work together to reshape local skills provision. Evidence from these trailblazers will inform plans for implementation and future statutory guidance. A list of the local skills improvement plan trailblazers is available here: [Skills Accelerator: Local Skills Improvement Plan trailblazers and Strategic Development Fund pilots](#).

Statutory guidance will provide further details on the process for developing a local skills improvement plan and expectations as to what a good plan will look like. It is expected to cover aspects such as who designated employer representative bodies should engage with, including a broad range of employers, Mayoral Combined Authorities (MCAs) and other key local stakeholders, to ensure their skills priorities are considered. This is alongside relevant national priorities and strategies such as further details on supporting green jobs and unlocking the value of digitalisation.

Engagement with local employers

Employer representative bodies are well positioned to engage and convene employers, gather intelligence and articulate their skills needs and help them navigate the skills system to drive greater employer involvement. They are therefore best placed to lead the development of the plans.

When developing the plans, designated employer representative bodies should draw on the views of a wide range of employers of all sizes, other representative and sector bodies as well as evidence from sources such as existing analysis of skills demand and relevant local, regional and national priorities and strategies.

Designated employer representative bodies will need to work creatively with local employers to understand local unmet and future skills needs, in discussion with key local stakeholders, and articulate this in a way that is meaningful to providers.

Engagement with local providers

Local skills improvement plans will support stronger, direct collaboration between employers and providers so that post-16 technical education and training provision funded and delivered in a local area in England meets the skills needs of employers.

Providers will play a key role working closely with employers to co-create actionable local skills improvement plans. They can supply valuable knowledge and experience of the local skills landscape, provision and the opportunities and challenges faced by providers to support the development of plans. Working on the development of plans should also help foster collaborative arrangements between providers. It is only by working closely together that employers and providers can improve the alignment of skills provision to labour market skills needs.

Engagement with key local stakeholders

Employer representative bodies will also need to engage with key local stakeholders to gather intelligence considering their views and priorities when developing the plans. We expect them to build a consensus around a set of strategic goals that have widespread support and assist effective progression pathways.

Mayoral Combined Authorities (MCAs) are important organisations within their local skills systems with devolved responsibilities including the Adult Education Budget and will need to be engaged in the development of local skills improvement plans if they are to have an impact. Where a local skills improvement plan has been developed in an MCA area, the plan will need to be accompanied by a statement from the MCA when it is sent to the Secretary of State for approval.

Designated employer representative bodies will also need to work closely with organisations such as the Careers and Enterprise Company, Careers Hubs and Careers Service to ensure employer needs are fed into the provision of careers information, advice and guidance in ways that enable learners to make more informed choices. They will also need to engage with Jobcentre Plus around the links between upskilling and reskilling and helping people to get back into employment and progress.

Approval of local skills improvement plans

In order to approve and publish a plan, the Secretary of State will need to be satisfied that, in line with statutory guidance, a suitable process of evidence collection and stakeholder engagement has taken place during the development of the plan. Thus the approval process is more about the Secretary of State being content with the process that has been followed, and to check that appropriate factors have been considered, rather than being content with the key skills needs or priorities identified in the plan.

Designated employer representative bodies will be accountable to the Secretary of State. If they do not comply with any terms or conditions of their designation or do not have

regard to any relevant guidance, the Secretary of State may not approve and publish the local skills improvement plan and could remove their designation.

Why is the government proposing amendments?

The government has proposed amendments in respect of local skills improvement plans:

- To clarify that duties only apply to relevant providers in England that provide English funded post-16 technical education or training; and
- To make it clear that the views of MCAs and the GLA should be considered in the development of local skills improvement plans, given the vital role they play in supporting local communities, developing local economies and strengthening local skills systems, particularly as convenors and commissioners in their respective areas with devolved responsibilities including the Adult Education Budget.

Key questions and answers

What are local skills improvement plans?

Local skills improvement plans will set out key changes needed in a local area in England to make post-16 technical education and training more responsive to employers' skills needs. They will be created by employers, convened by an employer representative body, providers and other key local stakeholders. Employers will articulate a credible and evidence-based assessment of skills needs, which providers will be empowered to respond to.

How is post-16 technical education and training being defined in relation to local skills improvement plans?

The legislation does not contain a detailed prescriptive definition of post-16 technical education and training because we want the plans to be led by the specific priority skills needs of local labour markets. English-funded post-16 technical education or training is being defined as education funded by the Secretary of State or an authority in England. Student loan finance paid by the Secretary of State for the purposes of tuition fees is also included as well as sub-contracting arrangements.

How will local skills improvement plans take into account skills for jobs relating to climate change and other environmental goals?

In developing local skills improvement plans, employer representative bodies will need to have regard to critical national priorities as set out in statutory guidance. Supporting a green industrial revolution and accelerating our path to net zero is clearly such a priority and local skills systems will need to support the increasing number of jobs relating to climate change and other environmental goals.

The Secretary of State will be required to be satisfied that skills, capabilities or expertise required in relation to jobs that directly or indirectly support action on climate change and other environmental goals have been considered by employer representative bodies in the process of developing a plan. As we are already seeing through the trailblazers, net

zero, green technology and decarbonisation are also very common themes in terms of local priorities.

How do local skills improvement plans relate to the Skills Accelerator?

The Skills Accelerator brings together local skills improvement plans and the strategic development fund first announced in the Skills for Jobs white paper. It forms a central part of the government's landmark reforms that will realign the post-16 education system around the current and future skills needs of employers, so that people are trained with relevant skills to get good jobs.

How will local skills improvement plans make a difference in FE?

Local skills improvement plans will give employers a stronger role in shaping post-16 technical education and training. This will help learners secure meaningful employment and upskill the existing workforce. As a result, employers will have the skills they need to support productivity growth in their local area, create jobs and build the industries of the future.

What else is the government doing?

- Reforming the further education funding and accountability system to support young people and adults into good jobs. This is aligned with the proposals we consulted on, including introducing new accountability structures to underpin the delivery of local skills improvement plans.
- Making Strategic Development Funding available as part of the Skills Accelerator in 2021-22 in pilot areas to support colleges to reshape their provision to address local priorities that have been agreed with local employers.
- Placing a duty on colleges and designated institutions in relation to local needs.



Skills and Post-16 Education Bill: Duty on colleges and designated institutions in relation to local needs

This measure will place a duty on all colleges and designated institutions to keep their provision under review to ensure that they are best placed to meet the needs of the local area.

What is the government's policy objective?

To ensure that the provision of further education and training is fully aligned to local needs, across all colleges and designated institutions.

Why is legislation needed?

Creating a statutory duty will ensure that aligning provision with local needs is a priority for the governing body of the relevant providers, alongside their other statutory duties, and strengthens accountability for this aspect of their performance.

What is the effect of the legislation?

The legislation will create a new duty on governing bodies of further education colleges, sixth-form colleges, and designated institutions. Governing bodies will need to have regard to statutory guidance issued by the Secretary of State. [A draft of the statutory guidance](#) has been published to support scrutiny of the proposals during the passage of the Bill. It is intended that the final statutory guidance will be issued when the relevant clause of the Bill (Institutions in England within the further education sector: local needs) comes into force.

How will this work in practice?

From time to time, at least once every three years, governing bodies of colleges and designated institutions will need to make an assessment of how well the education or training provided by the institution meets the needs in the local area, reflecting both learner and employer-related needs, and consider whether there are changes to its provision or to its structure that would better meet those needs.

The contents of local skills improvement plans will be an important reference point for colleges and designated institutions that are providers of English funded post-16 technical education or training. When complying with this duty, governing bodies of colleges and designated institutions will also have to consider other areas of their curriculum (vocational, academic, higher education), and links between their provision and that offered by other providers. They will also consider whether changes in local

organisational arrangements – for example stronger collaborative arrangements with other providers – would support a better response to local needs.

The draft statutory guidance sets out the principles governing bodies will need to follow when reviewing their provision, the persons or organisations that the governing bodies may want to engage or work with, and the evidence that should be considered. The draft guidance also sets out the flexibilities governing bodies will have in conducting the reviews, for example allowing them to incorporate the reviews into normal business and strategic planning cycles.

Colleges will be expected to publish the outcome of reviews on their websites.

Key questions and answers

Does the duty introduce new burdens on colleges?

- The approach set out in the draft guidance is flexible and proportionate. It provides the freedom for governing bodies to determine how they should approach complying with the new duty.
- The government is confident that governing bodies will be able to comply with the duty without significant or excessive burdens. The government believes there is good practice available within the sector that demonstrates how this can be done.

What is meant by local needs?

- The governing body of the institution will be responsible for assessing what the local needs are in the context of their institution, having regard to the statutory guidance issued by the Secretary of State. That would include, for example, the needs of learners and employers in the local geographic area served by the college.
- Where there is an approved local skills improvement plan in place which providers of English funded post-16 technical education or training are obliged to have regard to, the plan will be the key point of reference.

If colleges are already reviewing their provision in relation to local needs, why place a duty on them?

- The government wants all colleges to focus on, and take account of, the wider interest of learners (not all of whom will attend their institutions) and the needs of employers in an area.

What else is the government doing?

- Placing a duty on FE providers and other providers to have regard to local skills improvement plans.
- Introducing annual strategic conversations with all governing bodies. These conversations will provide colleges with the opportunity to showcase achievements and outstanding practice and to raise any concerns.
- Enabling the Secretary of State to exercise his statutory intervention powers where there has been a failure to meet local needs.
- Consulting on proposals to reform adult skills funding and the wider accountability system for colleges, including a specific role for Ofsted to inspect how well a college is delivering local and national skills needs.



Department
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Skills and Post-16 Education Bill: Approval and regulation of technical education qualifications

The government is legislating to extend and refine the existing statutory framework for the approval and regulation of technical education qualifications.

The legislation will allow the Institute for Apprenticeships and Technical Education (the Institute) to approve a broader range of technical education qualifications than it can currently. This supports reforms set out in the post-16 qualifications review and in the Skills for Jobs white paper, ensuring that the majority of technical education is linked to employer-led standards by 2030.

The legislation will also embed the collaborative relationship between the Institute and the Office of Qualifications and Examinations Regulation (Ofqual) for the approval and regulation of technical education qualifications. This will streamline and reinforce the long-term stability of the technical education qualification regulatory framework.

What is the government's policy objective?

To deliver a high-quality and stable technical education system, based on occupational standards that are developed by employers. This will ensure that the skills needs of business and industry are met. It will provide clear progression pathways and deliver the outcomes learners need to move into skilled jobs or further technical training.

Why is legislation needed?

Aligning different types of technical qualifications and provision to employer-led standards requires legislation to extend the Institute's powers. Legislation is also needed to ensure the long-term stability of the collaborative relationship between Ofqual and the Institute in exercising their respective powers in relation to technical education qualifications.

What is the effect of the legislation?

The measures will give the Institute:

- An oversight function in relation to technical education and training.
- The ability to specify new categories of technical education qualification and associated requirements.
- The ability to approve technical education qualifications in the new categories.

- The ability to advise, assist and publish guidance in relation to linking non-qualifications-based provision to employer-led standards.
- The scope to charge fees in relation to the approval of technical education qualifications.
- The ability to review approved qualifications and where appropriate withdraw approval.
- The ability to issue a moratorium on approval of new qualifications of a particular kind where it determines that there is an appropriate number.
- The ability to take steps such that T Levels could be made available in countries outside England.

This measure will give the Secretary of State:

- The ability to direct the Institute in relation to its new functions.
- The ability to allow the Institute to charge fees, by regulations.

In addition, this measure will support effective quality assurance and regulation of technical education qualifications by:

- Creating explicit obligations on the Institute and Ofqual to co-operate when exercising their respective functions in relation to technical education qualifications.
- Creating a single statutory approval gateway for the approval of technical education qualifications by the Institute by taking technical education qualifications out of scope for separate statutory accreditation by Ofqual.
- Amending Ofqual's information sharing powers to support the effective regulation of technical education qualifications.

How will this work in practice?

In practice, this means that the Institute will have an oversight role to ensure the system of technical education and training within its remit is coherent. It will have a categorisation and approval function for a broader range of technical education qualifications in addition to T Levels and Higher Technical Qualifications.

There will be scope for the Institute to manage the number of qualifications that are approved. This will include the ability to issue a moratorium on approving new qualifications of a particular kind (e.g. in a particular occupational area, level and category), subject to consultation and in agreement with the Secretary of State.

Through regular reviews of approved qualifications, the Institute will determine whether a qualification should continue to be approved, whether it requires revision, or whether approval should be withdrawn. This will ensure that qualifications remain available where they continue to meet the criteria against which they were approved. In addition, the

Institute will have a role in advising on the relationship between non-qualifications-based provision (such as traineeships and skills bootcamps) and employer-led standards.

Ofqual and the Institute currently share the regulatory and oversight responsibilities for technical education qualifications through voluntary collaboration. The legislation will not change how this works in practice but will future-proof the stability of the collaborative relationship between the two bodies.

The Government Response to the post-16 qualifications review at level 3 sets out the types of academic and technical qualifications that will be considered for public funding alongside A levels and T Levels. The Secretary of State will determine whether technical education qualifications at level 3 should be approved for funding following Institute approval. The government will consult on proposals for reforming level 2 and below study and qualifications soon.

Questions and answers

What changes have been announced to the reforms at level 3?

The government has listened carefully to the concerns raised about the reforms at level 3 and the timescales set out in the Government Response to the post-16 qualifications review at level 3. Given the skills shortages that exist, it is important that the reforms are made at pace to ensure that as many people as possible benefit from a strengthened technical and academic offer at level 3.

However, the government recognises the importance of managing the rollout of T Levels carefully to ensure that providers have sufficient time to prepare for delivery before funding is removed from overlapping technical qualifications. For this reason, the government will delay the withdrawal of funding until 2024 for technical qualifications that overlap with waves 1 and 2 T Levels, and 2025 for technical qualifications that overlap with waves 3 and 4 T Levels. The government has also decided to allow an extra year before introducing reformed qualifications. The details of the pathfinder for reformed digital qualifications (for first teaching in September 2024) will be set out later this year. This gives more notice to providers, awarding organisations, employers, students and parents so that they can prepare for the changes.

In addition, the government has considered concerns raised by stakeholders, including the Institute, about the English and maths exit requirement for T Levels and the implications this has for the number of students who are able to access and successfully achieve a T Level. English and maths skills are important to employers and some students may find it difficult to progress in their careers without a certain level of attainment. However, the requirement to attain GCSE grade 4 or above in these subjects, or level 2 Functional Skills, may mean that some students fail to achieve their T Level. For this reason, the government has asked the Institute to remove level 2 English and maths as an exit requirement and the Institute has agreed to take steps to remove this

requirement from the additional steps towards occupational competence. Students will be required to continue the study of these subjects where they do not already have a level 2 pass as a condition of funding. This is in line with the approach for 16-19 year olds undertaking other level 3 qualifications. Students and providers will be supported with guidance on the expected level of English and maths attainment for different pathways to support progression into skilled work or further technical study.

Implementing changes to the reform timescales and removal of the T Level English and maths exit requirement does not require legislative change.

What is happening with Applied General Qualifications (AGQs)?

Employers are facing a skills shortage that we must act to address. The Wolf review and Sainsbury review found that too many qualifications are poorly understood and poor quality, weakening their currency and value for individuals, employers, and the economy as whole. It is vital in a fast moving and high-tech economy that technical education closes the gap between what people study and the needs of employers. This is why the government is introducing over 20 T Levels – developed with 250 leading employers and based on the same standards as apprenticeships – and reviewing the wider post-16 qualifications system at level 3 and below.

The department's plans for reform of level 3 qualifications were published on 14 July 2021.¹ The reforms mean a clearer, high-quality system with T Levels and A levels sitting alongside a small number of high quality academic and technical qualifications. Students will continue to be able to study Applied General qualifications, including some BTECs alongside A levels. Students who enter HE with BTECs alone remain more likely to drop out than those entering with A levels, even after controlling for age, ethnicity, level of disadvantage and level and subject of study². However, there is evidence that mixed programmes benefit some students qualifications such as AGQs will continue to be funded where they meet new quality standards and support progression to high quality higher education.

Why are these reforms necessary when there are a number of existing technical and vocational qualifications that are not aligned to standards but valued by employers?

The current technical education landscape consists of large numbers of competing qualifications that are difficult to navigate and variable in quality. As of May 2020, there were over 12,200 qualifications approved for funding at level 3 and below, of which around 4,200 were at level 3. By comparison, the Netherlands¹, Germany² and

¹ [Reforms to post-16 qualifications at level 3 in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/reforms-to-post-16-qualifications-at-level-3-in-england)

² [Continuation, non-continuation and transfer rates - Office for Students](#)

Switzerland³, widely regarded as having high performing technical education systems, have around 500 or fewer technical qualifications each at levels equivalent to Level 3 and below in England. The government's reforms will develop a high-quality, streamlined technical education offer that is recognised by employers and learners, and gives greater coherence to the skills system.

Employer-led standards are developed by groups of employers and set out the knowledge, skills and behaviours required for an individual to be fully competent in an occupation. These standards are managed by the Institute. The government is legislating to enable the Institute to approve a broader range of qualifications so that the majority relate to standards. Delivering the skills that employers need is crucial to our future prosperity. While some existing qualifications are valued, the current approach does not incentivise quality or the active involvement of employers. We need a system that will ensure that students and employers have confidence in every technical qualification.

How does the Bill relate to decisions about the defunding of individual qualifications?

The defunding of qualifications through the qualifications review will not be affected by this Bill as funding powers rest with the Secretary of State.

The government wants to fund high-quality technical education qualifications that enable learners to progress into skilled employment at level 3 and below. The legislation will support the implementation of our reforms by enabling the Institute to approve a wider range of technical education qualifications than it can under its current powers. Institute approval will signal that a qualification meets the new quality bar and holds genuine currency with employers, with a focus on alignment with employer-led occupational standards. While approval decisions made by the Institute and funding decisions made by the Department for Education are separate, technical education qualifications will need to be approved by the Institute before they are considered for funding approval by the Department for Education.

Why are you defunding qualifications when we don't yet know if T Levels will be a success?

T Levels have been developed with over 250 employers and designed with reference to the best technical education systems in the world. They provide a critical step-change in the quality of technical education and, being based on the same employer-led occupational standards as apprenticeships, the government is confident that they will provide excellent preparation for entry into skilled employment or further technical training.

The government is introducing T Levels gradually and providing extensive support to providers and employers to ensure high quality from the start. This includes support in preparing the teaching workforce, building capacity for industry placement delivery, and capital funding to ensure providers have the industry-standard facilities and equipment

they need. The government is also working with employers and sector bodies to make sure that T Levels will be recognised for progression into employment. Our confidence in their success is reinforced by the significant levels of investment and support we have in place.

The reforms are being phased to ensure that funding approval is not removed from qualifications that overlap with T Levels before all relevant providers are able to deliver T Levels. The government has listened to concerns raised about the timescales and is allowing an extra year before implementing the reforms. This means that providers and other stakeholders have more time to prepare for the changes.

The government is committed to ensuring that T Levels are accessible to all young people. Flexibilities to support learners with special educational needs and disabilities have been introduced across all elements of the T Level programme. In addition, the government has introduced the T Level Transition Programme to support learners who are not ready to start a T Level but have the potential to progress onto one following a tailored preparation programme.

Despite the pandemic, delivery in 2020 and 2021 has gone well. Providers and students have been very enthusiastic about the quality of the T Level content.

Will the rigour of T Levels introduce a barrier to level 3 attainment for some young people? How will the reforms affect disadvantaged students and students with protected characteristics?

T Levels are new programmes and many early-adopter providers have chosen to recruit students who typically have at least five GCSEs at grade 4 and above in the initial cohorts, while they gain experience delivering them. However, T Levels are designed to support a range of abilities (as other level 3 programmes are) and this is reflected in the grading structure.

The government has removed the English and maths exit requirement – which providers have emphasised is the most significant barrier to young people starting and completing a T Level. While T Level students who do not have prior attainment in level 2 English and maths will still be expected to study these subjects, they do not need to achieve them in order to pass their T Level. This is in line with the approach for other level 3 study programmes, such as A levels. Students and providers will be supported with guidance on the level of English and maths needed to support progression for different T Level occupational areas. Furthermore, occupationally relevant English and maths at level 3 is embedded in the T Level.

T Levels have been co-designed with employers to ensure learners develop knowledge and skills that hold genuine labour market currency. This means that T Levels are more stretching programmes than most current technical and vocational programmes, and the government is committed to supporting access. Flexibilities for learners with special educational needs and disabilities have been introduced across all aspects of the T level

programme. Alongside T Levels, the government has introduced the T Level Transition Programme to support young people who are not ready to start a T Level at age 16, but could progress to one following a tailored preparation programme.

The government is reviewing study and qualifications at level 2 and below and will consult on proposals soon. Getting level 2 and below right is key to making sure that students have clear lines of sight to level 3 qualifications, apprenticeships, traineeships, and for some, directly into employment.

The government's reforms will put employers at the heart of technical education and place a much greater focus on quality. This will benefit all learners, including those with special educational needs and disabilities, and those from disadvantaged backgrounds. In future, all students will take qualifications that are higher quality, putting them in a stronger position to progress onto further study or skilled employment.

Are T Levels more academic than current vocational and technical qualifications?

T Levels are more stretching programmes but their focus is occupational, not academic. T Levels are based on the same standards as apprenticeships and have been designed with employers to support the development of occupational competence. The primary purpose of T Levels is to support progression directly into skilled employment but they will also prepare students well for further technical study, including apprenticeships and higher education in related technical areas.

T Level students undertake an occupational specialism which comprises of 50-80% of the T Level technical qualification. The level of competence that young people are expected to achieve through the specialism must be sufficient to enter skilled employment. Furthermore, T Levels include a 45-60 day industry placement. The placement gives students the opportunity to develop relevant and up-to-date technical skills related to their occupational area, alongside the behaviours and attitudes expected in the workplace.

Will learners be able to undertake a mixed programme of A levels and Applied General or other similar qualifications at level 3?

Yes – mixed programmes will still exist in future. Alongside A levels, the government will fund a small range of other high-quality academic qualifications that will help students to progress to high-quality higher education. These include qualifications of a similar size to one A level and designed to complement A level study, often with a practical or occupational component (for example, in STEM subjects such as engineering). The government will also fund qualifications which are more similar in size to two or three A levels and which are designed to enable access to specialist higher education (for example, in creative and performing arts). These qualifications will fulfil a role similar to current Applied General qualifications.

The government will continue to publish detailed information, advice and guidance in relation to 16 to 19 study programmes as the reforms to the qualifications system we are proposing take effect. This will help students and providers understand what the reforms mean for them. It will ensure that all 16 to 19 year olds in classroom-based provision undertake coherent, high-quality study programmes that offer the best preparation for entry to higher education and higher technical education institutions.

The government recognises that students do not always know what they want to do at 16 and that is why we need outstanding information, advice and guidance to support them in their decision making. The government will also explore what more we can do to enable students to move into different provision, should their ambitions change.

Wouldn't it be simpler for Ofqual to have sole responsibility for technical education qualifications?

The Institute and Ofqual bring distinct and complementary sets of expertise to the approval and regulation of technical education qualifications. Both organisations are essential, and both Ofqual and the Institute are fully committed to working together to deliver top quality technical education qualifications.³ The Institute and Ofqual already collaborate successfully on T Levels and the Bill embeds the long-term stability of their relationship and removes the risk of overlapping functions.

It is right that the new approvals process for technical education qualifications, once introduced, should sit with the Institute. The Institute has the experience and expertise in place to ensure the content of technical education qualifications meets the skills needs of businesses and industry. It works extensively with a range of employers to make certain that the products it approves are directly grounded in the needs of the workplace. This includes working with employers in the development of occupational standards, which set out the knowledge, skills and behaviours that are essential to competence in an occupation. The Institute approves T Level qualifications and higher technical qualifications in alignment with occupational standards. Its role is about ensuring the content of qualifications is – and continues to be – relevant to employers. Our reforms will extend this to a broader range of technical education qualifications, providing coherence across the technical offer through the Institute's oversight.

Likewise, it is right that Ofqual, as the statutory regulator of qualifications and awarding organisations in England, continues to be involved in all stages of the lifecycle of technical education qualifications. This includes recognition of awarding organisations, advising the Institute on the standards of proposed technical education qualifications as part of the approvals process and regulating technical education qualifications in live delivery to ensure that standards are maintained.

³ [Ofqual and the Institute are united across their distinctive roles \(feweek.co.uk\)](https://www.feweek.co.uk)
[Introducing Long Term Assurance \(Institute for Apprenticeships\)](#)

The Institute ‘owns’ T Levels but will also have powers to manage the rest of the market – does this create a conflict of interest?

Extending the Institute’s role does not create a conflict of interest as the Institute is not a market participant. The Institute does not develop, deliver or award qualifications. It reviews and approves qualifications to ensure relevance to employers. To implement this, the Institute either procures awarding organisations to develop qualifications (i.e. T Levels) or it takes a market-led approach where awarding organisations and higher education institutions are able to submit qualifications for approval (for example, higher technical qualifications and, in future, other technical qualifications at level 3). In both contexts, the qualifications are developed and delivered by awarding organisations or higher education institutions.

The Institute does not benefit commercially from the qualifications it approves. While the Institute owns the copyright in relevant T Level qualification course documents, the contracted awarding organisations accrue the commercial benefit for the term of the contract. The rationale for the transfer of copyright to the Institute is an important aspect of the exclusive licensing policy for T Levels. It mitigates any risk to learners, should the contracted awarding organisation fail, and would allow the Institute to transfer delivery of the qualification to another awarding organisation. It also means that a T Level contract can be awarded to a different awarding organisation when the contract is re-tendered.

Institute approval confirms that a qualification has met the relevant statutory tests and the Institute’s criteria for approval, which signals that the outcomes obtained by a learner who has attained the qualification hold currency in the labour market. In this way, the Institute manages the market to ensure all approved qualifications are high-quality and genuinely meet the skills needs of businesses and industry. It does not compete within the market – its activity aims to support a market that is fit for purpose. The Institute having a broader role in the approval of technical education qualifications will therefore not create a conflict of interest.

Will this give ministers more direct control over the wider technical offer?

It means that employers will have more direct involvement across the wider technical offer. Extending the Institute’s powers will provide assurance that the technical offer is grounded in the needs of the workplace, with the vast majority of technical education qualifications based on employer-led occupational standards. Our reforms aim to ensure that the content of all approved technical education qualifications is high-quality and meets the needs of business and industry, as defined by employers. The Institute is best placed to take the lead on the approval of technical education qualifications because it embeds the active involvement of employers across all areas of its business. This includes its route panels of over 130 employers and industry experts, and the hundreds of employers involved in the development of occupational standards. The Institute places the independent employer voice at the heart of its work.

The Institute is a non-departmental public body. It is directly accountable to the Secretary of State, and the Secretary of State is accountable to Parliament for the Institute’s

activity. Accountability to the Secretary of State ensures that the Institute's activity supports the government's skills priorities. It is now more important than ever that the Institute harnesses insight from employers to support a skills-led recovery in light of the impacts of the pandemic, and future skills needs in carbon reduction and technological advances. These are some of the priorities set out in the strategic guidance issued to the Institute for 2021-2022.

The Secretary of State is required to lay the Institute's annual report before Parliament. This means there is sufficient opportunity for parliamentary scrutiny. As a statutory public body, the Institute must comply with public law principles, including public procurement law. Its decisions are subject to administrative law and can be judicially reviewed.

What impact will approval fees have on the awarding organisation market?

Awarding organisations have a critical role to play in the reforms, bringing valuable experience and expertise to the development and delivery of qualifications. Any future approach to approval fees would be proportionate and take account of impacts on the market to ensure that the range of approved qualifications meets the needs of employers and learners, including qualifications in highly specialist areas.

Approval fees would be charged on a cost-recovery basis. The introduction of fees will not be considered until the initial reforms to technical education qualifications have been implemented. An initial assessment of the impact of charging fees for the approval of technical education qualifications has been published as part of the wider Skills and Post-16 Education Bill impact assessment.⁴

The fee-charging power would be subject to regulations published by the Secretary of State and there would be opportunity for Parliamentary scrutiny of the regulations. A further assessment of the impact on the market would be undertaken when the regulations are being made and would be based on evidence from the initial reforms.

Can more than one qualification be approved in relation to an occupation?

Yes. The new approval scheme, introduced by the Bill, does not place a restriction on the number of qualifications approved in relation to an occupation. To be considered for approval, qualifications will need to meet the approval criteria for the relevant category of qualification, including the relevant statutory test and employer demand test.

But it is important to strike the right balance between quantity and clarity of choice. This is why the best technical education systems in the world have a clear, streamlined offer. As the Sainsbury review found, the proliferation of qualifications with few differentiating

⁴ [Skills and Post-16 Education Bill: impact assessment and JCHR memorandum - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/614444/Skills_and_Post-16_Education_Bill_impact_assessment_and_JCHR_memorandum.pdf)

features creates a complex landscape that is confusing for learners and employers.⁵ The government's reforms aim to deliver a technical offer that has clarity as well as quality. The defunding of qualifications that overlap with T Levels and A levels for 16-19 year olds and the quality bar set by the Institute's approvals process will support a streamlined landscape. In addition, the Bill makes provision for the Institute to introduce a moratorium on the approval of qualifications of a particular kind for a period of time. The moratorium power provides an additional lever to manage the risk of proliferation, should it be needed in targeted areas. The Institute will be required to consult the Secretary of State before introducing a moratorium. All awarding organisations would have the same opportunity to put forward qualifications for consideration.

Will the Institute own the copyright for the qualifications it approves?

Transfer of copyright to the Institute only happens in relation to T Levels. Awarding bodies retain the copyright for the higher technical qualifications they develop, and this will also be the case for other qualifications at level 3 that are approved by the Institute in future. The new approval scheme, introduced by the Bill, does not facilitate transfer of copyright to the Institute.

Why is there the need to legislate or involve the Institute to enable the delivery of T Levels outside England?

The Institute's statutory remit for technical education and training is limited to England. The Institute manages the contracts with T Level awarding organisations and owns the copyright for T Level technical qualification documents. Ultimately, it is for other countries and the relevant regulatory bodies to put in place arrangements for the delivery of T Levels in their nations. But it is likely that the Institute would also need to take steps to facilitate this and potentially to cooperate with these other bodies in relation to the continued regulation of the qualifications - as such, this measure proposes explicit provision is made for this in the legislation.

T Levels are high-quality programmes and should be an option for any markets that may wish to deliver them – both in Scotland, Wales and Northern Ireland and outside of the UK. Awarding organisations with T Level contracts are likely to benefit from the delivery of T Levels in other nations, and it would increase the currency of the brand for students and employers. This legislation would lay the initial foundations to make T Levels available outside of England. The government will engage with awarding organisations and other stakeholders in developing the detail of the policy.

⁵ [Post-16 skills plan and independent report on technical education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/671111/Post-16_skills_plan_and_independent_report_on_technical_education_-_GOV.UK.pdf)

What else is the government doing?

- The government response to the second-stage consultation of the review of post-16 qualifications at level 3 was published in July 2021.⁶ The response sets out the qualifications that will be considered for public funding alongside A levels and T Levels.
- Alongside our reforms to level 3 qualifications, the government wants to improve study and qualifications at level 2 and below, which has been neglected for too long. Getting level 2 and below right is key to making sure that students have clear lines of sight to level 3 qualifications, apprenticeships, traineeships, and for some, directly into employment.
- The government is considering feedback to the level 2 and below call for evidence which ran from November 2020 to February 2021 and will consult on proposals for reform soon.

⁶ [Review of post-16 qualifications at level 3: second stage - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/review-of-post-16-qualifications-at-level-3-second-stage)



Skills and Post-16 Education Bill: Careers information

High-quality careers education and guidance in school or college is critical to young people's futures. It helps to prepare them for the workplace by providing a clear understanding of the world of work, including the routes to jobs and careers that they might find engaging and rewarding.

It supports them to acquire the self-development and career management skills they need to achieve positive employment destinations. This helps students to choose their pathways, improve their life opportunities and contribute to a productive and successful economy.

What is the government's policy objective?

The government wants to make sure that there are opportunities for providers of technical education and apprenticeships to visit schools for the purpose of informing year 8-13 pupils about approved technical education qualifications and apprenticeships. Schools must allow providers to have a reasonable amount of time to meet the pupils and to provide all pupils with 'career-focussed' experiences, which will include:

- sharing information about both the provider and the approved technical education qualification and apprenticeships that the provider offers;
- explain what career routes those options could lead to;
- provide insights into what it might be like to learn or train with that provider; and
- answer questions from pupils.

How will this work in practice?

The government proposes to amend the Education Act 1997, via the Skills and Post-16 Education Bill, to require schools to put on three encounters with providers of approved technical education qualifications or apprenticeships. The first two encounters, in either year 8 or year 9 (before 28 February if in year 9) and again in either year 10 or year 11 (before 28 February if in year 11), must be made available to, and attended by, **all** pupils and not pre-selected groups of pupils. The third encounter, in either year 12 or year 13 (before 28 February if in year 13), will be optional for pupils to attend.

The school must give each provider a reasonable amount of time to meet the cohort of pupils and must timetable their minimum number of provider visits during normal school hours. They may supplement this with provider visits at other times.

The Secretary of State will also have the power to set out further detail in secondary legislation of the provider encounter in each key phase of education. For example, the

Secretary of State could specify the number and type of providers that every pupil must meet. This could, for instance, include a requirement for pupils to meet a representative from an FE college or University Technical College where there is one within reasonable travelling distance of the school.

Key questions and answers

How does this amendment fit with current provider access legislation?

Provider access legislation was introduced in 2018. This law requires all state schools to ensure that there are opportunities for providers of technical education and apprenticeships to visit schools for the purpose of informing year 8-13 pupils about approved technical education qualifications or apprenticeships.

The proposed amendment to the Skills and Post-16 Education Bill will strengthen the existing legislation so that every pupil meets providers to learn about technical options and inform decisions about their next steps. In comparison to the current position, we are creating a more specific set of requirements in primary legislation, rather than relying on statutory guidance. The government will require schools to provide three mandatory encounters, two that are mandatory for all pupils and one that is mandatory to put on but optional for pupils to attend.

The amendment will also ensure that all encounters are meaningful for pupils by establishing new minimum legal requirements about their duration and expectations around content. There is also scope for the government to specify further detail about the provider encounters in secondary legislation.

What evidence is there that young people need better information about technical education and apprenticeships?

Recent evidence has shown that more needs to be done to ensure young people receive information about approved technical qualifications and apprenticeship pathways. 38% of year 8 pupils and above reported that during the last 12 months, their school had provided them the opportunity to learn about vocational or technical options from FE colleges. 32% of the same group had been provided with this opportunity from apprenticeship providers, 25% from university technical colleges (UTCs), and 5% from Studio Schools.

In years 9 and 10, most young people reported that they were spoken to about GCSEs (95%) and A levels (53%). Far fewer reported being spoken to about BTECs (45%) and vocational choices (15%).

The March 2021 UCAS report 'Where next?' highlighted that two in five young people said that more information and advice would have led to them making better choices.

Almost one in three said they did not receive any information about apprenticeships from their school.

The government is therefore seeking to strengthen the legislation to make it clearer what the requirement to allow access to providers of technical education or apprenticeships should mean in practice.

Why has the government decided to act now to strengthen provider access legislation?

On 21 January 2021, the government published *Skills for Jobs: Lifelong Learning for Opportunity and Growth*. The government announced a three-point-plan to enforce the provider access legislation:

1. Create a more specific set of minimum legal requirements for provider access to pupils, specifying who is to be given access to which pupils and when;
2. Take tougher formal action against non-compliance with the provider access legislation; and
3. Make government-funded careers support for schools conditional on compliance with the provider access legislation.

The government believes now is the right time to bring forward these reforms through an amendment to the Skills and Post-16 Education Bill, signalling our determination to ensure that all young people are introduced to the benefits of technical education and apprenticeships. An amendment would cover the first part of the three-point plan. The government will provide further details about enforcement in due course.

Why the lack of consultation that was announced earlier?

The government remains committed to consulting on new statutory guidance for schools on careers and access to education and training providers. The statutory guidance will set out in more detail how the amended legislation will work in practice, including case studies and good practice. The government will provide further details in that statutory guidance about enforcement.

When does the government expect to commence the new legislation?

The government expects the legislation to commence in academic year 2022/23.

Why don't you extend the provider access duty to year 7 pupils?

The provider access duty is designed to allow pupils to meet providers to inform decision points when there is an opportunity to pursue education or training opportunities beyond the school. Year 8 or 9 is the most appropriate time to meet providers to inform the first of these key transition points at age 14.

How does this fit with other careers legislation?

Since September 2013, maintained schools have had a statutory duty to secure independent careers guidance for all year 8-13 pupils. For pupils of compulsory school age, this must include information on the full range of 16-18 education and training options, including apprenticeships. Most academies have an equivalent requirement in their funding agreement.

Mark Jenkinson MP has introduced a government-supported Private Members' Bill that will extend this statutory duty to ensure all state school pupils receive independent careers guidance throughout their secondary education, regardless of their age or the type of state-funded school they attend. The Bill passed Commons Committee stage on 27 October 2021 and will extend the duty to secure independent careers guidance:

- To pupils in year 7; and
- To academy schools and alternative provision academies.

All further education colleges and sixth-form colleges have a requirement in their funding agreements to secure independent careers guidance. This applies to all students up to and including the age of 18 and students aged up to 25 with a current education, health and care plan in place under section 37 of the Children and Families Act 2014.

The government also requires maintained schools and expects academies and colleges to publish details of their careers programme online, including a named Careers Leader.

What else is the government doing?

The government is funding The Careers & Enterprise Company to roll out a careers infrastructure across England to help secondary schools and colleges to improve their careers programmes. This includes Careers Leader training and Careers Hubs that support collaboration and sharing of good practice.



Skills Bill: Lifelong Loan Entitlement

The government is legislating through the Skills and Post-16 Education Bill for the powers to introduce a Lifelong Loan Entitlement (LLE) from 2025, as part of its Lifetime Skills Guarantee.

What is the government's policy objective?

The government wants to make it easier for adults and young people to study more flexibly – allowing them to space out their studies, transfer credits between institutions, and take up more part-time study.

To do so, the government aims to create a more efficient and streamlined funding system which makes it easier for students to navigate the options available and encourage provision which better meets the needs of people, employers and the economy.

The government wants to encourage learners to undertake technical qualifications and to broaden options beyond the default option of a full-time three-year university degree.

More specifically, the government aims to enable student loan funding to cover modules of both higher and further education courses at levels 4-6. It seeks to facilitate more flexible study, particularly learning undertaken on a part-time basis and not automatically through the taking of a full course.

Why is legislation needed?

The current student finance system is underpinned by primary and secondary legislation. In order to amend the student finance system to introduce the LLE, the government requires new powers in primary legislation and additional substantial secondary legislation.

The government recognises that consultation and engagement are a critical part of delivering this transformation of student finance, so intends in due course to consult and engage on the scope and policy of the LLE.

This consultation will set out proposals for how we introduce this reform and will include seeking views on objectives and coverage, together with aspects such as:

- the level of modularity (i.e. the minimum number of credits a course will need to bear)
- maintenance provision
- how to support quality provision and flexible learning
- how to incentivise and enable effective credit transfer

- and whether restrictions on previous study should be amended to facilitate retraining and stimulate high-quality provision.

Following further engagement and policy development, the government has decided to also to postpone legislating on modular fee limits until further engagement and until they are consulted on alongside the aspects listed above , in order to fully consider the impact on learners and providers. The government plans to lay the necessary underpinning secondary legislation in Parliament by summer 2024, in order to introduce the LLE from 2025.

What is the effect of the legislation?

This measure in the Skills and Post 16 Education Bill proposes making explicit the power to make provision for modular loans and making other necessary changes in secondary legislation. It will do so by making modifications to the Teaching and Higher Education Act (THEA) 1998 and amending the Higher Education Research Act (HERA) 2017. Through the changes to THEA, the Secretary of State will have the ability to:

- Set an overall limit to funding that learners can access over their lifetime, laying the basis for this new entitlement, and make clear that maximum amounts in relation to any loan or payment can be provided for on a basis other than an academic year.
- Enable funding for loans for module-sized study, encouraging more modular study and access to provision that need not be taken as part of a wider qualification.
- Enable funding for learning which is undertaken other than via an academic year, paving the way for more credit-based study.

The Bill also intends to amend HERA to allow for the concept of modules as part of the wider regulatory framework covered by HERA. The legislation will also reduce the potential bureaucratic burden resulting from the application of the mandatory transparency condition in relation to modules This does not change the existing territorial reach of HERA, which, aside from a few minor exceptions, extends to England and Wales and applies to England only.

How will this work in practice?

The LLE will provide individuals with a loan entitlement to the equivalent of four years of post-18 education to use over their lifetime. People will be able to use this loan for modular learning as well as full courses as part of a flexible system that responds to learner needs. The loan will be available for study at higher technical and degree levels (levels 4 to 6) regardless of whether they are provided in colleges or universities.

This will make it easier for people to study more flexibly - allowing them to space out their studies over their lifetime, transfer credits between institutions, and participate in more part-time study.

The government will also take other action to incentivise easier and more frequent credit transfer between institutions. The government will continue to engage with representative

bodies and individual providers and will put user needs at the centre of how the LLE is designed.

Key questions and answers

When will the Lifelong Loan Entitlement be introduced and what are next steps?

- The LLE will be introduced from 2025. In the Skills for Jobs white paper, the government set out the steps it plans to take over the coming years to support its full delivery. The government will consult on the detail and scope of the Lifelong Loan Entitlement this year, setting out proposals for how we introduce this reform.
- As a pathway towards the LLE, the government will stimulate the provision of high-quality higher technical education (level 4 and 5) and introduce pilots to incentivise more flexible and modular provision.

What will happen to the Advanced Learner Loan system?

- The government is clear that the LLE will fund post-18 education at level 4-6. The government will consult in due course on the detail of the LLE. This will inform the final policy design and will help shape the student finance across further education and higher education, where offers such as Advanced Learner Loans exist.

Will maintenance support be included within the Lifelong Loan Entitlement?

- The Bill adds to existing provision for the Secretary of State to set the levels of loan available, including both tuition fee and maintenance support. The government will consult on the detail of the LLE in due course, including on how to support students to engage in lifelong learning.

What if I've already taken out a student loan – will I be entitled to further funding?

- The government will be consulting on the detail of the LLE in due course. This will inform the final policy design, including eligibility criteria.

What do the Bill's proposed changes to the Teaching Excellence Framework do?

- The government is correcting an anomaly relating to when a provider has to have a high-quality rating in order to charge the Teaching Excellence Framework (TEF) tuition fee uplift.
- It does this by ensuring that providers must have a high-quality rating on the 1 January in the calendar year in which the relevant academic year begins (rather than in the year before as previously) in order to charge the TEF tuition fee uplift. This thereby reflects the government's policy intent of accurately and fairly measuring quality.

What else is the government doing?

As part of the pathway towards the Lifelong Loan Entitlement, the government will:

- Stimulate the provision of high-quality higher technical education (level 4 and 5).
- Introduce pilots to incentivise more flexible and modular provision.
- Examine the fee limits that apply to different qualifications at higher levels to ensure value for money for the learner and the taxpayer, including looking to reduce funding for non-approved higher technical qualifications from 2023.



Skills and Post-16 Education Bill: FE teacher training system reform

The government proposes to take steps to improve the quality of teacher training for the further education (FE) sector as part of a wider package of support for the FE workforce.

Currently, the government does not regulate the teacher training system in FE (commonly known as FE Initial Teacher Training (ITT)), and there is no primary legislation that enables this to happen. The government is legislating now to be able to better manage and improve the quality of FE ITT provision.

The government does not intend to place qualification or training requirements on either new or existing teachers, either individually or collectively, and the measures in this Bill do not create powers to do so.

What is the government's policy objective?

The government wants to ensure that the FE system has enough suitably trained and qualified teachers to deliver high quality outcomes for all learners. Improving the quality of ITT for the FE sector will play a key part in achieving that ambition.

Why is legislation needed?

Legislation is needed to support a consistently high-quality initial teacher education offer in FE. There is some outstanding ITT in parts of the FE sector, based on clear quality standards and supporting well-structured career development opportunities.

But practice across the system is not uniformly good, and the ITT offer is too fragmented, difficult to navigate and not always based on sufficiently clear quality standards. We know this following detailed engagement with providers, and from user research with people considering training to teach in the sector, and from Ofsted's inspections of FE ITT.

The government wants to take a more active role in challenging the status quo and providing better oversight of the ITT system, ensuring that public funding goes only to high-quality provision based on clear employer-led standards.

At present, the government has a very limited number of levers with which to drive change and improve quality in the FE ITT system; this proposed legislation will give the government an additional means of implementing reforms.

What is the effect of the legislation?

An enabling clause will allow the Secretary of State to make regulations which could introduce specific measures designed to improve the quality of FE teacher training. Doing this would put teacher training for the FE sector on a similar footing to teacher training for schools, which is already underpinned by legislation with statutory functions for the Secretary of State.

The clause will not come into force with Royal Assent. It will be activated at a later date through commencement regulations. The ability to make regulations under this measure provides an important and powerful lever for change, which can be used to complement and strengthen work already underway in the sector to drive improvements to FE ITT. Regulations made under this provision could, for example, place certain conditions on providers of FE teacher training like requiring them to have regard to guidance issued by the Secretary of State. Any measures that are taken through regulations will be clearly designed to drive improvement and raise the quality of FE ITT provision.

We will keep the timing for commencement of this provision under review, as more evidence of sector-led quality improvement activity becomes available and we can assess its likely impact.

How will this work in practice?

The government will work closely with the FE sector to bring about the improvements to quality that are so important to improving teaching in further education settings. The government believes substantial change is needed, and this clause provides the Secretary of State powers to take such steps as are deemed necessary to secure the quality of teacher training for FE.

The government will be able to make secondary legislation under this power, in order to take a more active role in assuring the quality of FE ITT provision – this can complement and strengthen steps that are already being taken within the sector to drive improvement.

Key questions and answers

Does this mean you are bringing in minimum qualification requirements for teachers? Are you creating a mandatory PGCE for FE?

No. The scope of this provision does not include setting minimum qualifications for FE teachers, and we currently have no intention of doing so.

Why is the Department for Education taking an additional interest in FE teacher training now, and what will this additional scrutiny mean for FE providers?

There is significant scope for quality improvement within the FE ITT system. The system underpins the supply and quality of teaching in the sector, which is vital to ensuring high-quality outcomes for learners, and to achieving our vision for skills reform more widely.

The government is well placed to take a more active role in challenging the status quo and providing better oversight of the teacher training system, ensuring that public funding goes only to high-quality provision based on a clear employer-led standard. These changes will help to ensure that the teacher training system is able to support wider changes, like the introduction of T Levels and reforms to Higher Technical Qualifications.

Does this mean there will be fewer providers of FE ITT?

The government is not looking for FE ITT to be delivered by a predetermined number of providers, but rather to ensure that all providers offering FE ITT do so to the highest quality standards. The ability to make secondary legislation aimed at improving the quality of FE ITT would allow us to further shore up the system and protect learners against inadequate provision that delivers poor value for money and/or substandard outcomes. This ensures those who undertake FE ITT can be assured that the training they receive is of the highest quality and prepares them well for their career in teaching.

How do these proposed changes align with the Initial Teacher Training (ITT) market review for school teachers?

The scope of the ITT Market Review is limited to teacher training for schools (i.e. training programmes that lead to the award of Qualified Teacher Status). The scope of the proposed measures in this Bill is confined to teacher training for the FE sector. As such, there is no direct relationship between the two reforms. Although separate, we recognise that the two systems of teacher training are closely related and will ensure that the potential impacts of the different reforms on providers and trainees are fully considered.

Will this mean Ofsted no longer has to inspect the provision of ITT for the FE sector?

No. FE ITT continues to be inspected under the framework for Initial Teacher Education and Ofsted has confirmed that its future inspections will now cover all publicly-funded FE ITT, not just that validated by universities. This is important for driving up quality and enabling potential staff and employers to identify the best training available.

How do you define what 'quality' provision looks like?

The government is improving further education initial teacher training so that all publicly-funded training will be rooted in employer-led standards, developed by experts from the sector who are best-placed to determine what good teaching looks like.

The new Occupational Standard for Learning and Skills Teachers, published in September 2021, defines the key duties of FE teachers, as well as the knowledge, skills and behaviours they need to demonstrate in order to be effective. Based on this new standard, government is now working with the sector to support the redevelopment of FE ITT qualifications, so that they too are based on the same clear set of outcomes. FE ITT will continue to be inspected by Ofsted under its framework for initial teacher education.

What else is the government doing?

The government will work with the sector to ensure that providers can recruit, retain, and develop the teaching staff they need to deliver the best possible education to young people and adults in the FE sector. This has been underpinned by significant new investment in 2021-22, taking total spending on the FE workforce to over £65 million. The government will:

- Launch a national recruitment campaign to communicate the opportunities in FE teaching and support prospective applicants to get started on their careers – including high-potential graduates, and experienced industry experts.
- Support the reform of FE ITT so it is based on employer-led standards, is driven by quality, and offers attractive and accessible training routes, underpinned by financial incentives for trainees in priority areas.
- Drive the provision of high-quality professional development to improve the quality of teaching and support progression for teaching staff.
- Enable a strong relationship between employers and providers, so industry experts can move easily into teaching, and teaching staff can maintain up-to-date knowledge of their sectors.
- Support apprenticeships teachers and lecturers with a tailored professional development offer.
- Introduce comprehensive workforce data collection.

The increased investment into the FE sector needs to result in the improvement of the quality of the provision of initial teacher education. That is why the government is improving FE ITT so that all publicly funded training will be rooted in employer-led standards. A revised employer-led standard for FE teaching is currently being developed by a group of sector employers, and the government anticipates a clear benchmark for teaching quality will be set by September 2021. Based on this new standard, the government will support the redevelopment of FE ITT qualifications, so that they too are based on the same clear set of outcomes.



Skills and Post-16 Education Bill: Office for Students (OfS) quality assessment measure

The OfS is currently consulting on its regulatory approach to quality and standards, including its detailed approach to regulating student outcomes, but this will not affect the principles underlying the provisions contained in the Skills and Post-16 Education Bill.

This measure clarifies the provisions set out in the Higher Education and Research Act (HERA) 2017 that relate to the OfS's assessment of the quality of higher education provision. In particular, it clarifies that the OfS has the power to determine minimum expected levels of student outcomes. It is a clarifying measure only – it does not give the OfS any additional powers nor change how the OfS is able to take into account wider contextual factors to reach a rounded judgement when assessing an individual provider's performance.

What is the government's policy objective?

HERA places no restrictions or stipulations on how the OfS might make an assessment of quality. This measure brings clarity as it puts beyond doubt the OfS's ability, should it choose to do so, to determine minimum expected levels of student outcomes and to take these into account when it makes decisions on registration and compliance.

It clarifies that the OfS can describe its minimum expected levels of quality by reference to an absolute level of performance which can be applied across all English higher education providers. The outcomes that the OfS may consider include:

- Continuation rate: the proportion of students who continue from their first year of study to their second year.
- Completion rate: the proportion of students that receive a higher education qualification at the end of their study.
- Progression to further study or highly skilled employment: the proportion of students that progress to professional or managerial employment or postgraduate study following the end of their study.

However, this measure does not compel the OfS to assess quality by reference to a provider's absolute performance alone. A provider's absolute performance will be just one factor that the OfS considers. The OfS will also continue to consider a provider's context and make rounded judgements. In doing so, the OfS would look at factors that may explain the reasons for a provider's performance, including information from the provider about the actions it has taken, or plans to take, to improve quality; and external factors that may be outside of a provider's control. The OfS must act proportionately and will consider a range of different contextual factors before reaching any final judgement –

for example, when considering the actual outcomes a providers has delivered, the OfS will consider factors such as the relative proportions of students from disadvantaged backgrounds, the share of a provider's provision that is part-time, and the extent to which a provider is delivering modular provision.

As a basic principle, the government firmly believes that every student, regardless of their background, has a right to expect the same minimum level of quality that is likely to improve their prospects in life.

Why is legislation needed?

This technical amendment is desirable to put beyond doubt the fact that the OfS can determine minimum expectations to be used in the regulation of quality.

What is the effect of the legislation?

The measure proposes to amend the HERA 2017 to make clear that the OfS has the ability to determine absolute expected levels of student outcomes and to use these on a consistent basis when it makes quality assessments. The legislation will take effect two months after Royal Assent, which is expected to be in the early part of 2022.

How will this work in practice?

The OfS is already regulating based on absolute outcomes. In practice the amendment will not affect the OfS's current approach but will put beyond doubt its ability to continue to operate in this way.

The OfS consultation

The OfS is currently consulting on its overarching regulatory approach to quality and standards. This three-stage consultation will not affect the Bill. The purpose of the consultation is to provide clarity that the OfS can assess performance by means of any student outcomes that it considers appropriate. The OfS carried out a stage 1 consultation between November 2020 and January 2021, aiming to bring more clarity generally to its approach to focus on identifying those providers that represent the greatest risk to students (those that are performing below, or close to, minimum requirements for quality) and anticipates minimum regulatory intervention for high-quality providers. The OfS's analysis of the responses it received is here: [Consultation on regulating quality and standards in higher education: Analysis of responses - Office for Students](#).

The OfS stage 2 of the consultation focused on a set of revised quality and standards conditions covering academic experience, learning support resources, assessment and standards. This closed on 27 September 2021.

The OfS is expected to launch the final stage of the consultation in due course which will focus on its approach to regulating student outcomes and contain proposals for minimum

numerical baselines for a range of indicators and the way in which it proposes to take the context of a provider into account as it makes its regulatory judgements.

Key questions and answers

Does this mean the OfS will regulate quality solely on the basis of absolute outcomes?

No. While it is important that the OfS can determine registration conditions by reference to absolute outcomes, and use these when making quality assessments, this is just one factor the OfS will consider. The OfS will continue to consider appropriate context and make rounded judgements as required under its [Regulatory Framework](#). The framework makes clear that absolute performance against an indicator will form only part of the overall context for assessing the compliance with the relevant quality condition. The OfS has a public law obligation to consider wider factors where appropriate. It also has general duties which include having regard to the need to promote equality of opportunity and it is subject to the Public Sector Equality Duty.

Why absolute and not benchmarked minimum outcomes?

The government firmly believes that every student, regardless of their background, has a right to expect the same minimum level of quality that is likely to improve their prospects in life. The government does not accept that students from under-represented groups should be expected to accept lower quality, including weaker outcomes, than other students. Setting the same level of outcomes for all providers, irrespective of the make-up of their student populations, sends an important message. But the level of a provider's absolute performance will be determined by taking into account important factors such as relative proportions of students from disadvantaged backgrounds, the share of a provider's provision that is part-time, and the extent to which a provider is delivering modular provision.

Does this disincentivise the recruitment of disadvantaged students?

No. Many higher education providers have proved that it is possible to deliver good outcomes for disadvantaged students. The government believes that it is preferable to incentivise such providers instead of making allowances for those providers that recruit students without providing the support necessary for them to successfully complete their studies. It should also be noted that the OfS requires many providers to comply with condition A1 that requires compliance with an agreed access and participation plan, which will include targets for recruitment of disadvantaged students.

How are contextual factors taken into account by the OfS when considering providers' performance?

The OfS is required to consider wider factors which could include, amongst other things, the characteristics of a provider's students.

The OfS will take these factors into account when it considers the performance of an individual provider against the minimum numerical baselines. In reaching any final

judgement, the OfS will balance contextual factors, proportionality and the need to protect students from low quality, including weak outcomes.

Example – How would the OfS approach assessing a provider with a very high proportion of students from an under-represented/disadvantaged group, that is significantly above the average for the sector, with low continuation rates below the baseline?

When it decides the level of a numerical baseline that would apply to all providers, the OfS would expect to consider the factors that, at sector-level, may influence the outcomes delivered for students. This means that variation in performance linked to, for example, disadvantaged students, or students with disabilities, would be taken into account in setting the level of the baselines that apply.

When an individual provider is subsequently assessed in relation to that baseline, its recruitment of disadvantaged students will already have been accounted for to some extent in the level of the baseline. The OfS would then also consider whether there are any further factors such as the characteristics of a provider's students, and a range of other contextual factors that would provide for a full and accurate assessment of a provider's performance. The OfS would make a rounded judgement looking at all of these issues together.

What action will the OfS take if a provider is not meeting minimum baselines?

Performance below a numerical baseline would not be, by itself, determinative of a negative regulatory outcome – because, as described above, the OfS would always consider a provider's context before reaching a judgement. Where the OfS reaches a rounded judgement that there is a breach of the relevant condition, it has a range of enforcement powers available to it but has an obligation to be proportionate in their use.

The facts of each case would be considered and each case assessed on its merits. The OfS would usually expect to escalate its interventions in a way that gives a provider the opportunity to improve. For example, the OfS could impose a specific condition to require improvement within a fixed timescale and, if that is ineffective, could consider the imposition of a monetary penalty or suspension of aspects of registration which could involve switching off elements of funding for a provider or for a subject. The OfS is able to use any of these powers separately, or in combination, and would always consider proportionality in each case.

The OfS would set out for a provider the action it proposes to take and the detailed reasons it considers that action necessary. In the case of suspension of registration, the OfS would advise the provider on the actions required to have the suspension lifted. In the most significant cases a provider could be deregistered. The HERA 2017 provides safeguards about the use of these enforcement powers, for example, a provider can appeal to the first-tier tribunal against a monetary penalty or deregistration decision.

Does this approach undermine government ambitions for more flexible and lifelong learning?

No. The government and the OfS are working closely together as part of the development of the Lifelong Loan Entitlement. The OfS's quality measures are designed to be flexible and are effectively used by the OfS across a diverse provider base and across different courses, e.g. part-time courses. The OfS is currently consulting on its approach to regulating quality and standards, which includes consideration of modular and flexible provision.

What else is the government doing?

- The government has a manifesto commitment to tackle low-quality provision and to drive up quality and standards across higher education.
- In January 2020, the government set out in strategic guidance to the Office for Students our support for their consultation on quality and standards and that we expect the OfS to progress rapidly to ensure an enhanced regulatory regime is in place, supported by effective and meaningful enforcement action, as soon as possible.
- This measure aims to make clear the power of the Office for Students to enforce minimum expectations of student outcomes for universities and other higher education providers, helping them to tackle low quality provision and drive up standards.



Skills and Post-16 Education Bill: List of post-16 education or training providers

This measure will enable the Secretary of State to make regulations to provide for a list of post-16 education or training providers, in particular independent training providers (ITPs). To be on the list, providers will be required to meet conditions which are designed to protect learners by preventing or mitigating the risks of provider failure.

What is the government's policy objective?

The government wants to ensure that all learners are protected if providers cease to provide education or training. Where other regulatory mechanisms are not in place, the government also wants to ensure that there is a consistent set of requirements placed on providers to protect learners and public funds, even where funded by local commissioning bodies or through subcontracts from directly funded providers.

Currently, there is a risk that short notice exits of providers can significantly disrupt the experience of many young people and adults. This can be from delays in finding a new provider, difficulty in accessing learner files and insufficient planning of what happens next in these circumstances.

Why is legislation needed?

As indicated in the Skills for Jobs white paper, the short notice exit of a provider from the provision of education or training can significantly disrupt the educational experience of many young people and adults. The transfer to another provider can take time and can be complex. This increases the risk of learner disengagement.

The provision of post-16 education or training is commissioned by various funding bodies and is often subcontracted. As a result, there is a wide variation in the range of obligations and requirements currently imposed on providers. The proposals in the Bill are intended to ensure that there is a consistent set of requirements placed on providers to protect learners and public funds, even where the education or training is funded by local commissioning bodies or through subcontracts from directly funded providers.

What is the effect of the legislation?

This measure gives the Secretary of State the power to make regulations to set up a list of relevant providers that meet conditions specified in the regulations. The conditions that may be specified are those which may assist in preventing or mitigating the effects of unplanned provider exit. The Secretary of State may also, by regulations, make

arrangements for the keeping of the list (for example in relation to appeals, the procedure for applications, fees etc).

The measure provides that if such regulations are made, a relevant funding arrangement (or sub-contract) for the provision of certain categories of education or training can only be entered into if the provider of that education or training is on the list. That funding arrangement (or sub-contract) must also include provision allowing the funding authority (or lead provider) to terminate the arrangements if the provider ceases to be on the list. This will apply to funding arrangements made irrespective of the funding body - so will apply equally to arrangements made by Mayoral Combined Authorities, the Greater London Authority, Local Authorities and the Secretary of State.

Certain types of provider are already considered to be subject to sufficient levels of regulation. As such, they would not be required to be on the list. These are, for example, those in the statutory FE sector, 16-19 providers and a registered higher education provider that only provides higher education.

The regulation-making power will be commenced by order following Royal Assent.

How will this work in practice?

The government proposes to consult on the specific requirements of the scheme prior to making the regulations, but the power to make regulations includes a non-exhaustive list of the types of conditions for being on the list that might be provided.

Example conditions include:

Allowing for the provision of and access to information by the Secretary of State

This condition is likely to be for a provider to give access to, or provide, certain information to the Secretary of State that assists in preventing or mitigating the effects of an exit. There are likely to be two aims for the receipt of specified information from the provider. One is to maintain learner engagement when a provider exits the marketplace, with an expectation that the information provided will result in actions that make a transition faster and smoother leading to completion of learning. The other is to assess the risk of provider failure.

Subject to consultation, the following types of information are likely to be specified:

- **Information that is intended to support a smoother transfer of learners in the event of provider failure:** this may include information about learners, courses, subcontracted delivery, employer information and information relating to funding and eligibility. It is likely that this information will need to be provided from time to time to ensure that it is up to date and accurate. We are also exploring whether access to learner files and data controller rights might be acquired.

- **Financial and other information to assess the risk of provider failure:** this may include information such as financial statements, income and expenditure forecasts, comparisons of forecasts and actuals for a previous year, audited statements, information allowing the review of the impact of a parent company or group on financial sustainability and information about governance and assurance structures.

A requirement for a student support plan

A student support plan would likely set out how a provider would help preserve the continuation of study for learners and clarify how learners would be kept engaged in the event of a provider exit. The aim is to maintain continued learner engagement, when a provider exits the marketplace, to the point where a learner completes their learning.

A plan would likely be reviewed at the point of application to the list of post-16 education or training providers. It would likely need to consider learner needs, planned communications to students and stakeholders (such as funding bodies, subcontractors and local authorities) and include plans that facilitate a smooth transfer of learners.

Examples of what a plan could include are:

- Information that focuses on learner needs, such as an assessment of risks to the continuation of study for learners, and how varying learner needs and characteristics will be catered for.
- Mitigations the provider intends to put in place for the above risks.
- Consideration of the impact of costs on learners as a result of exit.
- An explanation of how the plan is communicated to learners.
- A communications strategy that outlines how impacted stakeholders would be informed of developments.
- Plans to facilitate a smooth transfer of learners.

A relevant provider having insurance or an equivalent

We may require that a provider has insurance, or an equivalent, as a condition of entry to the list. The aim is to mitigate the impact of disorderly provider failure on affected learners by making available monies to accelerate their transfer to new providers. The main disadvantage that learners experience following a disorderly provider exit is the loss of continuity of learning. Sourcing and securing a new provider can be a challenging and disruptive experience for everyone involved, leading to delays in, or even non-completion of, training. It can be difficult to place displaced learners with new providers because the initial provider has often claimed a disproportionate amount of funding in comparison with the amount of training delivered.

For example, the insurance might cover the costs of finding replacement provision for learners or include the costs of catch-up teaching where the learner has not

progressed as far in their course/apprenticeship as would be expected based on the amount of funding already paid to the provider.

We are mindful of the need not to burden the sector with a disproportionately costly insurance scheme when only a small minority of providers will experience disorderly exit in any given year. We acknowledge that the proposition here is not covered by insurance products that are currently known to be available to the sector and may not necessarily take the form of a commercially available product. We would only impose a condition like this if we were satisfied that the condition would be achievable for providers. We are working with stakeholders to see what solutions or products could be realistically available.

The measure allows for different conditions to be applied for different descriptions of providers. It is not one size fits all. This would ensure that, where appropriate, we could make the scheme as flexible as possible.

A 'fit and proper persons' requirement

This may be for providers to put in place in relation to their own management personnel, but also potentially for no provider to be allowed on to the list where a person in any management or control capacity is, for example, in the opinion of the Secretary of State and/or measured against certain criteria set, not a fit and proper person to have control and management of a relevant provider. It could include:

- A review of publicly available databases, such as the disqualified directors register.
- Personal and/or business credit checks.
- Undertaking Disclosure and Barring Service checks.

A relevant provider taking action specified in directions given by the Secretary of State

This condition would support activities to ensure the list is current and that providers are adhering to the conditions. The aim here is to mitigate any risks to learners or public funds. The regulations may make provision for the Secretary of State to make directions to a provider for a particular action to be taken in order for a provider to remain on the list. For example, that they must:

- Notify the Secretary of State, and relevant funding body, of any changes in respect of any conditions of registration.
- Take certain action to mitigate risk to learners and/or the funding body which might become necessary if the Secretary of State considers that the provider may no longer meet certain conditions and/or is at risk of ceasing provision.

Fees

A fee may be charged in relation to entry onto the list, in order to recover the costs of administering the list which would help government-run an effective and fiscally

responsible scheme. There would be no intention to make any profit at the expense of providers. Any fee would be set at a reasonable level, with reasonable notice and with consideration of the impact on providers of all sizes.

A flat fee is one of the approaches being considered to ensure simplicity, with possible distinctions made on the size or scale of provider or how they deliver - for example as a subcontractor.

The Secretary of State will be required to consult on the first set of regulations before they are laid in Parliament, which will help ensure that the list, associated conditions and arrangements are appropriate.

Application of conditions and provisions

Our intention when setting conditions or provisions, and their subsequent implementation, is to ensure that they are appropriate and proportionate in order to manage the risk of a disorderly exit and the impact on learners. In order to reduce bureaucracy, we will look at the extent to which we can align or consolidate the operation of the list with other administrative processes, such as those required for the operation of the Register of Apprenticeship Training Providers.

We recognise concerns raised about the potential disproportionality of costs for being on the list and that it could represent a barrier to market entry. We will also look at costs for being on the list in their totality when considering the financial impact. There are provisions in the legislation that allow different conditions to be applied for different descriptions of providers and also for the funding agreements in relation to which the provider must be on the list to have any characteristics specified in the regulations. It is not a one size fits all approach. This will help ensure that, where appropriate, we can make the scheme as flexible as possible.

For example, it would be possible for certain conditions to be altered depending on the size or scale of a provider or how they deliver and for de minimis requirements to be imposed so that certain funding agreements (such as small subcontracts) are not brought into the scope of the funding prohibitions. We will be considering the risk to learners and funding bodies alongside this.

We are currently working towards implementing regulations in academic year 2023/24, subject to parliamentary timetabling.

Key questions and answers

How does this measure protect learners in the event of ITP or other FE provider failure?

This measure will provide assurance to learners about the organisation that is delivering their education or training and will ensure, through the student support plans, there is clarity on how to complete their course if their training provider unexpectedly closes or stops delivering their course. It also mitigates the risk of an

unplanned or chaotic exit from the provision of education and training which is disruptive to learning.

What is the scope of providers that this power could apply to?

Certain providers of the education and training in scope are excluded from the requirement to be on the list, already being subject to a sufficient level of regulation or not being the intended target of this additional scrutiny. These include the statutory FE sector and 16-19 academies. Any other provider of the relevant education and training will be in scope – primarily independent training providers.

The measure will also include provision for the Secretary of State to introduce regulations that amend the scope of post-16 education or training provider that is covered in future, should new types of post-16 education and training provision emerge.

What is the scope of powers this provides to the Secretary of State?

This provides the Secretary of State with the power to make regulations to set up a list of providers which meet certain specified conditions. The Secretary of State will then keep the list which is set up by the regulations and will decide when to allow a provider to be on, or be removed from, the list depending on whether they meet or no longer meet the conditions.

Why are you creating new costs/ burdens for providers, and making it harder for new entrants to the market?

These proposed powers will ensure alignment with other parts of the education sector and ensure there is a clear and consistent approach. Consistency and clarity will avoid duplication for providers and allow them to plan their delivery accordingly, which should lead to efficiency in costs in the longer term.



Skills and Post-16 Education Bill: Statutory FE Intervention Powers

The government is proposing legislation to strengthen existing intervention powers under Further and Higher Education Act 1992, to enable the Secretary of State to intervene where there has been a failure to meet local needs, and to direct structural change where that is required to secure improvement. Use of these powers is envisaged only as a last resort, where improvement has not been possible through other means.

What is the government's policy objective?

In cases where there has been serious failure, it is important that the government is able to intervene effectively and decisively to secure improvement, protecting the interests of learners, employers, and the taxpayer. This includes cases in which there is a failure to adequately meet local needs, and cases where the best way of securing improvement is through a merger or other structural change.

Why is legislation needed?

The Secretary of State currently has intervention powers under the Further and Higher Education Act 1992. The legislation sets out the circumstances in which the powers can be exercised, and the actions that the Secretary of State can take.

The circumstances include: mismanagement by the governing body; failure to discharge a statutory duty; the governing body acting unreasonably with respect to their duties; significant underperformance; and failure to provide an acceptable standard of education and training.

In those circumstances, the Secretary of State can issue a direction to the governing body as considered necessary in relation to the performance of its duties (which may include a direction requiring the governing body to dissolve itself); and the Secretary of State can remove or appoint members of the governing body.

To deliver the government's policy objective, primary legislation is needed to extend the existing statutory powers.

What is the effect of the legislation?

The measures seek to amend the existing intervention powers, enabling the Secretary of State to:

- exercise their intervention powers in circumstances where the education provided by the institution is failing, or has failed to, adequately meet local needs; and
- direct structural changes (such as mergers), through a direction to transfer property, rights or liabilities, where the circumstances (set out in the legislation) that may trigger the use of the powers exist.

Where the institution has to have regard to a local skills improvement plan the Secretary of State must take into account the local skills improvement plan in making an assessment of whether the institution has failed to meet local needs.

Before making a direction the Secretary of State must consult the Competition and Markets Authority in respect of competition effects. The legislation will exempt any mergers directed by the Secretary of State from the Competition and Markets Authority's statutory merger control regime provided for under Part 3 of the Enterprise Act 2002.

How will this work in practice?

The government expects that most intervention activity will continue to be undertaken through the administrative processes set out in the published guidance ([College Oversight: Support and Intervention](#)). That guidance will also be updated to enable intervention where there has been a failure to meet local needs.

In exceptional cases where it is not possible to secure improvement through those processes, the Secretary of State would be able to intervene using the statutory powers. Where a structural change such as a merger is considered necessary to secure improvement, the Secretary of State could give the governing body a direction to transfer its property, rights or liabilities to another body. Responsibility for complying with the direction and implementing the change would rest with the governing body.

Key questions and answers

Does this mean that more colleges are going to end up in scope of intervention?

- The government wants to reduce the number of colleges in intervention, and to reduce the time that colleges spend in intervention.
- It is important that the Secretary of State is able to act quickly and decisively where that is required to secure improvement, rather than leaving underperformance unchallenged.
- The government only expects these intervention powers to be used in exceptional circumstances, where it has not been possible to achieve the required improvement by other means.

What else is the government doing?

- Placing a new duty on corporations and designated institutions in relation to reviewing how well their provision meets local needs.
- Introducing local skills improvement plans.
- Strengthening intervention processes and taking steps to ensure colleges and designated institutions spend less time in intervention.



Skills and Post-16 Education Bill: Improvements to the FE insolvency regime

As part of its commitment to reforming further education (FE), the government is legislating to improve the operation of the FE insolvency regime.

What is the government's policy objective?

The current education administration regime, underpinned by the Technical and Further Education Act 2017, works as intended. This is evidenced by two successful education administrations to date.

These measures refine a functioning system to ensure that the FE insolvency regime and associated processes work both efficiently and effectively, protecting the interests of all stakeholders – including learners, creditors and taxpayers.

Why is legislation needed?

The FE insolvency regime and associated processes are underpinned by legislation. An education administration is a special form of administration only available to insolvent providers in the statutory FE sector with the special objective (under Section 16 of the Technical and Further Education Act 2017) to protect existing learners and avoid or minimise disruption to studies.

Where considered appropriate, the associated process of designating an institution as part of the statutory FE sector (under section 28 of the Further and Higher Education Act 1992) can form part of the process of exiting education administration or otherwise dealing with a FE body in financial difficulty. To provide further clarity as to how the FE insolvency regime works, and to allow it to function with minimal disruption, the government proposes technical amendments to these pieces of legislation.

What is the effect of the legislation?

These are technical amendments to the FE insolvency regime and the associated designation process. This measure proposes to:

- Shorten and increase the flexibility of the process by which institutions can be designated as falling within the statutory FE sector, a mechanism that can form part of the process of exiting education administration or otherwise dealing with a FE body in financial difficulty;

- Clarify that in an education administration, a transfer scheme (which an Education Administrator may propose, subject to the Secretary of State's approval, to transfer assets and activities to another Further Education Body if required to meet the learner protection special objective of an education administration) which would transfer secured assets without either a court order or the consideration attributed to the asset being agreed by the secured creditor, cannot be proposed;
- Cement case law into legislation that education administrators of insolvent providers in the statutory FE sector can use a specific rescue procedure (known as a Company Voluntary Arrangement, or 'CVA', which is available in normal insolvency) as a mechanism to exit education administration and achieve its special objective – to protect learners. The government proposes to extend the Secretary of State's existing powers to make regulations applying insolvency legislation (with modifications) to FE bodies with respect to CVAs. This would allow the Secretary of State, via regulations, to ensure education administrators explicitly may use CVAs, and to clarify that nothing in the Technical and Further Education Act (TFEA) would prevent an education administrator proposing a CVA.

How will this work in practice?

In practice, this measure proposes to:

- Allow the Secretary of State to designate an institution as being within the statutory FE sector using an administrative order, which can be enacted relatively quickly, rather than requiring the use of a statutory instrument. This is important because this mechanism can form part of the process of exiting education administration. When an institution conducted by an insolvent corporate entity is transferred to a solvent company as part of the process of exiting administration, the Secretary of State needs to be able to immediately designate the institution (if not already designated) in order to ensure it remains within the statutory FE sector. This proposed change would therefore reduce the amount of time involved in resolving insolvency cases where the use of a designated institution is considered appropriate;
- Clarify that in an education administration, a transfer scheme which would transfer secured assets free of that security without either a court order or the consideration attributed to the asset being agreed by the secured creditor, cannot be proposed. Similar protections are available to secured creditors in normal administration and during the TFEA consultation, the Department for Education publicly confirmed these would apply in an education administration. Education administrators may use the TFEA transfer scheme to transfer a provider's property, rights and liabilities (including those which could not otherwise be transferred) to another entity as one option to exit an education administration and achieve its special objective – i.e. the protection of existing learners);
- Explicitly allow for the use of CVAs (a statutory proposal to creditors to repay some or all of their debts over a period of time, which is available in normal

insolvency) as a mechanism to exit an education administration. Like the transfer scheme, a CVA is one option available to an education administrator to exit an education administration and achieve its special objective.

Key questions and answers

Why did you introduce an insolvency regime?

The government believed a process was needed to deal with providers in the statutory FE sector that became insolvent.

The introduction of the regime clarified the unspecified legal position of further education bodies, provided an orderly process for creditors, and protected the interests of existing learners.

Who does the FE insolvency regime apply to?

All 'further education bodies' as defined in the TFEA 2017 – namely, in England, FE corporations, sixth-form college corporations, and companies conducting (such as those running or managing) designated FE institutions (all of which fall within the statutory FE sector). In Wales, these are FE corporations in Wales and companies conducting designated further education institutions in Wales.

FE providers that do not fall within the definition above and which are companies continue to be subject to existing corporate insolvency law.

Why are you making big changes to the insolvency regime?

These proposed changes are a combination of two relatively technical changes to clarify what is understood to be the original policy intention of TFEA, and a small change to the related designation process. They will allow providers in the statutory FE sector to exit education administration more quickly in certain circumstances, while also embedding existing case law and a public assurance from the Secretary of State into legislation.

How often are you expecting to use these powers?

Infrequently. The government considers all available options for providers in the statutory FE sector in financial difficulty. The introduction of the education administration regime has meant that insolvency is now an additional option for the government to consider. Since the introduction of the FE insolvency regime on 1 April 2019, only two further education bodies have entered into education administration.

The government wants providers to effectively manage themselves in order to avoid ever becoming insolvent. However, where colleges enter serious difficulty and run out of money, insolvency must be considered alongside the other available options.

The government's overriding objective is to make sure that learners have access to high-quality education and training provision, while securing best value for money for the taxpayer.



Skills and Post-16 Education Bill: Essay mills

What is the government's policy objective?

The aim of this policy is to help safeguard the academic integrity and standards of post-16 and higher education in England and to protect students from falling prey to the deceptive marketing techniques of contract cheating services. This legislation will underpin existing sector-led activity to educate students and education providers about the problems of malpractice, including the use of essay mills, and will serve as a tool to enhance the work already taking place to detect, deter and address incidents of cheating.

How do essay mills operate?

Contract cheating happens when a third party completes work for a student which is passed off by the student as their own work. Online platforms, known as "essay mills", are often paid to undertake this work.

Many essay mill companies use marketing techniques which indicate that they are offering 'legitimate' academic writing support for students. Anecdotal reports also indicate that some essay mills are seeking to blackmail students that have used these services.

What is the effect of the legislation?

The legislation will make it a criminal offence to provide, arrange or advertise contract cheating services for financial gain to students taking a qualification at a post-16 institution or sixth-form in England or enrolled at a higher education provider in England. The legislation would enable prosecution of individuals and bodies committing these offences in England and Wales, that are providing contract cheating services to students studying at institutions in England. It would send a clear message that contract cheating services are not legal, discouraging essay mills from targeting students taking a qualification at a post-16 institution or sixth-form in England or enrolled at a higher education provider in England and will act as a strong deterrent. It would seek to minimise the number of essay mills in operation and limit the practice of organisations facilitating cheating by selling essays and other assignments to pupils and students.

Why is legislation needed?

Government intervention is required to criminalise the provision of and advertising of contract cheating services to minimise the number of these in operation and to underpin wider activity to reduce the number of students accessing such services.

There is growing concern about students' use of essay mills to present the work or ideas of others as their own. The use of such services is unacceptable - it threatens to undermine the reputation of our education system, devalues the hard work of those who succeed on their own merit and prevents students from learning themselves.

According to a recent article by the Office for Students (OfS), the pandemic and the shift to online learning and assessment has led to a further recent increase in the number of sites targeting their services at students in England and the UK.⁷ Both the government and the higher education sector have already taken a number of steps to attempt to tackle the problems of essay mills and contract cheating but this has achieved limited success. Similar legislation has been recently introduced in Ireland (2019) and Australia (2020). From early indications, legislation appears to have led to some "big name" essays mills, as well as lots of smaller sites, ending their operations in Australia. The Irish regulator has also indicated that legislation has provided a useful sector-specific directive that cheating services are illegal.⁸

Essay mills typically offer contract cheating services to students studying a range of qualifications up to doctorate level. Contract cheating in higher education is generally considered to be the area of greatest risk, though the government knows that essay mills do also target post-16 students. Therefore, the scope of legislation includes contract essay mills which target students enrolled in institutions providing post-16 education. It would demonstrate that government is taking a firm and consistent approach in criminalising cheating services to stop them exploiting students for financial gain. Deterring cheating at an earlier stage in an individual's educational journey may also help mitigate risks of students entering HE with an established pattern of cheating behaviour.

How will this work in practice?

The government hopes to gain Royal Assent for the Bill in Spring 2022. The advertising or selling of essay writing services will become an offence two months following Royal Assent. The government anticipates prosecutions are likely to begin in 2023.

An enforcement body is not specified on the face of the Bill and therefore any supporting investigations and prosecutions would fall to the police and Crown Prosecution Service (CPS) respectively.

The Bill extends to England and Wales and applies in relation to England only. In practice, this means that the offences can be committed in England and Wales and only

⁷ [Trouble at mill: protecting students from contract cheating - Office for Students](#)

⁸ [National Academic Integrity Network \(qqi.ie\)](#)

apply to services provided to students enrolled in institutions in England. The government is continuing to discuss the proposals with the devolved administrations.

Key questions and answers

Will this new legislation criminalise students who use these services?

No. The offence is intended to target those providing essay mills commercially – it will not criminalise students who have used or are using these services. Though the students' actions do still constitute cheating this is a matter for the institution they are enrolled at to address. The Department for Education has been working closely with the Ministry of Justice (MoJ) and the CPS to ensure that students that use essay mills are excluded from any liability by virtue of this legislation.

Does the scope of the legislation extend to work that does not contribute to a final qualification grade e.g. homework?

Yes – the legislation will cover all assignments, including an examination or any other piece of assessed work.

Will the legislation put additional burden on schools, colleges and HE providers and post-16 institutions?

The legislation will not place any additional duties on schools, colleges, HE providers or other post-16 institutions. It is designed to enhance existing malpractice policies, which will be familiar to all schools, colleges, HE providers and FE institutions. Educational institutions may choose to update their existing malpractice guidance to reflect the legislation as part of usual routine updates but will not face additional burdens.

Will the legislation place unnecessary burden on the police and Crown Prosecution Service?

No. The Department for Education has been working closely with the MoJ and CPS as we develop our policy proposals to help ensure this legislation achieves our policy aims whilst minimising the impact on the justice system.

What else is the government doing?

A multi-pronged approach is required to tackle this complex problem – the government will continue to work with the education sector to strengthen non-legislative action to clamp down on essay mills and to support students who might be targeted by these services.

- Universities and colleges have come together, coordinated by the QAA, to pledge to combat the threat of essay mills.
- QAA with the support of the Academic Integrity Advisory Group has recently developed an Academic Integrity Charter which sets out key guiding principles to support academic integrity policy development and practice in UK higher education.
- The Charter represents the collective commitment of the UK higher education sector to promote academic integrity and take action to address academic misconduct.
- Over 170 institutions have pledged to implement the Charter's principles and commitments⁹, this includes working with staff and students and, in collaboration across the sector, to promote academic integrity, and take action against academic misconduct.
- OfS's consultation on their future approach to regulating quality and standards contains detailed proposals to ensure providers are playing their part, delivering rigorous assessment and reliable standards for all students. This includes designing assessments to minimise academic misconduct and facilitate its detection and providing support for students with essay planning and accurate referencing, and advice about the consequences of academic misconduct.

⁹ <https://www.qaa.ac.uk/en/about-us/what-we-do/academic-integrity/charter>



Skills and Post-16 Education Bill: Designation of 16-19 academies as having a religious character

This measure will provide the Secretary of State with an order making- power to enable the designation of 16-19 academies as having a religious character. It also provides for Secretary of State to make regulations about the procedures relating to the designation. In addition, it makes provisions relating to governance, religious education and collective worship at 16-19 academies that are designated as having a religious character.

What is the government's policy objective?

The government is committed to increasing the standard of 16-19 education and providing choices for students. Allowing for and encouraging sixth-form colleges to become academies will help safeguard their future and, through working as part of a multi-academy trust, have the potential to improve education outcomes at the college and other institutions in the academy trust. This provision will allow existing sixth-form colleges designated as having a religious character to become academies and retain their religious character designation, with the freedoms and protections it provides. It will also allow future and existing 16-19 academies to apply to be designated as having a religious character. This provision will enable increased diversity in 16-19 academies and ensure that high-quality providers of schools with a religious character are also able to open 16-19 academies.

Why is legislation needed?

At present, there is no power that enables 16-19 academies to be designated as having a religious character. Such a power is needed to enable those sixth-form colleges designated as having a religious character to become academies and retain their existing freedoms and protections. The power will also enable existing 16-19 academies to be designated as having a religious character in the future.

What is the effect of the legislation?

The legislation provides the Secretary of State with an order-making power to designate 16-19 academies as having a religious character, as well as the power to make regulations to set out procedures in connection with designation. In addition, it makes provision relating to governance, religious education and collective worship which exempts 16-19 academies that are designated as having a religious character from certain provisions of the Equality Act 2010.

How will this work in practice?

Initially our expectation is that the designation power will be mainly used to facilitate existing sixth-form colleges designated as having a religious character to become 16-19 academies whilst retaining their religious character designation and the freedoms and protections associated with it. There are currently 14 sixth-form colleges designated with a religious character, all of which are designated as Catholic.

In future, where the department runs competitions for the creation of new 16-19 academies, it will be possible for groups wishing to establish a 16-19 academy with a religious character designation to apply.

Also, if existing 16-19 academies wish to apply to be designated as having a religious character, it will be possible for them to do so by going through the academies significant change process which will also require them to consult locally on the proposed change to their character.

Key questions and answers

Will this be open to a range of religious groups to establish 16-19 academies?

Yes, the designation power will be sufficiently wide to enable a 16-19 academy to be designated as having a religious character related to any of the major religions in England.

What are the freedoms and protections that will be available for 16-19 academies designated as having a religious designation?

The provisions enable 16-19 academies designated as having a religious character to provide religious education and collective worship in accordance with the tenets of their faith. They also provide for governance arrangements that will ensure that the religious character of the institution is safeguarded.

Will you make these same provisions available for 5-16 schools?

It is not necessary to extend these powers to cover 5-16 schools. Existing powers enable maintained schools, independent schools and academies with compulsory school aged children to be designated as having a religious character. Schools with a religious character designation also have equivalent freedoms and protections relating to RE and collective worship and governance as those which we are providing in relation to 16-19 academies.

What else is the government doing?

- Continuing to support and enable any and all sixth-form colleges who wish it to convert to become 16-19 academies.
- Enabling existing academies designated as having a religious character to apply to make a significant change to their age range and add provision for students aged 16-19.



Links between Universal Credit and education or training

This policy note sets out the interactions between Universal Credit (UC) and the education and training system in England, as well as updating on the Kickstart Scheme.

Links between UC and Education or Training

Eligibility for UC is dependent upon income and the claimant satisfying all of the basic conditions of entitlement:

- at least 18 years of age (age 16 exceptionally);
- under state pension age (or partner is);
- living in UK;
- capital not exceeding £16,000;
- not receiving education;
- has accepted a claimant commitment.

The condition of entitlement that the claimant must not be in education excludes most students. Financial support for students comes from the system of student loans and grants designed for their needs.

It is important that UC does not duplicate support available from other sources so a full-time student cannot usually get UC. Exceptions are generally made where students have additional needs that are not met through the student support system and the person in education falls into one of the following groups below;

- living with their partner and the partner is eligible for UC.
- responsible for a child, either as a single person or as a couple.
- disabled and entitled to Attendance Allowance (AA) Disability Living Allowance (DLA), Personal Independence Payment (PIP) or Armed Forces Independence Payment (AFIP) and already have limited capability for work.
- In 'non-advanced education' (for example studying for A levels or a BTEC National Diploma), are 21 or under and don't have parental support.

Support Available to UC Claimants when Undertaking Education or Training

Courses of education/ training can be treated as a work preparation requirement. This is usually where the work coach has identified a skills gap and suggested the course themselves or if the work coach is satisfied that it will improve the claimant's prospects of moving into work more quickly. Time spent on the course can be deducted from the hours of work search. Where full-time education/training courses have been accepted as

a work preparation they should generally be up to a maximum of 30 hours a week, to allow claimants time to fulfil other work-related requirements.

Part-time education

A student in part-time education may qualify for UC if they can meet their conditions of entitlement and work-related requirements. If they cannot meet work-related requirements they will qualify for UC if they are in one of the exceptions listed above.

Full-time education

Periods of more intensive (full-time) education and training are expected to be of short duration (usually up to 8 weeks but may be twice this for responsible carers of younger children) except in specific circumstances to meet skills needs where claimants have very low skills, for example, maths, English, ESOL and ICT. Where training includes an element of work experience, such as some training schemes in Scotland and Wales, the duration of training may be extended to up to 16 weeks.

Until 30 April 2022, the Department for Work and Pensions (DWP) is trialling a temporary increase to the number of weeks claimants in the Intensive Work Search regime¹⁰ can participate in training. This is:

- up to 12 weeks for full-time work-related training throughout Great Britain.
- up to 16 weeks for Skills Bootcamps in England.

This allows claimants in the Intensive Work Search regime to access any full-time work-related training up to level 3, including sector-specific training, provided as part of the Lifetime Skills Guarantee, such as Skills Bootcamps and the level 3 adult offer.

¹⁰ When a claimant makes an application for Universal Credit they will be allocated to one of the six conditionality regimes underpinned by four prescribed legal conditionality groups. The six regimes are segmented by division of key claimant circumstances that broadly define a range of capabilities and capacity to fulfil work related requirements and their position in relation to work. Namely:

- All Work related requirements for those who can work and need to engage in Intensive work search;
- a Light Touch regime for those with some earnings but could do more;
- Work Preparation regime for those who have other caring responsibilities but are nearing the labour market, or those who have very young children or health conditions that mean they cannot yet prepare for work are asked to attend Work focussed interviews only;
- and those who are not currently able or expected to look or prepare for work have - No work related requirements set but must continue to report any change in circumstances, this also applies to those who have individual or household earnings above a proscribed level of earnings.

In own time – compatible with work-related requirements

Claimants may engage in learning/training outside of the above if it is in their “own time” i.e. that they can complete all their UC work-related activities and it does not interfere with their general availability for work or specific ability to attend work search, job interviews, or take up work. They should not restrict their availability for work in favour of the course and should be prepared to give up or adjust the course to take up work.

Course is not compatible with work-related requirements

Where the qualifying student in full-time education does not have student income considered, they must be placed in the Labour Market regime¹ based on their other circumstances (i.e. as if not in full-time education) and they will be expected to meet their work-related requirements.

If the course of study or training is not compatible with their work-related requirements and the claimant is unwilling or unable to comply with them then they are to be treated as “receiving education” (this being the claimant’s primary concern) and so are not eligible for UC unless an exception applies.

Kickstart

The Kickstart Scheme provides funding to create new jobs for 16 to 24 year olds on Universal Credit who are at risk of long term unemployment. Employers of all sizes can apply for funding which covers:

- 100% of the National Minimum Wage (or the National Living Wage depending on the age of the participant) for 25 hours per week for a total of 6 months
- associated employer National Insurance contributions
- minimum automatic enrolment pension contributions

In addition, employers receive funding for training and support so that young people on the scheme can get a job in the future.

Since the Kickstart Scheme’s launch in September 2020, over 98,000 young people have started Kickstart jobs. Over 215,000 jobs have been made available for young people to apply for through the Kickstart Scheme with over 304,000 jobs approved for funding by the Scheme.

From 28 September 2021 to 25 October 2021, over 6,700 Kickstart jobs were made available each week, and over 3,400 young people started a Kickstart job each week. The government is deploying a range of measures to encourage people into Kickstart jobs, such as promoting vacancies on social media and -connecting employers to young people on the same day they sign up for Kickstart. Work coaches are now holding face to face meetings with young people, enabling us to job match more quickly.

More young people aged 16-24 and on UC will be able to benefit from the Kickstart Scheme, which is being extended to March 2022 and will be open to applications from employers and gateways until 17 December 2021. The Department for Work and

Pensions will monitor and evaluate the Kickstart Scheme throughout and after its implementation, and will continue to evaluate the longer-term outcomes for Kickstart participants after they have completed their six-month placements. The Department for Work and Pensions will publish the findings of that evaluation once it is complete.

What financial support does the Department for Education offer for adult learners?

Higher Education

Eligible students attending designated full-time higher education courses, and designated Level 6 part-time higher education courses of a minimum of one academic year in length, qualify for partially means-tested loans for living costs. The loan for living costs is a contribution towards a student's living costs and the amount a student is entitled to depends on the student's household income. Students on household incomes of £25,000 or less qualify for the maximum loans for living costs.

The primary source of financial help for students is provided through the student support system. As such, students on full-time higher education courses cannot normally satisfy the entitlement conditions for UC. Exceptions are only made where students have additional needs that are not met through the student support system, for example if they are responsible for a child or are disabled with limited capacity for work and qualify for certain benefits (Personal Independence Payment, Disability Living Allowance, Attendance Allowance or Armed Forces Independence Payment). Full-time students who are eligible for benefits and are on low incomes qualify for higher rates of loan for living costs than students not eligible for benefits. Part of the loan for living costs for students eligible for benefits is paid as a maintenance loan and part as a special support loan.

The maintenance loan element of the loan for living costs, less £110 a month, is treated as student income for maintenance by DWP when they calculate an eligible student's UC. As a result, UC entitlement will be reduced during term-time. For students eligible for benefits, the DWP do not take into account any element of the loan for living costs that is awarded as a special support loan when calculating benefits for eligible students at the start of their higher education course.

Further Education

Adults in further education may seek support for course related costs directly from their college or training provider in England. This is the case regardless of if their course fee is grant funded or Advanced Learner Loan funded. The support is to contribute towards costs associated with undertaking a course such as, but not limited to, childcare, travel and additional course materials. Support is also available for those who require residential study. The support, in the form of learner support through the Adult Education Budget or the Advanced Learner Loans Bursary Fund is not for general living costs. Applicants of this support are advised to inform DWP of any offer made, so that any impact on UC is understood.



Apprenticeship policy

Success of the programme so far

Apprenticeships are available to employees at all stages of their career (starting, upskilling and retraining), from aged 16, at levels 2-7 (GCSE to Masters) and in a breadth of sectors. Combining work and training, they bring benefits to both employers and individuals.

Following fundamental reforms, we have transformed apprenticeships into a prestigious technical education option that better meets employer needs, is higher quality and has sustainable funding through the apprenticeship levy.

The government is increasing apprenticeships funding to £2.7 billion by 2024-25 – the first increase since 2019-20. The government is continuing to meet 95% of the apprenticeship training cost for employers who do not pay the apprenticeship levy, and is also delivering apprenticeship system improvements for all employers. In addition, the government is extending the £3,000 apprenticeship hiring incentive for employers until 31 January 2022. Between September 2020 and 29 September 2021 employers submitted incentive claims for 101,460 new apprentice hires¹¹.

We have introduced stronger quality requirements for apprenticeships: they are now a minimum of 12 months, involve at least 20% of an apprentice's time spent in off-the-job training, and independent end-point assessment proves the apprentice's occupational competence. We have put employers in the driving seat with the introduction of apprenticeship standards to replace old-style frameworks. There are now over 630 high-quality, industry designed apprenticeships standards available¹².

Apprenticeships within post-16 reform

Apprenticeships form a core part of our reform of post-16 education. They provide employers and individuals with an offer that combines work with substantial training to support labour market entry and progression.

¹¹ [Apprenticeships and traineeships, Academic Year 2020/21 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://explore-education-statistics.service.gov.uk)

¹² [Apprenticeship standards / Institute for Apprenticeships and Technical Education](#)

As we build back better and greener, apprenticeships are playing a vital role in helping employers of all sizes access the skills they need to thrive and making sure people of all ages and backgrounds have the chance to get ahead.

Employers are continuing to design apprenticeship standards, ensuring we can meet both the current and future skills needs of the economy. The Institute for Apprenticeships and Technical Education's Green Apprenticeships Advisory Panel will focus efforts to ensure that the right skills are in place for the future workforce to deliver the green technology shift the UK needs.

We now have strong foundations on which to build even higher quality apprenticeships that support more employers and apprentices to succeed.

The plans set out in the Skills for Jobs white paper¹³ build on the principles we have established and position apprenticeships as a core part of the wider technical education offer, as well as improving quality even further, and making them more flexible so that they better meet the needs of employers in all sectors.

We are encouraging greater use of innovative apprenticeship training models, such as the front-loading of off-the-job training so apprentices can be productive from day one in the workplace. We are setting out accelerated progression routes that create pathways into apprenticeships from other technical routes such as T Levels, some bootcamps and occupational traineeships. These can enable those with relevant prior learning to accelerate their apprenticeship and complete it more quickly. New flexi-job apprenticeships will enable apprentices to move between different host employers in a sector or region as they complete training requirements for their apprenticeship.

To support young people close to the labour market to gain the skills they need to find work and progress into apprenticeships, we are undertaking the largest ever expansion of traineeships. Additional funding will support up to 43,000 starts over the 2021/22 academic year and up to 72,000 starts by the end of 2024-25, and employers can benefit from £1,000 payment for each traineeships work placement they offer until 31 July 2022. In addition, we have started to deliver occupational traineeships which contain occupationally specific content and will support progression into apprenticeships. The first pilots in the construction, adult social care, transport & logistics and health & beauty are already underway.

Improving apprenticeships

We are making improvements for employers to give them greater flexibility to choose the apprenticeship training model that works for them.

¹³ [Skills for jobs: lifelong learning for opportunity and growth - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/white-papers/skills-for-jobs)

- Since September 2021, employers have been able to benefit from improvements to the transfers system. Large employers can now pledge unspent levy funds to employers in their supply chain, sector or region, helping to address local and regional skills needs.
- We are supporting sectors of the economy that have flexible working patterns to make greater use of apprenticeships. The new £7 million flexi-job apprenticeship scheme will increase the use of apprenticeships in sectors where short-term, project-based employment is the norm.
- We will support the uptake of flexible apprenticeship training models to ensure that apprenticeship training continues to meet the needs of employers. By April 2022, the government will have considered changes to the way we pay providers to promote more flexible delivery.
- We will introduce an enhanced recruitment service by May 2022, making it easier for all employers, including small and medium sized enterprises, to hire new apprentices.
- We will introduce a return-on-investment tool in October 2022 to ensure employers can see the benefits apprentices create in their business.

To further enhance the quality of apprenticeships we are:

- Supporting employers to give a high-quality experience to their apprentice by providing quality roadmaps, benchmarking and self-assessment tools.
- Investing in professional development for training providers through a new national online Apprenticeship Workforce Development programme.
- Undertaking a full refresh of the Register of Apprenticeship Training Providers with more stringent criteria for all providers.¹⁴

Employers' apprenticeship levy funds

The apprenticeship levy is collected by Her Majesty's Revenue and Customs from all UK employers with a pay bill above £3 million. Scotland, Wales and Northern Ireland receive a share of levy funding and it is for the devolved administrations to decide how their allocations should be used. The levy has been set at a level to fund demand for apprenticeships in employers of all sizes.

Employers in England are able to access their apprenticeship levy contributions, plus a 10% government top up, via their digital apprenticeship service accounts. Employers can use these funds to pay for apprenticeship training and assessment in their business, or they can transfer them to support apprenticeships in other businesses. Employers have 24 months to use their funds once they enter their apprenticeship service account before they begin to expire on a rolling, month-by-month basis. We do not anticipate that all

¹⁴ [Register of apprenticeship training providers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/register-of-apprenticeship-training-providers)

employers who pay the levy will need or want to use all the funds available to them, but they are able to if they wish.

The Department for Education's annual apprenticeship budget for England is set by Her Majesty's Treasury and, although closely linked, is distinct from the total levy income collected. In the 2021-22 financial year, funding available for investment in apprenticeships in England is around £2.5 billion, double that spent in the 2010-11 financial year in cash terms. Funding for apprenticeships will increase to £2.7 billion by 2024-25.

Helping employers to take on younger apprentices

We provide £1,000 to both employers and training providers when they take on apprentices aged between 16 and 18 years old, or 19-24-year-old apprentices with an Education, Health and Care Plan (EHC) or who have been in the care of their local authority. We also pay 100% of the cost of training and assessment for the smallest employers (fewer than 50 staff) who take on these apprentices. This funding is addition to the £3,000 incentive payment that employers can claim for taking on a new apprentice hire until 31 January 2022.

Level 2 and Level 3 apprenticeships

Employer-designed standards are central to our reforms to apprenticeships, driving up quality and delivering the skills that both employers and apprentices need. There are currently 347 standards at Levels 2 (138) and Level 3 (209)¹⁵. Apprenticeship starts at these levels account for the majority of all starts – between August 2020 and April 2021, starts at Levels 2 and 3 accounted for more than two-thirds of total starts (68%)¹⁶. Unlike the previous framework system, standards are occupation-specific so there is one level per occupation. The level of the standard is that reached at the end of the apprenticeship, not at the beginning, and as such does not represent an entry requirement. It should be possible for someone with limited experience to start an apprenticeship at Level 2 (equivalent to GCSE level) or at Level 3 (equivalent to A-Level).

¹⁵ [Apprenticeship standards / Institute for Apprenticeships and Technical Education](#)

¹⁶ [Apprenticeships and traineeships, Academic Year 2020/21 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](#)



Support for those with special educational needs and disabilities in the further education system

Everyone should be able to access the skills and training they need to be productive. We know that a significant proportion of participants in further education have special educational needs and disabilities (SEND) and that colleges have an important role to play in supporting these students to prepare for adulthood, including employment.

How will the reforms set out in the Skills for Jobs white paper help those with SEND?

In further education, student support promotes the young person's independence and enables them to make good progress towards adult life, including employment. The reforms set out in the Skills for Jobs white paper will support people with SEND: for instance, we anticipate that the elements of our reforms relating to lifelong learning and a more modular approach will work better for some learners. We will consult on the Lifelong Loan Entitlement in due course.

We know that the quality of teaching is the single most important education-based factor determining outcomes for children and young people. This is why we have made a clear commitment through the white paper to strengthening the teaching profession in the FE sector, with a range of support to recruit, retain and develop more high-quality individuals as FE teachers – including specific incentives targeted at those who will be teaching learners with SEND.

What are the existing expectations of FE providers to support learners with SEND, including learners with low or moderate needs?

In 2014, the Children and Families Act introduced significant reforms to the SEND system. It brought the FE sector into a single coherent system for SEND which spans early years, schools and FE, and covers provision for those with low or moderate needs, as well as those with more complex needs. The Act placed new duties on FE colleges and some other post-16 providers, who must have regard to the [SEND Code of Practice](#).

Colleges have the following legal duties in relation to SEND:

- A duty to co-operate with the local authority on arrangements for children and young people with SEND;
- A duty to admit a young person when the institution is named in an education, health or care (EHC) plan;
- A duty to have regard to the SEND Code of Practice; and

- A duty to use best endeavours to secure the special educational provision called for by the student's special educational needs.

In addition, colleges also have duties and obligations under the Equality Act 2010 to ensure that they are acting inclusively and not discriminating against disabled students. As with other FE providers, they are obliged to make reasonable adjustments to prevent disabled students being placed at a substantial disadvantage.

What is the government doing to build on and improve the SEND system?

The government is committed to building on current successes and improving the SEND system so that it delivers for children and young people, their families and the professionals working with them. The reforms to the SEND system introduced in 2014 were widely recognised as, broadly, the right reforms. The government know that the system is not delivering well enough for many.

The government established the SEND Review because it is determined:

- to improve the outcomes for children and young people with SEND and focus on preparing them for later life and adulthood;
- to improve people's experiences of the SEND system, with services working in co-production with children, young people and parents; and
- to ensure we achieve better value for money, targeting and distributing resources in a way that best ensures children's needs are met quickly and effectively.

Throughout the Review, the government has worked, and continues to work, closely with a range of partners – children and young people with SEND, the Children's Commissioner, parents and carers, a wide range of system leaders, SEND sector organisations, representatives from educational establishments and others.

Based on what the government has been told through that extensive engagement, it wants to make sure the Review focuses on three things in particular:

- How mainstream provision, in early years, schools and post-16 settings, could provide more effective support for a wide range of SEND needs. This means a renewed focus on identifying and addressing needs early, quality teaching and understanding what works, and offering the right support faster than many currently experience.
- Strengthening roles and accountabilities for those who provide services and support for children and young people with SEND so that parents need to be clear of the pathways for redress. All so that services work better together and put children and young people at the centre of service design and delivery.
- How the government can ensure proposals can be implemented effectively so that they lead to real and lasting change, as well as taking account of the impact of the Covid pandemic.

The government will be finalising proposals over the coming months, and intends to publish proposals for public consultation that will give children and young people with SEND greater opportunities to succeed by fundamentally improving the way we deliver support. The government wants to get this right and will publish proposals as soon as possible.

How does the Skills and Post-16 Education Bill help learners with SEND?

The measure relating to the duty to review provision in relation to local needs in the Skills and Post-16 Education Bill creates a new duty on FE sector providers that builds on the existing duties on local authorities to keep educational, training and social care provision for children and young people with SEND under review (section 27 of the Children and Families Act 2014).

The new duty requires the governing body of each FE college, sixth-form college and designated institution to review how well the education or training provided by that institution meets local needs. The draft statutory guidance published by the Department for Education makes clear that when governing bodies are reviewing how well their provision meets local needs, they should include consideration of the needs of learners with SEND, including those with education, health and care (EHC) plans, and ensure that reviews are carried out in a way that is compliant with existing statutory obligations including in relation to SEND.

The duty to review how well the education or training provided meets local needs complements our work on local skills improvement plans. Local skills improvement plans focus on better aligning technical education and training with priority skills needs, identified by employers. They should focus on the specific skills needs of local labour markets. For many colleges and other providers, these plans will be a key point of reference when reviewing how their provision meets local skills needs, including needs of learners with SEND. Employers and providers can better work together through local skills improvement plans to unlock the full potential of learners with special educational needs and disabilities to help them progress into good jobs and meet local skills shortages.

The Bill also proposes new powers for the Secretary of State to improve the quality of teacher training for the FE sector. Driving up the quality of teacher training and development in the sector is vital to ensuring that learners across the whole spectrum of needs can experience the best possible teaching and achieve their full potential.

How are FE teachers being trained to support students with SEND?

The Department for Education does not regulate FE teachers or set a minimum requirement for their training, but does have a strong interest in making sure that FE teacher training prepares people to support all learners as best as they possibly can. Evidence is clear that the quality of teachers and teaching is the single most important factor in education determining outcomes for learners.

Although there is some excellent teacher training currently available, the government knows that the system as a whole could be stronger. The initial teacher training (ITT) measure in the Skills and Post-16 Education Bill underpins the commitment in the Skills for Jobs white paper to improve the quality of teacher training in FE. That is why the government is committed to making the new employer-developed occupational standard the basis of all FE teacher training.

This standard, developed by sector representatives who have experience of employing teachers, includes a specific duty that focuses on the importance of inclusion, which will support the early identification of learners' needs and enable teachers to respond effectively to them.

To improve the capability and confidence of the FE workforce to identify and meet the needs of children and young people with SEND, in 2021-22, the Department for Education is providing a grant of almost £1.2 million to the Education and Training Foundation (ETF) for supporting SEND. The Department for Education also contracts with the Autism Education Trust to develop training and resources to support teachers in every stage to meet the needs of autistic learners.

Activities supported through this funding will equip the FE workforce to effectively support young people with SEND to prepare for adulthood, with an ongoing focus on preparation for employment.

The government also offers bursaries and grants, worth up to £18,200 each in 2021/22 (maintaining a similar offer in the previous year), to support high-quality initial training for teachers who want to work with learners with SEND. Demand for these incentives has been high, helping to develop a strong supply pipeline of SEND specialists into the FE teaching profession.

What is the government doing on careers guidance for learners with SEND?

The Department for Education is working in collaboration with the Careers & Enterprise Company (CEC) and the National Careers Service to ensure careers advice for young people with SEND is of the highest quality. The CEC work with schools and colleges across England, as well as with Careers Leaders, who design and deliver careers education programmes tailored to the needs of young people with SEND regardless of their educational setting (i.e. mainstream schools and colleges, special schools or alternative provision).

The National Careers Service provides careers information, advice and guidance to young people, their parents and adults through its telephone support, website and web chat facility. Advisers work with adults and young people (the latter via the phone line and web chat) to ensure they are aware of the wide range of learning and work opportunities available to them. Contractors provide local face-to-face advice and additional support for disadvantaged adults (priority group) which include the low-skilled, those with special educational needs or disability and the long-term unemployed.

The Gatsby Benchmarks of Good Career Guidance define world-class careers education. The Department for Education expects all secondary schools and colleges to use the Gatsby Benchmarks to develop and improve their careers programmes. The benchmarks can be used for all young people and specialist implementation support is available through the CEC (all housed in an online [Resource Directory](#)) to assist delivery of the benchmarks for young people with SEND.

Examples include:

- The Inclusion Community of Practice (COP). Operating out of 32 Careers Hubs and reaching 628 educational establishments, this national community of best practice sharing was established in March 2020 to enable young people with SEND to be better supported in their careers education. This will be rolled out to all Careers Hubs in the next academic year.
- [My Skills My Future programme](#). Launched in June 2021 as a direct result of the work of the Inclusion COP, this initiative is a collaboration between Careers Hubs, employers, providers and voluntary organisations to support Careers Leaders to prepare young people with SEND for their next best steps.
- The CEC is also undertaking targeted work with employers to stimulate greater SEND [employer engagement](#) and will continue to make the case for employers to provide experiences of the workplace and supported internships for these young people.
- Training: CEC have established SEND specific training for CEC local [Enterprise Coordinators](#) and [Enterprise Advisers](#) to enable them to better understand how they could support their schools.
- A [SEND Outreach Campaign](#). This campaign saw a pack of SEND specific resources, including the [SEND Gatsby Toolkit](#) (developed in collaboration with Talentino, CDI and Gatsby Foundation), sent to every special school in England outlining its services.

The Education and Training Foundation (ETF) also provides professional development for careers advisers working with SEND young people.

How are FE providers funded to meet the additional needs of SEND students?

Colleges receive additional funding (over and above their core funding) for students with additional needs, including those with special educational needs, through Disadvantage Funding. Like mainstream schools, colleges are expected to provide appropriate, high-quality SEND support using all available resources.

The Education and Skills Funding Agency (ESFA) also allocates high needs funding to colleges and local authorities for students whose additional support costs more than £6,000. Colleges and local authorities should use their funding allocations to work together with young people with SEND to agree study programmes and support packages which are personalised to the student's individual aims, enabling the

achievement of positive outcomes.

For adult learners, the Adult Education Budget (AEB) also funds colleges and providers to help adult learners to overcome barriers which prevent them from taking part in learning. This includes Learning Support funding which helps Colleges and training providers to meet the additional needs of learners with learning difficulties and/or disabilities and meet the costs of reasonable adjustments as set out in the Equality Act 2010. Learning Support can cover a range of needs including an assessment for dyslexia, funding to pay for specialist equipment or helpers and arranging signers or note takers.

How are learners with SEND served by accessible technology?

FE providers have requirements under the Equality Act 2010 to ensure that they are acting inclusively, including making reasonable adjustments to their teaching to support students with disabilities.

FE providers must use their best endeavours to meet the needs of those with special educational needs, one element of which would be thinking about how to deliver learning.

However, decisions about what technologies to use and how to apply them are for individual providers, as independent institutions, to make.

What support is available for those with SEND to transition out of the education system and into employment?

Young people, no matter what their SEND, need the right support to succeed in their education and transition to adult life. The government wants colleges to be flexible in the study programmes they provide for young people with SEND and to include training for adult life where it is needed.

The SEND Code of Practice explicitly states that all children and young people with SEND should be prepared for adulthood. For those with an EHC plan, there must be a focus from year 9 onwards on preparing the young person for adulthood as part of their plan's annual review. This continues while the young person is attending college until they are 25 years old or earlier if their EHC plan ceases.

With the right preparation and support, the overwhelming majority of young people with SEND are capable of sustainable paid employment. All professionals working with them should share that presumption, and should provide the career advice and support that helps young people to develop the skills and experience, and achieve the qualifications, to succeed in their careers.

Supported internships and traineeships are work-based study programmes specifically designed to prepare young people for employment. Supported interns and trainees can apply to Access to Work for financial support for specialised equipment and job coaching.

The Department for Education is also supporting the Department for Work and Pensions to develop an adjustments passport that will help to smooth the transition into employment and support people changing jobs. Pilots will be taking place this year focussing on young people leaving education and service leavers leaving the armed forces. The adjustments passport will capture the in-work support needs of the individual and empower them to have confident discussions about adjustments with employers.



Mental health in higher education

What are the government's aims in supporting mental health in higher education (HE)?

Higher Education Providers (HEPs) are autonomous bodies, independent from government, and have responsibilities to support their students. HEPs are experts in their student population and are best placed to identify the needs of their particular student body, and provide tailored welfare and support services.

The Department for Health and Social Care (DHSC) has overall policy responsibility for young people's mental health. The Department for Education continues to work closely with DHSC to take steps to develop mental health and wellbeing support.

The government has addressed the unprecedented challenges of COVID-19 in relation to student mental health in a number of ways set out below. This includes additional investment in mental health support for students, driving more integrated partnerships between the HE sector and healthcare colleagues to ensure students are well supported, and working with the Office for Students (OfS) to provide Student Space, a dedicated student mental health platform in direct response to the challenges posed by the pandemic.

The government expects all HE providers to engage actively with suicide prevention and share effective practice across the sector. It is key that HE providers investigate the circumstances around student deaths and continuously improve their practice. The Office for Students is taking a leading role in disseminating effective practice to the sector.

What is the government currently doing to support mental health and prevent suicide in HE?

Government funding for mental health services

The government is committed, through the NHS Long Term Plan, to investing at least £2.3 billion of extra funding a year into mental health services by 2023-24. This will see an additional 345,000 children and young people and adults able to access support through NHS-funded services. As part of the government's Mental Health Recovery Action Plan, this year the NHS will receive around an additional £500 million, to address waiting times for mental health services, give more people the mental health support they need, and invest in the NHS workforce.

£13 million has been allocated to ensure young adults aged 18 to 25, including university students, are supported with tailored mental health services, helping bridge the gap

between children's and adult services. Students are a key part of this population and face some unique challenges in the transition from school/college to university, including access to support from NHS mental health services where they move area or GP practice. A DHSC ministerial-chaired Mental Health Recovery Board has been set up to provide oversight and assurance of the delivery of the additional mental health recovery funding.

We are continuing to work with our counterparts in DHSC, as well as with stakeholders in the HE and health sectors sector through the Mental Health and Wellbeing Taskforce Subgroup, and the Mental Health in Education Action Group to ensure that supporting students through these transitions remains a priority.

HE Frameworks

The HE sector is proactive in leading work to establish and promote standards of practice, with oversight from government. Standards of practice are driven by Universities UK (UUK); the Mental Health in HE Advisory Group (MHHE); and Step Change: Mentally Healthy Universities which promotes a whole institution approach to health and wellbeing.

The university [Mental Health Charter](#), developed in collaboration with students, staff and partner organisations, is intended to drive up standards of practice across the HE sector. It provides a set of evidence-informed principles to support universities to adopt a whole-university approach to mental health and wellbeing, including leadership, early intervention and data collection. The Charter document was peer-reviewed by a range of academic, clinical and research experts. Open for applications in April 2021, the [University Mental Health Charter Programme](#) means members can work towards the Charter Award, which recognises HE providers that promote good mental health and demonstrate excellent practice. As an integral part of the framework, universities undertake rigorous and systematic evaluation of services and interventions that informs decision making and continuous improvement.

41 HE providers have signed up to the first cohort of the University Mental Health Charter Programme. The Parliamentary Under Secretary of State for Skills has made clear the ambition for all HEP's to sign up to the Charter programme.

OfS role

Student mental health continues to be a strategic priority for the OfS. Through the access and participation regime, HE providers are challenged to address gaps in outcomes between disabled students, including students with mental health conditions, and their peers, particularly where there is evidence of gaps in access, progression and attainment. This is intended to enable all students to fully participate and succeed at university. The OfS can also receive notifications from students, their families or third parties where they consider there have been systemic failures to provide adequate student support, and will consider regulatory action where this risks breaching conditions of registration.

The OfS have funded [Student Space](#) with up to £3 million, which is a mental health and wellbeing platform designed to bridge any gaps in support for students arising from the pandemic. Student Space is designed to work alongside existing services, providing dedicated one-to-one phone, text and web chat facilities as well as a collaborative online platform providing vital mental health and wellbeing resources. The Office for Students is continuing to fund Student Space into the new academic year, which will mean that students can continue to receive this expert advice and support.

The OfS have invested £6 million in ten large-scale projects through a [Challenge Competition](#) to develop innovative approaches to address student mental health issues. The projects involve over 60 different universities, colleges and other organisations including NHS services, the police and charities, together contributing matched funding taking the investment up to £14.5 million. An additional £3 million of funding will be invested in academic year 2021/22 to develop digital and innovative proposals to drive improvements in mental health support and early intervention for HE students. The [18 successful projects](#) were announced in August 2021 to develop partnership working between the health and higher education sectors.

Through strategic guidance to the OfS in February 2021, the Department for Education asked that it continue to support initiatives in relation to mental health in the short and long term, and asked the OfS to allocate an additional £15 million towards student mental health in 2021-22 to help address the challenges to student mental health posed by the transition to university, given the increasing demand for mental health services. This should target those students in greatest need of such services, including vulnerable groups and hard to reach students.

Suicide Prevention

The Suicide Safer Universities framework, authored by UUK and Papyrus, sets out the key elements of a suicide prevention strategy for university leaders to adopt. In June 2021, the Minister of State for Higher and Further Education and incoming President of Universities UK, Professor Steve West, jointly chaired a new roundtable on suicide prevention. The roundtable highlighted the importance of adopting and embedding the Suicide Safer Universities framework and promoted good practice in the sector, helping to make sure students are well supported during their time at university.

The Minister of State for Higher and Further Education has also written to university leaders to set out expectations in this important area, and the [OfS have recently published a range of resources](#) to support the HE sector in embedding effective practice. In line with the Suicide Safer Universities framework, all universities should adopt a structured approach to learning from deaths to ensure that incidents are identified correctly, investigated thoroughly, and learned from to reduce the reoccurrence of incidents. Public Health England are currently scoping a preventable deaths framework for the higher education sector. The Department for Education are working with ONS to improve the frequency of analysis of student suicide data and risk factors, which is central to informing preventative action.

What is the government planning to do to improve mental health and suicide prevention in HE?

The government asked UUK to investigate how HE providers could be better at sharing information with family and friends when students are at risk of suicide or serious self-harm. UUK's consensus statement and guidance, which will be published this academic year, will set out when and how information should be shared.

Through the Strategic Priorities guidance, the then Secretary of State asked the OfS to work with the HE and health sectors to contribute to guidance and strategic frameworks to share good practice, such as practical toolkits and resources for the HE sector. The Department for Education are working with the OfS to oversee this work and sector engagement and intend to measure the improvement of institutional policies and practices around mental health through following up the recently published [sector insights study](#).

The Parliamentary Under Secretary of State for Skills will write to university leaders this term to set out expectations that they continue to prioritise supporting their students, including adopting and embedding the whole university approach from Stepchange, and sign up to the University Mental Health Charter programme and Award Scheme to continuously improve their practice. This will include a clear ambition for all providers to have signed up to the programme in the next 5 years.



Department
for Education

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