

A Short Guide to the Further Education and Training Bill 2006

Overview

The Bill takes forward many of the reforms announced in the March 2006 White Paper *Further Education: Raising Skills, Improving Life Chances* ('the White Paper'). It contains a range of measures designed to reform the Further Education system in order to equip learners with high quality skills for productive, sustainable employment and personal fulfilment and to ensure that employers have the right skills for their business to succeed in a competitive global economy.

The Bill is divided into four parts, as follows.

Part 1 – The Learning and Skills Council for England

Clauses in Part 1 make provision to restructure and streamline the Learning and Skills Council (LSC) for England, in order to strengthen regional skills delivery and to enable the LSC to adapt more readily to the changing requirements of employers and learners. These measures were announced in chapter 7 of the White Paper.

They place a duty on the LSC in relation to carrying out specific functions in accordance with strategies formulated by (i) bodies authorised by the Secretary of State for Education and Skills, and (ii) a body set up and chaired by the Mayor of London. This is in order to enable the LSC to respond more effectively to skills initiatives.

They place new duties on the LSC in relation to encouraging diversity and increasing choice in education and training and in relation to consulting employers and learners. This reflects the Government's commitment, set out in chapters 3, 5 and 6 of the White Paper, to promoting personalisation of learning, encouraging learner-centric practices and increasing high quality provision through greater contestability.

They clarify the power of the LSC to form and invest in companies. This would facilitate the use of new delivery models for further education and training, as announced in chapter 5 of the White Paper.

They extend the powers of the LSC to design, develop and operate support services for individual learners and for education institutions.

Part 2 – Further Education Institutions

Clauses in Part 2 transfer the power to incorporate further education institutions and to dissolve further education corporations from the Secretary of State for Education and Skills to the LSC.

They transfer to the LSC the Secretary of State's existing powers of intervention (with some modifications), thereby enabling it to intervene in certain prescribed circumstances, including where a college is identified as underperforming or

mismanaged. This is in order to tackle failing or coasting providers of further education more effectively, as announced in chapter 5 of the White Paper.

They enable the Privy Council to grant further education institutions powers to award their own foundation degrees. Currently, further education institutions must get their foundation degrees validated by a university. This provision reflects the Government's commitment to reducing bureaucracy and to delivering more higher education through the further education system.

Clauses in Part 2 also clarify the power of further education institutions to form or invest in companies and enables them to form charitable incorporated organisations. They may also use either power for the purpose of conducting an education institution, with the consent of the LSC. This would encourage the use of new and innovative delivery models, such as federations, trusts and mergers, in the further education system, as announced in chapter 5 of the White Paper.

They place a duty on further education institutions to have regard to guidance about consulting employers and learners, reflecting the Government's commitment to encouraging learner-centric practices.

They enable the Secretary of State to make regulations requiring college principals to achieve a stipulated leadership qualification before taking up a new post. This is in order to improve the quality of college leadership as part of the Government's drive to spread success and eliminate failure in the further education system.

Part 3 – Industrial Training Levies

Clauses in Part 3 amend the Industrial Training Act 1982 to modernise and streamline the process by which Industrial Training Boards demonstrate support for a levy proposal among employers in the relevant industry.

They also require that proposals for levy orders cover a three-year period.

Part 4 – Miscellaneous and General

In Part 4, the power of higher education institutions to form and invest in companies is clarified and there is a new power to form charitable incorporated organisations, in order to encourage the use of new delivery models in further education.

Another clause in Part 4 gives measure-making powers to the Welsh Assembly in respect of further education and training.

Clauses in Part 4 contain general provisions relating to regulations, commencement, extent, short title and other matters.

<http://www.dfes.gov.uk/publications/furthereducationandtrainingbill>