

Learning & Skills Policy Update

May 2020

Contents:

- Introduction..... 1
- Skills and the economic recovery..... 1
- Online learning developments2
- Apprenticeships & Supported Internships...3
- English, maths and digital skills7
- Further education.....8

Introduction

This newsletter is intended to keep unions and other stakeholders up to speed on recent learning and skills policy developments, including commentary by the TUC and unionlearn. It also highlights new resources developed by unionlearn to support union reps to boost learning and skills opportunities in the workplace. If you have any suggestions about either the content or design of the newsletter, please contact Iain Murray: imurray@tuc.org.uk. The newsletter and a range of other learning and skills policy briefings are available on the [unionlearn](https://unionlearn.org) and [TUC](https://tuc.org.uk) websites.

Skills and the economic recovery

The TUC has recently produced two reports that include calls for a boost to training and skills to support a recovery that will create a fairer society and build a stronger economy.

Jobs Guarantee report

The TUC report, [*A new plan for jobs - why we need a new jobs guarantee*](#), sets out a plan for investment in jobs and training to support the

UK's recovery. It also acknowledges that young people are likely to be hardest hit by job losses in the coming period.

The TUC report says as part of a new jobs guarantee the government should provide funding to create jobs that:

- Are additional jobs that would not otherwise be created by employers
- Benefit the UK and its communities, such as helping to decarbonise the economy
- Secure contracts of at least six months
- Offer wages that pay at least the real Living Wage
- Include training opportunities to help people move into longer-term work
- Have a guaranteed access to trade union representation.

The jobs guarantee proposal includes a significant emphasis on learning and training with all participants getting one day a week or 20% of working time, mirroring the apprenticeship programmes' entitlement. The jobs guarantee scheme could also be built into a kick-start to enable people to take up an apprenticeship.

To support funding of the training element in the jobs guarantee scheme the government should activate the National Skills Fund (NSF) immediately. The commitment of £600 million investment per year, from 2021-22 onwards, should be brought forward to be spent now in

response to the urgent retraining and upskilling needs of the workforce.

The TUC's jobs guarantee proposal is supported by a range of organisations, including the Association of Colleges and the Learning and Work Institute (see new report, [Help Wanted: getting Britain back to work](#)).

Commenting on the TUC report, **Kevin Rowan**, Director of unionlearn, said:

“This is an ambitious proposal and training and the learning element needs to be ambitious too. Guaranteed time off gives participants confidence that there will be a positive lasting impact on individuals' prospects at work. We are talking about new, additional jobs which provide a community, public benefit or help to decarbonise the economy. Meeting local labour market needs is key. To ensure the effectiveness of the scheme unions have a role to play in working with employers and other stakeholders.”

Economic recovery report

The TUC has also published a report - [A Better Recovery](#) – that says that significant flaws in how our economy is organised have been exposed by the coronavirus crisis and that addressing these will be key to rebuilding a stronger and fairer post-virus economy with greater resilience for the future. Among other things, the report says that government should chart a path towards a net zero economy that delivers a just transition for workers across the economy and should rebuild the UK's industrial capacity that will be necessary to deliver this transition, including by investing in the skills of the workforce.

This must include supporting workers to get into new jobs, with a new jobs guarantee, an individual right to retrain, supported by a funded individual learning account, and a new drive for quality apprenticeships. In addition, the

apprenticeship levy should be made more flexible, allowing employers to use their levy funding to also provide a wide range of pre-apprenticeship programmes and other training entry routes for young people who are not ready to embark immediately on a full apprenticeship. However, the number one priority for employers should be to use their levy funds to recruit as many young people as possible onto a full apprenticeship.

Online learning developments

At the end of April the Department for Education (DfE) launched a new online learning platform - [The Skills Toolkit](#) - offering access to free digital and numeracy courses to help people develop their skills, progress in work and boost their job prospects. According to the [DfE press release](#) the new platform has been developed to meet demand as more people are working and studying remotely, including workers who have been furloughed or who are working from home during the coronavirus pandemic.

Launching the new platform, the Education Secretary, Gavin Williamson, said: “I want businesses to encourage their furloughed employees to use The Skills Toolkit to improve their knowledge, build their confidence and support their mental health so they have skills they need to succeed after the coronavirus outbreak.” Online learning platforms have also been launched in [Scotland](#), [Wales](#) and [Northern Ireland](#).

Commenting on the DfE initiative, Kevin Rowan, Director of unionlearn, said: “Furloughed workers and those who are working from home during the coronavirus pandemic will welcome this initiative, which guides them to free and reputable learning resources that are easily accessible online. Maintaining learning and development is crucially important during these challenging times and unionlearn's

[Learning@home](#) initiative is supporting workers by providing online learning opportunities that can help develop their skills whilst they are at home.”

Unionlearn [launched](#) its’s [Learning@home](#) initiative at the beginning of April with the aim of supporting those who are working from home, on furlough, self-isolating or who find themselves temporarily out of work during the current pandemic. The information is all accessible via a page on the unionlearn website, but there will also be regular posts on unionlearn’s social media platforms signposting people to online offers from partner unions and education providers. Over the coming weeks and months unionlearn will highlight learning opportunities that union members, their families and others can access from home. These will vary from free qualifications through unionlearn’s partnership with The Skills Network, to online assessments, resources and webinars.

Apprenticeships & Supported Internships

Reps’ guidance on supporting apprenticeships during coronavirus outbreak

Unionlearn has produced a comprehensive [briefing note](#) for union reps on supporting apprentices during the coronavirus outbreak. The guidance from the Department for Education (DfE) evolves practically daily and unionlearn aims to tackle the points pertinent to union reps and will be updating the reps’ briefing as often as needed.

The most important message in the reps’ briefing paper is to ensure that apprentices have an opportunity to continue and complete their apprenticeships. Employers and training providers have a role to play here as well as unions in keeping apprenticeships of a high quality and delivering appropriate training opportunities.

Since apprentices are employees like other staff in the workplace the same policies and arrangements apply with an added consideration of arrangements for training and assessments.

The briefing includes:

- Potential breaks in apprenticeships and off-the-job training
- End-point assessments
- English and maths learning and support
- Employment issues such as [furlough](#)

The briefing also includes a series of action points to help union reps work through and help them find the best way to support apprentices. There are also links to more information and guidance from the TUC and ACAS. [Supporting apprenticeships during coronavirus pandemic – briefing for union reps](#) can be downloaded from the unionlearn website. The unionlearn website also has a specific [page](#) for apprentices on how the coronavirus outbreak can affect their apprenticeships. This includes an online tool to guide people through a range of scenarios.

DfE survey of apprenticeships

Every two years the DfE commissions two major surveys of apprenticeships, one on pay levels and the minimum wage and another that asks individuals about their experience of a range of other aspects of their apprenticeship. The last edition of this [newsletter](#) set out the key findings of the latest biennial pay survey, including the depressing finding that contravention of the apprenticeship national minimum wage (NMW) had got worse since the last survey two years earlier. In March the DfE published the latest biennial apprenticeship “learner survey” on its [website](#) alongside a survey of employers engaged in the apprenticeship programme. Both surveys were based on interviews conducted at the end of

2018 and early 2019 in England. Over the years the findings from the learner survey has raised a number of concerns about the quality of a significant proportion of apprenticeships in England, in particular relating to training provision.

Training

Eighteen per cent of apprentices said that they did not undertake any formal training as part of their apprenticeship, up from 14% in the 2017 survey. The researchers conclude that “while it is not a direct measure for ‘off-the-job’ training, ‘formal training’ would have to be delivered for the ‘off-the-job’ requirement to be met”. On this basis the researchers conclude: “This survey suggests, then, that roughly one-fifth of apprenticeships in the 2018-19 survey did not meet the requirement to provide off-the-job training.”

A more detailed analysis undertaken by the researchers suggests that only 30% of apprentices received formal training equivalent to at least 20% of their working hours (the new minimum training requirement introduced in May 2017). Of the rest, 50% either received no formal training or received an amount equivalent to less than 10% of their working hours. The report says that “although the survey’s definition of ‘formal training’ is slightly different to that within the 20% off-the-job training requirement, most ‘off-the-job’ training would be captured in the survey’s measure of formal training”. On this basis the researchers conclude: “Hence the survey findings suggest that a substantial proportion of apprentices are experiencing significantly less training than required by apprenticeship funding rules.”

In addition, the report highlights that post-levy apprenticeships reported much lower incidences of training (see analysis on page 5).

Awareness of being an apprentice

The lack of formal training for many may be one factor explaining the shocking finding that nearly a quarter (24%) of apprentices said that they were completely unaware that they were undertaking an apprenticeship. This has at least declined from the 30% expressing unawareness in the 2017 survey. Unawareness levels remain very high for specific groups of apprentices, as follows: those aged 25 or above (43%); those already working for the employer before starting their apprenticeship (36%); women apprentices (31%); and, apprentices in the Education sector (31%) and Health sector (41%). Unawareness levels are conversely lower among the following groups: youngest apprentices aged under 19 (4%); all those externally recruited by the employer as an apprentice (6%); male apprentices (18%); and, apprentices in the Science sector (1%), Arts & Media sector (2%) and Construction sector (5%).

Duration of apprenticeships

The average intended duration of apprenticeships was reported as 18 months, compared to 17 months in the 2017 and 2015 surveys. Four per cent of apprentices reported an intended duration less than the statutory minimum of 12 months. It is contended that in some cases this may have been because these apprentices started before the reforms introduced in May 2017 and could therefore have been exempt from the 12-month minimum due to their prior learning. The intended duration increased with level, from an average of 15 months for Level 2 apprentices, to 21 months at Level 3 and 23 months for those at Level 4+.

Satisfaction ratings

Overall 86% of apprentices said they were satisfied with their apprenticeship and 7% were dissatisfied. The proportion dissatisfied is up from 5% compared with the previous survey and there has been a particular fall in the proportion ‘very satisfied’, from 73% in 2017 to 66% in

2018-19. Changes in satisfaction ratings for different aspects of apprenticeships include: assessment on the job (82%, down from 87% in the 2017 survey); quality of feedback (83%, down from 87%); the balance between the time spent training and working (77%, down from 81%); and, the amount of training received each week (77%, down from 80%).

Employment outcomes

The vast majority of people completing their apprenticeship were in work (93%), including three quarters (76%) in full time employment. This represents an increase compared with the 2017 survey (when comparative figures were 91% and 74% respectively). Employment levels were very high among those who had completed apprenticeships in sectors such as Construction and Engineering (98% and 97% in work). Overall, 4% were unemployed following an apprenticeship, though this rose to 8-9% for Arts and ICT apprenticeship completers. Apprentices with a disability were also more likely than average to be unemployed post apprenticeship (9%).

Pre- and post-levy apprenticeship starts

The timing of the last two surveys allows for a comparison of people who started their apprenticeship before the May 2017 reforms (including implementation of the levy) and those who started afterwards. The researchers undertook such an analysis by comparing current apprentices from the 2017 survey (all of whom were on pre-reform apprenticeships) with those who were current apprentices in the 2018-19 survey (85% of whom started after 1st May 2017). The researcher conclude that this provides a reasonable proxy for comparing pre- and post-reform apprenticeships.

Two positive findings from this analysis are:

- an increase in awareness that their training was part of an apprenticeship, from 73%

among current apprentices in 2017 to 86% in the 2018-19 survey

- an increase in the reported intended average apprenticeship duration from 19 months in 2017 to 22 months in the 2018-19 survey.

However, the trends for training are much less positive, including the following:

- current apprentices in the 2018-19 survey were less likely to report receiving any formal training (84% compared to 88% in the 2017 survey) and the fall was particularly marked for training at an external provider (54%, down from 66% in 2017)
- among those who reported receiving any kind of training, the survey results suggest that current apprentices spend less time undertaking training per week, from a mean average of 11.7 hours in 2017 to 11.1 in the 2018-19 survey. And when it comes to formal training, the decline was from an average of 6.2 hours per week in the 2017 survey to 5.8 hours in the 2018-19 survey
- current apprentices in the 2018-19 survey were less positive than current apprentices in 2017 on some of the benefits gained, with fewer reporting gaining English skills (61% vs 64% in 2017), maths skills (56% vs. 60%) and IT skills (57% vs 63%) and fewer feeling more satisfied with their job since starting their apprenticeship (76% vs 82% in 2017). Fewer also felt very likely to complete their apprenticeship (80% vs 87% in 2017).

Low Pay Commission on apprenticeship pay

A new report from the Low Pay Commission provides a stark picture of a perennial issue of apprentices not being paid the minimum wage rate they are entitled to. It states: "It has long been apparent that apprentices are more likely to be underpaid than other groups of workers, despite a lower minimum wage for this group." The [report](#) *Non-compliance and enforcement of*

the National Minimum Wage calls the problem chronic and highlights that “an apprentice was around ten times more likely to be underpaid than the average worker”.

The commission estimates that 27% of those on the apprentice rate are underpaid based on the 2019 Annual Survey of Hours and Earnings (ASHE) which collects data from employers. The Apprenticeship Pay Survey (APS) asked the pay question from apprentices themselves and the 2018/19 survey indicates that almost one in five apprentices on level 2 or 3 were underpaid. The trend has been persistent since surveys from 2014 onwards.

The commission believes that one cause of the underpayment is that many employers do not pay the wages for apprentices’ training hours. Apprentices are entitled to off-the-job (OTJ) training which is 20% of their working time and paid like their normal hours. Also, employers don’t seem to be raising apprentices’ wages after the first year of the apprenticeship in line with the [regulations](#). As employers know what the minimum rates are, they presumably also know the need to increase the wages after the first year. However, some research suggests that employer awareness remains a key issue.

Those most affected by underpayment are apprentices in the 16-18 age group who are in the first year of their apprenticeship and those aged 19+ in their second year. More than a quarter (27%) of the former group were paid less than the apprentice minimum wage (AMW) and over 30% of those aged 19-24 were not paid the national minimum wage (NMW) rate they are entitled to. This peaked at 33% for those aged 21-24 in their second year. Nearly a quarter of apprentices who were aged 25+ and in their second year were paid less than the national living wage (NLW) rate that they are entitled to.

The commission recommends making apprentice pay a priority with awareness raising

campaigns aimed at both apprentices and employers. They are also proposing enforcement action from the HMRC, including requesting records from employers for training hours as well as regular working hours.

The AMW [went up](#) on 1 April 2020 to £4.15 from £3.90 per hour.

Supported internships

Supported internships are a study programme targeted specifically at young people aged 16 to 24 who have an Education, Health and Care Plan (EHCP), want to move into employment and need extra support to do so. A recent DfE [research paper](#) explores models of delivery, including factors perceived as being linked to delivering a ‘successful’ supported internship and factors perceived as barriers to achieving this. The research was based on qualitative interviews with providers and a number of wider stakeholders.

The research found that supported internships are delivered in several different ways without a predominant single model. The research identified three main elements: employer placement, off-the-job learning and job coach support. Providers who were interviewed highlighted that the lack of employers willing or able to take supported interns presented a major barrier. Other issues impacting delivery according to interviewees were linked to funding, such as the costs relating to providing one-to-one support and job coaches (and the costs of specialised training for support staff). In some cases parents can lose entitlement to welfare payments when a young person embarks on the programme and this can be an obstacle to successful completion.

Where employers were positive, supportive and committed throughout the programme, successful delivery turned out to be much more secure. Also, the role of job coach, parents and carers were found to be important in boosting

successful delivery as was the motivation of the young people themselves. The researchers have ten recommendations for the DfE and stakeholders, emphasising that the key aim of supported internships should be sustainable paid employment and that there is a need for more information and guidance on key issues, including funding and partnership working between providers, JobCentre Plus and other agencies.

Trade unions can play a key role in helping young people to benefit from a high-quality supported internship. Unionlearn's publication - [Helping young people into work and training](#) – includes a case study on union engagement in supported internships in addition to other case studies highlighting union support for high-quality traineeships.

English, maths and digital skills

Functional skills

During the Covid-19 outbreak learning providers cannot deliver courses as normal and have moved large chunks of provision to be delivered remotely and especially online. The government has made [concessions](#) regarding this year's GCSE and A Level exams so that teachers can calculate learners' grades based on assessments and course work and thus enable learners to achieve their qualifications. The same approach applies also to functional skills qualifications with regard to summer 2020 assessments. Furthermore, Ofqual has stated that assessments can be delivered and invigilated remotely where possible. There is also an option for adapted assessments which can be delivered remotely where there isn't enough evidence for tutors to calculate the results. This takes into account learners who are on short roll-on/roll-off courses or do their learning remotely.

This is important especially for those learners who are close to completing functional skills legacy qualifications. The end date for legacy qualifications has now been extended to 31 December 2020 to allow learners to complete them. If this does not happen learners will have to start again with the reformed qualifications. The original end date was set to August 2020. Unionlearn has produced [guidance](#) for unions on supporting learners with the functional skills qualification reform.

Functional skills and GCSEs in English and maths also feature heavily in apprenticeships. Depending on which apprenticeship level the apprentices are taking they may have to work towards passing English and maths qualifications. For those undertaking a level 3 or higher apprenticeship, it is a requirement that they should hold or achieve an approved level 2 (GCSE or functional skills) in both subjects before they can successfully complete the apprenticeship. For apprentices undertaking a level 2 apprenticeship, all apprentices have to be working towards level 2 in English and maths.

However, this rule has been [suspended temporarily](#) so that apprentices on level 2 don't have to attempt a functional skills assessment this summer if they are in the gateway to take their end-point assessment by 31 July 2020. Level 2 apprentices still need to have level 1 English and maths to complete their apprenticeship. On level 3 and higher, apprentices still need to hold or achieve level 2 English and maths qualifications.

It is possible that with support the apprentices can continue with some of their English and maths learning while working from home or being furloughed (see reps' apprenticeship briefing above). However, it's good to remember that this doesn't count towards the 20 per cent off-the-job (OTJ) training so additional time

needs to be allocated for this. There may also be issues with apprentices attending assessments if training providers are not able to support them or the assessments cannot be invigilated.

Unionlearn's [Apprenticeships & Covid-19](#) webpage has a link to a Q&A on English, maths and functional skills flexibilities during summer 2020.

Further education

Five tests for reopening colleges

The FE unions have set out [five tests](#) that government and colleges must meet before students and staff should return, with the priority placed on guaranteeing their safety before colleges reopen. The unions - UCU, UNISON, GMB, NEU and Unite - issued the statement in response to new government guidance setting out how some students may return to face-to-face teaching in colleges from 1 June.

The five tests are as follows:

1. *Much lower numbers of Covid-19 cases.* The new case count must be much lower than it is now, with a sustained downward trend and confidence that new cases are known and counted promptly. And the Government must have extensive, open and transparent arrangements in place for testing, contact tracing and isolating those with Covid-19 symptoms.
2. *A national plan for social distancing.* The Government must have a national plan in place which includes parameters for both appropriate physical distancing and safe levels of social mixing in all further education settings. To help ensure physical distancing during travel and at colleges, all staff and students who can work and study from home must continue to do so.
3. *Comprehensive testing.* Comprehensive access to regular testing for students and staff,

with isolation for all suspected cases, to ensure colleges don't become hotspots for Covid-19. In addition to routine testing, protocols to be in place to ensure testing across whole college sites and other non-college work-based learning sites whenever a confirmed case of Covid-19 occurs.

4. *A whole college strategy for health and safety.* Risk assessments and safe ways of working for all tasks and spaces within a college should be established with relevant staff and unions in advance. This should include regular deep cleaning and stringent hygiene measures. Where PPE is identified as required by risk assessments, supplies of these are secured before re-opening of affected areas. Strategy to be clearly communicated to all stakeholders.

5. *Protection for the vulnerable.* Vulnerable staff, and staff who live with vulnerable people, must work from home, fulfilling their professional duties to the extent that is possible. Plans must specifically address the protection of all staff, students and members of their households who are vulnerable to Covid-19.

The school workforce unions have recently issued two joint statements on the wider reopening of schools, one on [8 May](#) and one on [13 May](#).

Edge Foundation Report

A new report by the Edge Foundation – *Our Plan for Further Education* - is calling for a number of reforms to our FE and college system. The [press release](#) launching the report, says: "Against a backdrop of a changing economy, growing skills shortages, Brexit and now the corona crisis, the FE sector urgently needs to define a clear and positive way forward following a period of policy confusion and inconsistency. Now is the time for this to happen."

Key points highlighted in the report include:

- The continuous decline in funding has caused significant challenges for the FE sector
- Colleges are facing a staff recruitment and retention crisis reinforced by the increased marketisation of the sector
- There are no prescribed levels of education qualification or professional status required to teach in further education in England creating uncertainty about appropriate and sufficient staff requirements
- The breadth of provision offered alongside a stretched workforce often means FE providers take on more than they have the capacity to handle
- Class sizes have increased and learning hours per student decreased to compensate for cuts in funding
- Mergers have attempted to respond to funding and governance challenges across the sector, but the emerging evidence to date suggests this has had limited success
- Colleges should focus on collaboration, forming collaborative groupings across geographical regions, specialisms and leading local education groups while bringing together other providers including schools and higher education institutions.

The report calls for increased government investment in the college sector and measures to boost the workforce, including the following recommendations:

- Governments must agree a new deal with the FE sector across the four nations based on their renewed vision and purpose, which includes sufficient funding to address the recruitment and retention crisis
- To develop a skilled UK workforce, the FE sector needs to attract, develop and recognise its own teaching staff. Edge

supports the formation of an independent panel for FE pay, which would help establish transparency, fairness and impartiality. The panel would consider pay and conditions in other sectors from which FE staff may be drawn to ensure parity and fairness across the country.