

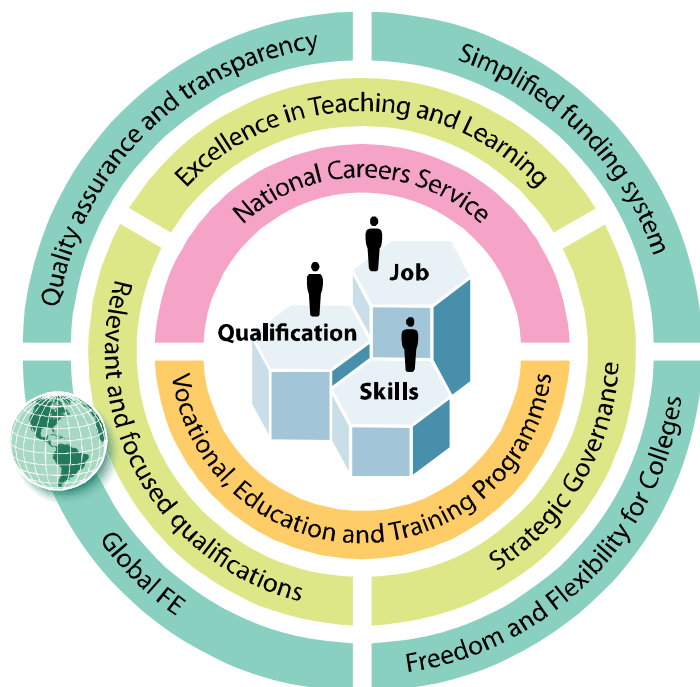


Department
for Business
Innovation & Skills

**CHARTERED STATUS FOR
THE FURTHER EDUCATION
SECTOR**

Proposals to Create a Chartered
Status Scheme for Further
Education Institutions

20 NOVEMBER 2012



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1. Executive Summary

As part of the agenda for meeting local need by deregulating and allowing the FE sector to determine the right offer for their local communities, we want to help the FE sector gain recognition and status for what it is achieving. We believe there is more we can do to support those institutions that respond most effectively to their learners, employers and wider communities. That is why we are developing the concept of a “chartered” status: to help institutions within the FE sector celebrate their success, build their reputation and status and gain recognition for what they have achieved within their communities.

Chartered status would also help to empower students and employers by enhancing the information available to help them make improved choices about where to learn and train.

FE colleges and independent training providers would be able to apply for chartered status and if they met the associated criteria would be able to use the term in reference to their title. The word “chartered” would be legally protected so only those meeting the criteria and achieving the award would be able to use it in connection with their institution.

BIS is taking development work forward but after the initial phase we would look to the FE sector to take ownership of chartered status.

We have been working with stakeholders in the FE sector since the summer on the chartered status scheme. We now want your comments to help shape and develop this exciting opportunity within the FE sector.

2. How to respond

When responding please state whether you are responding as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents.

Replies to this consultation should be sent by e mail to: fe.reform@bis.gsi.gov.uk. Any postal responses should be sent to:

Valerie Carpenter
Further Education and Skills Directorate
2nd Floor Spur 2
Department for Business, Innovation & Skills
1 Victoria Street,
London
SW1H 0ET

The closing date for responses is 5pm on Wednesday 16 January 2013.

3. Additional copies

You may make printed copies of this document without seeking permission.

An electronic version can be found at <http://www.bis.gov.uk/Consultations>.

Versions of the document in Braille, other languages or audio-cassette are available on request.

4. Confidentiality & Data Protection

Information provided in response to this consultation, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004). If you want information, including personal data that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

5. Help with queries

Questions about the policy issues raised in the document can be addressed to:

Valerie Carpenter
Further Education and Skills Directorate
2nd Floor Spur 2
Department for Business, Innovation and Skills
1 Victoria Street, London SW1H 0ET
Tel: 020 7215 0225
Email: Valerie.Carpenter@bis.gsi.gov.uk

6. What happens next?

We will aim to provide information on the next steps in developing chartered status and the outcome of the logo design competition by the end of February 2013.

7. The proposals

i THE CHARTERED STATUS VISION

As part of the agenda for meeting local need by deregulating and allowing colleges to determine the right offer for their community, we are developing the concept of “chartered” status for colleges and training providers to:

- enhance the reputation and status of the sector;
- demonstrate where and how colleges and training providers are being responsive to the employers and the communities in their area;
- measure and demonstrate increased quality; and
- help prospective learners and the UK Border Agency recognise legitimate FE colleges and training providers.

FE colleges and training providers that are funded by the Skills Funding Agency would be able to apply for this status and if successful would be able to use the chartered Certification Mark. The chartered status would be legally protected through the Intellectual Property Office so only those meeting the associated criteria and achieving the award would be able to use it in connection with their institution.

The intention is that the criteria should be testing but achievable. Not all colleges or training providers would attain chartered status immediately but all could aspire to do so within a relatively short space of time.

To initiate the scheme, chartered status could be “owned” by the Secretary of State for Business, Innovation & Skills. An expert panel would make recommendations to him on awarding chartered status. However, within 2-3 years we would look to the FE sector to take ownership and set up an independent body to take over all arrangements for assessing and awarding chartered status. In his report on Professionalism in Further Education, Lord Lingfield noted the importance of an independent basis for a chartered status scheme.

ii THE CHARTERED STATUS CERTIFICATION MARK AND DESCRIPTIVE TERMS

Chartered status would be denoted by a logo (the Certification Mark) and a descriptive term.

The logo could be used with different descriptive terms but each descriptive term would need to be associated with a particular set of criteria. We are considering 3 different terms for the scheme – “chartered college”, “chartered community college” and “chartered training provider”. Annex 1 sets out possible draft criteria that could be set to qualify for chartered status. We think that some of the criteria in the table at Annex 1 would not apply to training providers but that there are few differences in what would apply to colleges and community colleges. However, a descriptor of “chartered community college” might better meet the aim of recognising responsiveness to the community.

Initially, the scheme would be aimed at publicly funded colleges and training providers. However, we are also working with the Home Office and UK Border Agency on the possibility of extending it more widely to fully privately funded education institutions, particularly in respect of those who recruit international students.

In parallel with this consultation paper, we have also launched a competition for FE students to design the chartered status logo. A copy of the information sheet for the competition is at Annex 2.

Questions

- Q1 Do you think there is a case for having separate descriptors and criteria for “college” and “community college”? Would both terms be attractive to providers?
- Q2 Is there merit in extending the chartered status scheme to fully privately funded education institutions?

iii THE DRAFT CRITERIA FOR CHARTERED STATUS

The list of criteria we are considering for chartered status is set out at Annex 1. The criteria are broadly based to reflect the breadth of what colleges and training providers contribute in a range of spheres but can be grouped into five categories:

- Quality
- The Learner
- The Employer
- The Community
- Open and Transparent Data

It is not our intention to create a large or burdensome bureaucracy around chartered status. Our aim is to make use of existing measures wherever possible. For example “Quality provision” (No. 1) could be based on an Ofsted inspection rating. Effective careers guidance (No. 9) could be based on whether the institution is Matrix accredited. Guidance showing how the criteria are defined and measured would be produced to assist institutions in framing their applications.

The table at Annex 1 indicates where we think criteria are already measured and therefore where it would be relatively simple to show evidence of meeting the criteria. The table also indicates where there is no existing measure in place but where we think it would be straightforward to put one in place and easy to provide evidence of meeting the criterion. In a few cases, there is no existing measure and it might be more difficult to define a new measure that is not burdensome to evidence or more subjective to assess. However, that does not mean the attempt should not be made.

Questions

- Q3 Is the proposed list of criteria right? Are there other criteria that should be included or should any be removed?
- Q4 Do you have any suggestions for how these criteria could be measured?

Q5 Which criteria do you think could not apply to independent training providers? In these cases, are there other criteria that would be more appropriate for independent training providers?

iv PROCESS – THE EXPERT PANEL

Make up of the Expert Panel

A panel of respected experts would be needed to assess applications for chartered status and advise on whether the college or training provider meets the criteria and qualifies for chartered status. A panel of perhaps 8 people seems a reasonable size to cover the areas of expertise while still small enough for all to be fully involved in discussions.

We propose that the panel members should between them have expertise in the following areas (a member may have expertise in more than one area):

- an employer who has significant experience of working with the FE sector and the challenges of up skilling the workforce more generally;
- a learner who has played a significant representative role (either within a college or training provider or in a national organisation);
- strong experience of delivering FE provision at a senior institutional level and a track record of achieving responsive outcomes;
- experience of delivery within a local authority, third sector or charitable organisation from the perspective of working with FE institutions (rather than in them) to better meet community needs;
- a teacher/trainer who has significant experience of working within the FE sector, either in a college or training provider;
- someone with experience of administering chartered status or a similar scheme in another sector.

The panel would need a chairperson; in addition to experience in one of the above areas, he or she should have a profile within the sector more broadly and experience of managing and leading organisations.

How the panel would be selected

There would be an open application process allowing any appropriate individuals to apply. Panel members would be appointed by a selection panel including representatives from sector bodies chaired by BIS. An initial sift would be undertaken by BIS officials to eliminate clearly inappropriate applicants, followed by a further sift by the selection panel to decide which and how many candidates it would interview.

How the panel would operate

The position of panel member would be unpaid although reasonable expenses would be reimbursed. The time commitment would be very much part time – perhaps 6-8 days a year.

We propose that there would be 3 or 4 assessment sessions or application deadlines over the course of the year. This has advantages both for the panel and providers. It would allow for a more efficient use of the panel's time and mean that providers did not have to wait a significant period of time if they missed an application window.

The panel would have a quorum to allow for members who have other commitments or who have to stand aside from a particular application because they have a connection with the institution.

BIS or the FE Guild, once established, would provide secretariat support to the panel and cover any costs.

Questions

Q6 Do you have any comments on the proposals for the make up or operation of the panel?

v PROCESS – APPLICATION AND ASSESSMENT

Applying for chartered status

The expected timetable for considering applications would be published so that applicants would know when to apply and when they could expect a decision.

There would be an application form where the applicant includes basic details and confirms that it meets the criteria. This confirmation may take several forms depending on the criteria: a description of how the applicant meets the criteria; copies of documents or web links as evidence; or a simple tick box where information is already held by Government.

Where data is already held by central Government or the regulator, the provider would not need to submit information again. The panel secretariat would arrange for the information to be provided or verified.

Assessing applications

The panel secretariat would process applications, carry out spot checks to verify information and seek supporting information from relevant organisations, for example the Skills Funding Agency.

The panel would meet to discuss applications. To make best use of the panel's time, the secretariat could carry out an initial assessment of applications and the panel could then review applications the secretariat has indicated clearly meet the criteria to confirm recommendation for chartered status, and discuss those that were borderline to reach a decision. It could also carry out a sampling assessment of applications the secretariat had indicated clearly did not meet the criteria to ensure consistency.

The decision to recommend chartered status should be reached by a majority of panel members. The panel could also defer a decision and ask for further evidence to support the application.

The panel would submit its recommendations on awarding chartered status to the Secretary of State. Recommendations would be accompanied by a summary of reasons (how the applicant scored against the criteria).

For unsuccessful applicants, the panel would give feedback on which areas need to be improved for a better chance of success and an indication of the time scale (in very broad terms) in which the applicant might be ready to reapply. Unsuccessful applicants would not be barred from re-application for a specific period of time.

The award of chartered status would expire after a period (4 or 5 years) and applicants would have to be re-assessed. This would require a new application.

Removal of chartered status

In most cases, chartered status would always run for the 4 or 5 year term for which it was granted.

In certain circumstances the right to use chartered status might need to be removed – if an institution was significantly failing to meet the majority of the criteria on which the status was originally granted or certain key criteria, for example the quality indicators. Monitoring of continued performance against the criteria would be done through existing processes. Exceptional removal of chartered status should be tied to other existing processes as far as possible so the likely triggers are clear and the decision can be reached objectively.

The secretariat would advise the panel on those cases and the panel would make a recommendation to the Secretary of State.

Questions

- Q7 Are there any features of the process that could discourage applicants? If so, how could these be changed to make the process more attractive?
- Q8 Which criteria do you believe should automatically trigger reassessment and potential withdrawal of chartered status?
- Q9 Do you have any other comments on the application, assessment and removal process?

8. Consultation questions summary

THE CHARTERED STATUS CERTIFICATION MARK AND DESCRIPTIVE TERMS

- Q1 Do you think there is a case for having separate descriptors and criteria for “college” and “community college”? Would both terms be attractive to providers?
- Q2 Is there merit in extending the chartered status scheme to fully privately funded education institutions?

THE DRAFT CRITERIA FOR CHARTERED STATUS

- Q3 Is the proposed list of criteria right? Are there other criteria that should be included or should any be removed? (*see Annex 1*)
- Q4 Do you have any suggestions for how these criteria could be measured? (*see Annex 1*)
- Q5 Which criteria do you think could not apply to training providers. In these cases, are there other criteria that would be more appropriate for independent training providers? (*see Annex 1*)

PROCESS- THE EXPERT PANEL

- Q6 Do you have any comments on the proposals for the make up or operation of the panel?

PROCESS- APPLICATION AND ASSESSMENT

- Q7 Are there any features of the process that could discourage applicants? If so, how could these be changed to make the process more attractive?
- Q8 Which criteria do you believe should automatically trigger reassessment and potential withdrawal of chartered status?
- Q9 Do you have any other comments on the application, assessment and removal process?

Annex 1

DRAFT CRITERIA TABLE

INDICATOR	ALREADY MEASURED?	STRAIGHTFORWARD TO PUT MEASURE IN PLACE?
Quality		
1. Quality provision: high quality teaching and learning, meeting minimum standards for success	√	
2. Staff to meet minimum qualification baseline	√	
3. Support Continuous Professional Development by staff		√
4. Where subcontracting is used, the process is managed effectively and there are clear benefits for students or employers	X	X
5. Strong leadership and management. Senior managers and/or governors demonstrate high standards and effective performance and are drawn from the local community/stakeholder base	√	
6. Financial Health	√	
The Learner		
7. Excellent feedback from learners	√	
8. Student involvement in the running of the college (eg student governors)	√	
9. Provide an effective referral/access to Jobcentreplus and effective careers guidance to support learners into employment or further learning.	√ (For effective careers guidance)	X (For effective referral to Jobcentreplus)
10. A full programme of extra curricular activity for students	X	X
11. Students should feel safe while at college	X	X
12. A formal, easily accessible complaints procedure for students		√
13. Equal opportunity for all students	X	X

INDICATOR	ALREADY MEASURED?	STRAIGHTFORWARD TO PUT MEASURE IN PLACE?
The Employer		
14. Employer involvement in the design of course provision		√
15. Excellent feedback from employers	√	
16. A robust fee policy where shared responsibility for funding is clear and visible	X	X
The Community		
17. Effective engagement of community in line with Sharp report, including extra-curricular activities to meet the needs of the wider community.	X	X
18. Programme of activity endorsed with LEPs		√
Open and Transparent Data		
19. Timely data returns (eg ILR and financial returns)		√
20. Commitment to FE Choices	√	
21. Commitment to sector-led Informing Choice initiative when available		√
22. Commitment to full information on Course Directory in National Career Service website	√	
23. Transparency of data – how the provider communicates with the community/customer base	X	X

Annex 2

Chartered Status Design Competition

The Government, in collaboration with education and training providers in Further Education, is developing the concept of “chartered” status for training providers. Chartered status would recognise and reward training providers (such as Further Education colleges or independent Apprenticeship training providers) that are successful in meeting the needs of learners, employers and their communities. One of the key goals we wish it to achieve is to enhance the reputation and status of the Further Education sector. We are still developing the exact details of how the chartered status process would operate, but some of the areas that could be assessed to determine the status are likely to cover: the quality of teaching and learning provision; the experience of learners and employers while at a training provider and how well their skill needs are being met; and how the skills, training and wider needs of the community are supported.

When operational, it will be important that the status is instantly recognisable by those considering enrolling or continuing to train with a training provider. This will help learners and employers differentiate between those that have or do not have the status and raise understanding of the quality and responsiveness that can be expected from those that have attained chartered status.

We therefore want to develop a logo or motif that would signify attainment of the status and which could be used by the college or training provider alongside the title of their institution, for example on official documents or advertisements relating to the college. That is why we are establishing a competition for students in Further Education¹ to design an innovative logo that will be associated with chartered status.

Competitors are encouraged to use creativity and innovation. The design must be distinctive, instantly recognisable and represent or help distinguish those who have attained chartered status. Further information on the technical requirements is given below.

The winning designer will receive an ipad and the potential to have their work and design skills recognised, associated with and reproduced for the national scheme across the network of Further Education institutions.

Technical Competition Details

The competition will close at 5pm on Wednesday 16 January.

Designs should be sent to: fe.reform@bis.gsi.gov.uk.

(If sending in hard copy, to Anthony Rodgers, Further Education and Skills Directorate, 2nd Floor Spur 2, Department for Business, Innovation & Skills, 1 Victoria Street, London SW1H 0ET).

¹ The competition is open to all Further Education students who are receiving training at a provider that is funded by the Skills Funding Agency during 2012/13.

Responses should ideally be sent in electronic format although we will accept hard copies if preferred. Files need to be small enough to send through e-mail (no bigger than 5MB). They should arrive in one of the following application types: jpeg, PDF or Word. The entry must be sent in a format that can be viewed on a normal PC.

You should try to show how your design could be used in one or all of the following ways:

- display stand
- letterhead
- web banner

The successful design will need to be scalable to enable it to be used alongside the brands that already exist in the sector.

You should include a short explanation, in no more than 100 words, of what your design represents and why you think it would help communicate the aims of the chartered status proposals. You should also set out which course and which Further Education institution you are enrolled with.

The design does not have to contain any words or text. We intend that the chosen design would reference chartered status which could be through a title or sub-title. The exact words of the title of the status awarded to training providers is still to be finalised and may vary according to the type of provider to which it is awarded.

The expectation is that any design rights associated with the winning entry would belong to the Department for Business, Innovation & Skills after the competition.

It is our intention, but we reserve the right not to, use the winning design from this competition in the final chartered status scheme. We intend to register the design as a Trade Mark. There are a number of features which must be avoided including:

- a very general description of the Further Education sector or the provision of education or any characteristics of them (for example the quality or purpose) which would reasonably be used by anyone regardless of whether they possessed chartered status;
- any words or pictures that are commonly used in the education sector;
- any protected emblems, such as Royal Crown, Royal Flags, the Union Jack, Royal Arms;
- anything offensive;
- anything against the law, for example promoting illegal drugs; or
- anything deceptive; there should be nothing in the design which would lead the public to think that institutions likely to be using the design have a quality which they do not.

More detailed advice on Trade Mark criteria can be found at <http://www.ipo.gov.uk/types/tm.htm>. We would advise applicants to check the Intellectual Property Office criteria before applying.

A panel of Further Education sector representatives will select a short list of not more than 5 designs. The winner will then be chosen by the Parliamentary Under Secretary of State for Skills, Matthew Hancock. The winner will receive a ipad kindly donated by the Association of Colleges and also a signed certificate from the Minister.

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This publication is also available on our website at www.bis.gov.uk

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