

## Learning & Skills Policy Update

May 2019

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### Introduction

This newsletter is intended to keep unions and other stakeholders abreast of policy developments in learning and skills, including providing updates on what the TUC and unionlearn are saying on specific policy issues. If you have any suggestions about either the content or the design of the newsletter, please contact Iain Murray: [imurray@tuc.org.uk](mailto:imurray@tuc.org.uk). The newsletter and a range of learning and skills policy briefings are available on the [unionlearn](#) and [TUC](#) websites.

### Low-waged education\training entitlement

Since last August the government has been running a trial to fully fund courses for learners aged over 19 who are earning less than £15,736.50 a year, whether full-time or part-

time. This currently means that those who are aged over 19 and who are on low wages can access learning for free for courses at level 1 and 2, including ESOL courses. This includes NVQ and equivalent vocational courses at level 1 and 2 and also academic qualifications up to GCSE level. Previously many of those aged 19+ had to pay 50% of the course fees for such qualifications. It should be noted that the entitlement does not cover any courses requiring take-up of an Advanced Learner Loan, including courses at level 3 and above.

There have recently been two key developments with this trial. First, the government has [announced](#) that the national trial is to be extended for another year (2019/20 academic year) and the qualifying low-wage threshold has been increased to £16,009.50. Secondly, the picture has become more complex because the government's Adult Education Budget is to be devolved to the Greater London Authority (GLA) and six Mayoral Combined Authorities (MCAs) for the next academic year. The MCAs are: Greater Manchester, Liverpool City Region, West Midlands, Tees Valley, West of England, and Cambridgeshire and Peterborough.

In these seven areas decisions about continuation of the trial resides with the relevant authority. Unionlearn welcomed a decision at an early stage by the GLA to extend the trial and also to make it more widely available by using a higher salary threshold. The

London Mayor has decided to link the salary threshold to the London Living Wage (£10.55 per hour) and this means that from August of this year access to fully funded courses will be available to London residents aged 19+ earning less than £20,572.50 a year. The TUC has called on the six MCAs to emulate this approach by continuing with the trial and linking the salary threshold to the Living Wage rate outside London (£9.00 per hour). If this was done residents in these areas could be eligible for fully-funded learning if they earned below £17,550 a year.

One MCA, Liverpool City Region, has already decided to take this approach and the TUC has very much welcomed this. In the [press release](#) announcing this, Steve Rotheram, Metro Mayor of the Liverpool City Region, said: “This means that adults who may have missed out on educational opportunities the first time round will have the opportunity to improve their skills and advance their careers. Having new powers over adult education has enabled us to make a decision that will directly benefit more people in the city region. This is only an initial step in ensuring our skills system is fairer and more equitable. This is what devolution is all about.”

TUC North West Regional Secretary, Lynn Collins, also welcomed the move, saying: “This change will widen participation in learning and presents a great opportunity to support residents who are in low wage and low skilled jobs to gain new skills and progress.”

We are still awaiting details of the approach to be adopted by the other five MCAs.

The entitlement offers opportunities for union learning reps to broker access to more fully funded courses in the workplace through this route. Union learning reps can also encourage people meeting the eligibility criteria to access these fully funded courses independently in their own right by approaching a college or

training provider. More information about the entitlement is available on the news section of the unionlearn website, [www.unionlearn.org.uk/news](http://www.unionlearn.org.uk/news).

For overall information on AEB funding devolution, visit the updated DfE [guidance](#).

## Apprenticeships

### Institute for Apprenticeships Route Panels

The Institute for Apprenticeships has issued an open call for leaders from across industry to apply to become Route Panel members. There are currently 15 panels covering the following occupational routes: Agriculture, Environmental and Animal Care; Business and Administration; Care Services; Catering and Hospitality; Construction; Creative and Design; Digital; Education and Childcare; Engineering and Manufacturing; Hair and Beauty; Health and Science; Legal, Finance and Accounting; Protective Services; Sales, Marketing and Procurement; Transport and Logistics.

Route Panels meet regularly to consider proposals put forward by apprenticeship trailblazer groups. Successful applicants will play an important role in shaping the requirements of apprenticeships in their sector. The Institute is looking to identify and recruit individuals both to strengthen existing Route Panels and to manage future changes in panel membership.

Applicants do not need to be an expert in apprenticeships or technical education – but they will need demonstrable expertise (rather than generalist knowledge), leadership experience and credibility in one or more sectors of an occupational route. The closing date for applications is **midnight on Wednesday 29 May 2019**. Further information on how to apply can be found [here](#). If you wish to have a discussion with unionlearn about a potential

application, please contact Iain Murray, [imurray@tuc.org.uk](mailto:imurray@tuc.org.uk)

### **National Audit Office report**

In March the National Audit Office published a [review](#) of the apprenticeships programme and some of the key findings were as follows:

- In 2017-18, levy-paying employers used 9% of the funds available to them to pay for new apprenticeships. However, the average cost of training an apprentice on a standard is around double what was expected, making it more likely that the programme will overspend in future. Therefore, financial constraints could inhibit growth in the number of apprenticeships going forward
- The government's targets for widening participation among under-represented groups lack ambition
- The government has limited assurance that apprentices are spending at least 20% of their time on off-the-job-training. In 2016/17, around a quarter of training providers met the criteria for ESFA intervention because of low achievement rates for apprenticeship training. Around a third of apprentices covered by inspections in 2017/18 were being trained by providers rated by Ofsted as 'inadequate' or 'requires improvement'. The assessment arrangements are incomplete for some standards, increasing the risk that people with different and possibly inadequate skill levels may pass their apprenticeship
- Since April 2017, there has been a steep rise in the proportion of apprenticeships started under the new standards, which are intended to meet employers' needs better. However, progress in introducing the new standards has been slow, meaning that many apprenticeships continue to start under the older frameworks. The introduction of

standards has increased the number of higher-level apprenticeship starts.

The NAO report includes a number of recommendations, including that the government should:

- Set out clearly how the impact of the programme on productivity is measured, and indicate the level of impact that is being aimed for
- Strengthen the programme's performance measures relating to participation among under-represented groups
- Assess whether they would secure better value for money by prioritising certain types of apprenticeship, rather than delivering a programme for apprentices at all levels, in all sectors
- Determine how spending should be treated, and how budgets should be set, in order to secure the future financial viability of the programme. This should include giving due consideration to whether spending on the programme should be treated as annually managed expenditure
- Should better mitigate the key risk that apprentices may not spend 20% of their time on off-the-job training.

The NAO report also calls on the Institute for Apprenticeships and Technical Education to improve assessment arrangements to ensure that assessment is conducted in a fair, consistent and robust manner across different apprenticeship standards and between different assessment organisations.

### **Off the job training**

The TUC has welcomed the commitment by government that all apprentices should be entitled to off-the-job training for at least 20% of their working time. This regulation was

introduced in 2017 and since then there has been widespread lobbying by various groups to dilute this training entitlement. More recently there was some confusion about the exact remit of the regulation and as a result the government reissued their [guidance](#) in April. The guidance provides policy background, highlights best-practice examples, including flexible approaches to time off for off-the-job training. There are also a number of answers to frequently asked questions (FAQs), including:

- The reasons why learning support can be included but English and maths learning requires additional time off
- Treatment of time spent on analytical/reflective assignments
- The reasons why progress reviews, on-programme assessments and travel time to training are excluded
- Why training needs to take place during working hours and how training outside of these hours (e.g. evening classes/seminars) should be treated.

The guidance also makes it clear that: “If the apprentice does not require 20% off-the-job training, for at least the minimum training duration of 12 months, then they are not eligible for the apprenticeship programme.”

Apprenticeships that are not eligible should not be funded by levy payments or government subsidies given to non-levy-paying employers.

The guidance also highlights a substantive change from August 2018 onwards, when the calculation of the 20% time-off entitlement was changed by excluding an apprentice’s annual leave entitlement. In effect this means that 28 days are removed from the calculation based on statutory leave entitlement. As a result, in some instances apprentices in the same workplace may have different durations of off-

the job training entitlements depending on when they started their apprenticeship.

### English and maths

The DfE is currently exploring the delivery of maths and English learning in apprenticeships and are keen to get the views of employers in all sectors. There is also an opportunity for trade unions to input their views about potential means for improving how apprentices can improve their English and maths skills.

There is some essential background information that unions should be aware if they are considering inputting their thoughts, including the following:

- English and maths are key elements of apprenticeships. Good numeracy and literacy are highly valuable for both the apprentice and the employer
- Level 2 apprentices must achieve level 1 maths and English (Functional Skills Level 1 or GCSEs at grades D-G or 1-3) as part of their apprenticeship, if they have not already achieved these levels. They must then continue to study and take the tests for level 2 maths and English before they complete their apprenticeship (but they do not have to achieve these qualifications by then)
- Level 3 apprentices (and above) must achieve level 2 maths and English (Functional Skills Level 2 or GCSEs at grade A\*-C or 4-9) as part of their apprenticeship, if they have not already achieved these levels.

If you wish to input to the review or would like further information, please email [eve.oakley@education.gov.uk](mailto:eve.oakley@education.gov.uk).

### **Functional skills**

The new functional skills qualifications are getting close to the kick-off. The [revised qualifications](#) are due to be available for first

teaching from September 2019 and the last certification of the current qualifications will be 31 August 2020. The qualification structures and assessment models are not facing fundamental change but there are content changes which will have an impact on learners and providers. For example, there is a greater emphasis on underpinning knowledge and skills required to solve mathematical problems. This includes using times tables and working with and without a calculator.

In the case of English there is a greater focus on spelling, punctuation and grammar without dictionaries or computer aids. For entry levels there will be now detailed reading and spelling expectations based on the structured teaching of phonics.

Some [concerns](#) have been expressed about the implementation timetable for the new qualifications, especially since specifications for the courses are still being developed. Ofqual have updated their functional skills [reform pages](#) which include guidance, a short (90 seconds) video, and a podcast that highlights the key areas of reform.

### **Digital skills**

#### **Digital skills entitlement**

The DfE has [announced](#) that free essential digital skills courses will be available for adult learners aged 19+ from 2020. The launch included more detail about the framework for essential digital skills qualifications and the new digital functional skills qualifications which will be available for first teaching from 2021.

The impetus to develop new qualifications and national [standards](#) for digital skills draws on [research](#) showing that digital skills have become as important for getting a job and managing everyday life as English and maths. It is estimated that 90 per cent of all jobs in the

next 20 years will require some form of digital knowledge, but one in five adults still lack these skills.

The new standards feature only one entry level and the government funded qualifications will be offered up to, and including, level 1. This is somewhat different from the English and maths entitlements which provide full funding for adults to achieve a level 2 qualification. The list of approved qualifications will be published in January 2020 alongside the list of qualifications for the English and maths entitlements.

The DfE has also published an [equality impact assessment](#) for improving adult basic digital skills where they conclude as follows: “The proposals will have a disproportionately positive impact due to people in protected characteristic groups comprising the majority of digitally excluded adults in England. Therefore, we assess that overall the proposals for improving adult basic digital skills examined in this equality impact assessment will have a positive impact on equality of opportunity by increasing access to, and providing relevant, qualifications in which individuals, employers and education providers can have full confidence.”

#### **OECD digitalisation research report**

The OECD’s Skills Outlook 2019 report – [Thriving in a Digital World](#) - focuses on the challenges and opportunities for workers and citizens as countries grapple with the impact of digitalisation, automation and Artificial Intelligence. The key findings in the report include the following:

- Technology can replace workers in routine tasks that are easy to automate and complement workers in tasks that require creativity, problem solving and cognitive skills. As machine learning and artificial intelligence advance in many

sectors, a growing number of workers may need to move from declining occupations (which are highly intensive in low-skilled routine tasks) to growing ones (which are characterised by high-level, non-routine cognitive skills)

- To thrive in the digital workplace, workers will need not only digital skills but also a broad mix of skills, including strong cognitive and socio-emotional skills. High-level ICT skills will also be increasingly important in growing occupations linked to new technologies
- Countries are facing important training challenges. Training policies will need to facilitate the transition of workers whose jobs are at high risk of being automated into new and better-quality jobs. As labour markets evolve in response to digitalisation, governments need to find the right balance between policies that foster flexibility and labour mobility, and policies that ensure job stability
- As technology alters the importance of certain jobs in the labour market, governments will need to invest in education and training that helps workers to change job or even occupation so that they can benefit from new job opportunities and reduce the risk of losing their jobs.

The report stresses the need for countries to develop policies to support lifelong and life-wide learning to support all citizens to adapt to these major changes in the world of work and in society. It also highlights that international evidence shows that strong lifelong learning systems rely on a combination of targeted policies that enhance the accessibility and quality of education and training provision across all stages of life and all types of learning.

## ESOL

### A new national strategy

In March 2018, the government published the Integrated Communities Strategy green paper for consultation on building integrated communities where people – whatever their background – live, work, learn and socialise together, based on shared rights, responsibilities and opportunities. The government has now published its response to the consultation exercise.

The government response comprises two parts. The first document provides a [summary of the consultation responses](#) received and the government's responses to the points raised. The second document is the [Integrated Communities Action Plan](#), which spells out the commitments the government is making for delivering their vision. The strategy addresses English for speakers of other languages (ESOL) and describes how a national strategy will be finally developed for England. Information on the ESOL strategy plans can be found in the *Boosting English language* section of each paper.

Besides an ESOL strategy the government's action plan promises to fund community-based English language provision and set up a fund to coordinate local authorities' language offer and support. The Department of Education (DfE) has expressed its willingness to work with unionlearn and unions to develop the strategy and explore the issues raised in the consultation. Unionlearn has [welcomed](#) the ESOL strategy development after having repeatedly called for such an approach for a number of years. We will also be engaging with our affiliated unions to coordinate union input to the development and implementation of the ESOL strategy.

### ESOL plans in London

The Greater London Authority (GLA) has plans to provide free ESOL courses up to entry level 3, which is the required level for gaining British citizenship. The plans were revealed in the GLA's Skills for Londoners Framework [consultation](#) paper which describes the spending priorities for the devolved Adult Education Budget (AEB). The plan to fully fund ESOL provision up to entry level 3 are due to be implemented from 2020. During 2019 the GLA aims to carry out a review into the quality and delivery of ESOL provision in London. The plan is a response to the reduced government funding for ESOL over the last decade. With the new proposal the GLA wants to show that London is "open to talent and will support Londoners to get the skills they need to succeed". The London Mayor has also committed to use devolved AEB funding to boost the funding for low-wage earners (see page 1).

### **Workplace training trends**

The Office for National Statistics (ONS) has published two recent research reports with a focus on learning and skills. One report looks at the [impact of automation](#) on jobs and skills. It summarises some of the most notable research reports in this field and also undertakes a new ONS analysis drawing on a modified version of an analytical model originally developed by the OECD. The ONS analysis reiterates key findings from previous studies, including that the risk of automation is strongly dependent on the skills level of individuals. For example, it highlights that 87% of the jobs currently designated at low risk of automation are held by employees with a degree and only 0.2% of these jobs are held by workers with qualifications below GCSE/Level 2. This compares very differently with the overall employment share of these two groups, with 36.4% of all employees having a degree and

11.8% of the workforce whose highest qualification is below GCSE/Level 2.

Another recent ONS report looks at the characteristics of those who take part in [training at work](#) and the benefits they receive from it. This shows that those with higher level qualifications are most likely to have participated in job-related training in the last 3 months, with 32.4% of graduates saying they had done so. However, only 8.5% of employees with no qualifications said they took part in any training in this latest period. The study also looks at the impact of training on the earnings of different groups (e.g. it found that people in mid-skilled occupations tend to see the highest wage benefit from participating in in-work training).

Commenting on this ONS report, the TUC made the following points:

- The analysis finds that training has a wage benefit across many sectors of industry. But it also shows that the least qualified workers are also the least likely to receive training at work, thereby
- Cuts to adult education and training have held back Britain. They prevent us becoming a higher skilled economy. And they reduce opportunities for workers to increase their pay
- Britain can move forward faster if we become a learning economy, with every worker having the chance to train and progress. We must restore investment in adult education. And we should introduce lifelong learning accounts for all adults as part of an expanded National Retraining Scheme.

### **FE & skills funding**

In its latest annual [State of the Nation Report](#) the Social Mobility Commission makes a strong

case for boosting funding for FE and skills provision for young people and adults. Some of the key findings and recommendations include the following:

- Twice the number of disadvantaged 16 to 18 year olds are in further education than in school sixth forms, but funding has fallen by 12% since 2011 to 2012. The Commission calls for a significant increase in funding for all 16 to 19-year olds, and a special student premium for the disadvantaged.
- Almost all forms of adult education have been in decline since 2010. Those who do receive education or training are more likely to be affluent; 49 per cent of the poorest adults have received no training since leaving school, compared to 20 per cent of the richest. Unless significant investment in adult learning occurs, the rise of automation is predicted to disproportionately impact low skilled workers, whose jobs are at most risk of being automated
- Employers and the government should follow the action plan the Commission set out in its January 2019 report on adult skills. In particular, the government should equalise adult education funding with EU statistical averages and reduce the underspend of its adult education budget through more flexible funding structures.

The House of Lords Select Committee on Intergenerational Fairness and Provision also recently published a [report](#) calling for a boost to the adult learning and skills system. Its recommendations included the following:

- The Government should substantially increase funding for FE and vocational qualifications. The current system of funding and access is inefficient, complex and risks perpetuating unfairness between those who access HE and those who do not.

- The Government's National Retraining Scheme should be extended and scaled up to prepare for the challenges of an ageing workforce and technological development
- The Government should consider new incentives to encourage people in lifelong learning. The National Retraining Scheme alone will not suffice. The Government should implement a cohesive lifelong learning strategy following on from the results of the review of post-18 education.

### **Negotiating on learning & skills**

Unionlearn has published a new [guide](#) on negotiating with employers around the learning and skills agenda. It is aimed at union learning reps (ULRs), other workplace reps, and union officers. It's focus is on enhancing union intervention in vocational or work-related training provision, while recognising that the union learning agenda encompasses a wide range of learning-related issues. It aims to help ULRs and workplace reps work together to negotiate with employers around the development of employee skills. Union industrial officers may also find the guide useful and reps might wish to use it as the basis for discussion with them about developing, or enhancing, a bargaining agenda with their employer on skills and workforce development.