

CONSULTATION RESPONSE

DfE proposals on higher technical education: September 2019

To what extent do you agree or disagree with the proposed aims of HTQs set out in paragraph 9 above?

The aims of higher technical qualifications set out in the proposal (delivering knowledge, skills and behaviours needed for occupations; recognition by employers as high-quality; giving students confidence that these are credible alternatives) are sound and valid.

In 2016, 45% of all “other undergraduate” courses, predominately those at levels 4 and 5, were being taken at Higher Education Institutions (HEIs). That such a sizeable proportion of existing level 4 and 5 provision takes place at universities is often overlooked and has certainly been lost in recent debates on technical education. Moreover, the decline in sub-bachelor courses in recent years has taken place largely in HEIs. To illustrate this point, as recently as 2013/14, 58% of “other undergraduate courses” were taken at universities.¹ It is widely accepted that changes to the finance and funding of HE since 2010 have contributed towards the rapid decline in sub-bachelor study at universities, largely as a result of the high levels of part-time study at these levels. It is clear as well that student choice is a driver as well. Foundation degrees were designed to be if wanted a level 4 and 5 qualification. But the vast majority of Foundation Degree students choose to top up to honours. It is clear, therefore, that work needs to be done to address the decline in technical qualifications and ensure that learners and employers are confident that those qualification provide individuals with the skills required to be effective in the workplace and contribute to greater economic growth and productivity. Modern universities work closely with employers on ensuring that the curriculum is fit-for-purpose and that their programmes have proper input from employer panels and contributions from expert practitioners.

The proposals also note the intention to place employers at the centre of the policy, ensuring that they are members of the approval panels and play a fundamental role in identifying skills gaps and occupational needs. This intention to elicit relevant input from employers is entirely appropriate, but experiences from the similar process in the development of degree apprenticeships provides an insight into some of the challenges in this approach that need to be considered. Large employers, with available resources (time and people) will tend to dominate the process, which means their skills needs may take precedence over those required in smaller organisations (which, with fewer staff, might need people with a blend of skills and competences).

Related to this, in sectors without large employers, it can be more difficult to develop standards. For example, the website of the Institute for Apprenticeships and Technical Education (IfATE) has only six standards approved for delivery in the creative and design route at levels 4 and 5, and only one at level 6 or above.² It would be disappointing if this experience was repeated in the development of higher technical qualifications. The capacity of the IfA to deal with the sheer volume of higher technical programmes likely to be submitted from perhaps a thousand providers of such qualification is surely a critical question.

¹ HESA data, www.hesa.ac.uk

² <https://www.instituteforapprenticeships.org/apprenticeship-standards/> [accessed 20 August 2018]

Higher technical qualifications should also be aiming to provide learners with skills and attributes not-solely related to the occupational role concerned. Qualifications with long-term currency, providing transferable skills and attributes are vital if learners are going to be able to develop a career in a rapidly changing job market. Providing only the skills and knowledge they need for their first job post-qualification is not a sustainable option. Similarly, if learners are to progress through the levels of higher technical qualifications, there should be a sufficient amount of relevant academic theory - applied theory in the case of work-focused qualifications - to ensure that the learner is able to use that combined with practical knowledge as a foundation for future progression. Indeed, there is little analysis in the consultation document of the difference between technician qualifications (that are 'non-prescribed' and do not contain significant core educational content) compared to higher education qualifications that are work-focussed. As we have mentioned above, educational content in such programmes is advantageous for students in the long run, as it gives them a proper grounding not only of the current role-specific skills but also of an underpinning knowledge that is [vital for sustained career progression](#). This applied theoretical understanding in the education qualification can help people adapt to changes in the workplace over time, flexibly retraining as certain specific job functions possibly become obsolete as technology develops, students who are equipped with both skills and underpinning knowledge will have a clear advantage over those only exposed to a narrowly drawn curriculum as with narrower technician qualifications.

[Are there any points you would like to raise regarding our proposal for Awarding Bodies to voluntarily submit qualifications for approval by the Institute against occupational standards?](#)

What is not clear from the proposals is what will happen if an awarding body, college or university chooses not to submit a qualification for approval. The proposals make clear (on page 20) the possibility, on the basis of potential government take-up of the recommendations of the Augar Report, of lower funding levels, but is silent on whether the IfATE will consider the lack of submission as a negative factor. Universities, for instance, are independent, autonomous awarding bodies with the legal right to define and design their own awards as educational qualifications. If these receive the requisite quality assurance, find a market, and meet demand from learners and employers, it should not be for the IfATE to take a view as to their appropriateness. The sector has experience of a centrally directed qualifications approval organisation in the Council for National Academic Awards (CNAA), which existed until 1993. Though the CNAA may have been appropriate when it was introduced, it was apparent by the time it ceased to exist that it was a barrier more than it was a facilitator. There is a rightly a concern in some parts of the sector of a return to a cumbersome system of national oversight that restricts innovation and growth – this will need to be avoided at all costs if this new approach is to retain credibility and buy-in.

In particular, the specific proposal in the consultation document to ask IfATE Route Panels to vet and 'review the assessment materials and methods' of every higher technical programme offered seems to be highly problematic. As we note elsewhere in this consultation response, public universities have strong internal quality assurance processes already subject to exacting regulatory requirements from the OfS and the range of professional or trade bodies with whom they accredit their vocationally related programmes. There seems to be some conceptual and practical confusion here in this proposal for the IfATE's approval of assessment methods between the nature of higher technical education qualifications and apprenticeship standards at the same level. While it is legitimate that employers to input directly into the nature of competency-based 'end-tests' within apprenticeship standards, assessment methods for educational qualifications are best determined by those with a professional understanding of such methods. The two are not the same in form or function. As autonomous qualification-awarding bodies, it is fundamentally for universities to manage their own assessment methods for their educational awards, in accordance with the regulatory framework and sector-recognised standards. A centrally driven assessment 'approval' process for

education qualifications, administered by a public agency, is a clear break with the UK's long-standing (and highly successful) approach to quality assuring higher education qualifications at universities. This consultation proposal should therefore be removed for those awarding bodies that possess degree-awarding powers and are registered with the Office for Students.

The Augar Review rightly highlighted the need for higher education to be more flexible in allowing a person to move in and out of learning as they progress through life and their career. The Review suggested that 30-credit modules should be fundable with student loan eligibility for those who wish to step in and step out of study as the demands of life require. Yet the proposals in the consultation document seem render this flexibility almost impossible to achieve because 'approved' qualifications by the IfATE would be of a minimum 120 credits to constitute the smallest Level 4 higher technical qualification. Given the lack of clarity in the consultation about whether student loan eligibility would remain available for non-approved qualifications at Level 4 and 5, this could have a negative impact on the smaller professional development modules that universities may offer to students and employers and may well disincentivise the creation of innovative accredited 'microcredentials' (which will often be for less than 120 credits) for on-the-job learners or part-time students that are already in development in universities.

The Department for Education should also clarify whether non-technical educational qualifications at Level 4 and 5 (e.g. a CertHE or DipHE) in the social sciences or arts and humanities would be eligible for current student loan funding package under the proposed HTE regime from 2022. Some students currently enrol on such qualifications when they wish to reengage with learning after a spell outside formal education and may be less confident of completing a full Bachelors degree. This is an appropriate practice given the shared commitment of government and universities to minimising non-continuation in HE, for good educational and financial reasons. The Augar Report also recommended creating a more positive perception for such qualifications, something that would be harmed if they did not receive funding support.

[What is your view on our proposal that, upon approval of a higher technical qualification, there should generally be no transfer of copyright?](#)

[What are your views about the circumstances in which it could be appropriate for the transfer of copyright to apply?](#)

Copyright should be retained by the awarding organisation in all cases, unless the organisation itself chooses to give up its claim.

[As Awarding Organisations and Higher Education providers, how important are the following as incentives to encourage the submission of your qualifications for Institute approval?](#)

- a. A clear mark of labour market relevance
- b. A competitive funding package (which could include higher tuition fee support, maintenance funding, or better loan terms for students)
- c. Enhanced support for potential students through information, advice and guidance (e.g. careers advice)
- d. A swift and straightforward process for submission, appraisal and decision-making
- e. Other (please specify)

All of the factors described above will act as incentives to encourage universities and other providers to submit their qualifications for approval. However, it is not as simple as indicating which are the most

important, or the level of importance of any factor. All are important and all need to be made to work together to ensure a high-quality framework of diverse qualifications that meet learner and employer demand, and are relevant to local contexts.

It is also important to note that there are other factors that will signal quality in the market. A single kitemark, with the support of employers and professional bodies, and a government-backed campaign will certainly have an impact. However, the reputation and credibility of providers, particularly in understanding the local situation, as well as their expertise in research and knowledge exchange in disciplines aligned to the technical qualifications, will also be signals of quality. Universities, in particular, have deep experience of providing high-quality, work-relevant, employer-approved, technical and professional education that is informed and improved by their own academic research and knowledge exchange relationships. This point is openly acknowledged in the consultation document. There is value in situating higher technical qualifications within a multi-disciplinary environment that provides learners with additional educational opportunities. It is vital that such routes in technical education are protected and nurtured to ensure the full range of options for students. If the net effect of any changes to the system are to shrink choice or disincentivise certain routes, the net effect of such proposals could run directly counter to the objectives at the heart of this consultation.

[Would you support incorporating the above flexibilities/requirements in the Institute approval process, and are there any specific points you would like to raise in relation to the above?](#)

Flexibility is vital if providers, employers and professional bodies are to be able to work together to design innovative and varied higher technical qualifications that meet local demand. A rigid, inflexible national policy that doesn't adapt to regional contexts will fail.

[Are there any points you would like to raise regarding our approach to retaining existing Ofqual and OfS regulatory arrangements?](#)

The key point, from the perspective of providers on the Office for Students register, particularly universities, is that this registration process confirms the quality of their provision in line with HE sector defined understandings of quality and standards. There should therefore be no requirement for another statutory organisation, such as Ofqual (or Ofsted for that matter) to be involved in regulating the educational provision of universities, outside of formal public and statutory regulatory bodies in areas that require licence to practise recognition.

[Are the suggested criteria suitable markers of high-quality technical provision?](#)

[To what extent do you agree or disagree with the principle of the OfS applying technical ongoing registration conditions that a provider would be required to meet to indicate the high quality of their HTE provision? If you disagree, what could an alternative approach be?](#)

The criteria suggested appear to be suitable; in fact they can already be applied to the providers, primarily modern universities, who have been delivering high quality technical, professional and vocational education for many years. These institutions employ experienced professionals skilled in both teaching and in their industry setting. As we have noted, they have strong and long-held relationships with local employers. They are adept at identifying and responding to local skills, and they are in collaborative partnerships with other providers to ensure that learners are clear about progression and the next steps they need to take.

The proposal to add a set of ongoing registration conditions concerning technical education initially appears sound. However, there are at least two areas of concern. First, as noted above, there are many current providers already on the OfS register that demonstrate these conditions within their current provision. It is a

core part of their offer to learners, employers and the local economy; it is not an “add-on”. These providers are already registered and approved to deliver technical education at levels 4, 5 and beyond, including HNCs, HNDs, Foundation Degrees and Degree Apprenticeships. Employers and learners already demonstrate confidence in these providers, so it is not clear what would be gained from separate registration conditions in the OfS process.

The second area of concern is that this proposal appears to conflict with other proposals. If the OfS develops a set of additional ongoing registration conditions for providers wishing to deliver technical education, why then would there need to be a separate approval process conducted by the IfATE? This seems duplicative and potentially burdensome, for no additional benefit. This second approval process is not a feature of academic provision, so it would mean creating different categories of providers and treating some differently to others. One key function of the OfS and its Register was to level the playing field; this would introduce an imbalance in how the OfS deals with providers, purely on the basis of the type of provision offered. Our view therefore is that the full requirements of the current OfS Regulatory Framework are sufficient for current or prospective HE providers wishing to offer either ‘approved’ Level 4 and 5 higher technical qualifications or qualifications at this level in other subject areas (such as the social sciences or humanities).

To what extent do you agree or disagree that linking grant or capital funding to meeting the technical ongoing registration conditions would encourage providers to deliver high-quality provision?

- a. How might this work to ensure provision best meets local skills needs?
- b. What specifically would additional funding support?
- c. Would additional costs be a barrier to delivering high-quality HTQs? Why?
- d. Which would be a greater priority for providers: ‘capital’ or ‘recurrent grant’ funding? Why?

Capital and grant funding are already linked to student characteristics and numbers, course provision, and costs – conditions that are applied to all providers on the OfS register. For example, in the support available for high-cost subjects, the funding is available to all providers offering those subjects, allocated according to established formula and criteria. No further value judgement is made about the specific design of those subjects or courses offered, nor of the specific role they play in meeting local or regional skills needs.

That the government wishes to incentivise the demand for technical qualifications is legitimate. What does not appear to be appropriate is to hold those qualifications, and so the providers that will offer them, to far higher standards than those applied to qualifications in non-technical subject areas.

The OfS (as with the Higher Education Funding Council for England before it) is able to run selective, competitive funding competitions for capital funding or ongoing support for valued activity. These can be designed to meet certain goals and ambitions, targeted to achieve changes in subject provision or regional coverage. This is a well-established approach to funding higher education in England. It enables the funder to lay out its strategy and objectives, as well as its budget, and allows providers to make the decision as to whether to enter into the funding competition after making their own assessments about local context and demand. The proposed approach appears to be trying to centralise this approach and require the OfS to make what will likely be one-size-fits-all national judgements about regional skills needs when they lack a capacity to make such judgements. This may also be in contradiction to the duties in the Higher Education and Research Act 2017 to promote choice and to encourage competition.

To what extent do you agree or disagree that we should explore how providers that meet the ongoing registration conditions specific to Higher Technical Education could have access to a more competitive student finance package for courses leading to approved HTQs than those who do not meet the technical conditions? Why?

The current legislative position is that a provider on the OfS Register in the approved (fee cap) category is eligible for grant funding, and its students are eligible to apply for student loan funding to support the cost of tuition fees and/or living costs (where those students meet the relevant residency conditions).

A situation where additionality, in the shape of a superior funding package, was created for HTQs by means of reducing the level of funding currently available for existing courses could be a grave error. Proposals of this kind could provoke perverse consequences of shrinking support available for students on successful and viable routes that are already subject to high levels of quality-assurance. It is important to remember that this consultation was premised on the observation of a perceived lack of students graduating at levels 4 and 5 (outlined in the DfE's Case for Change document), followed up with a stated intention to grow overall numbers in this space. Any funding proposals that favour certain qualifications at the expense of some existing provision are likely to fail to meet the objective of an absolute increase in sub-bachelor technical study by creating relative 'winners' and 'losers', to the detriment of students and the diversity of choice available to them.

There are many alternative ways in which funding incentives can be created through a system of HTQs that could be explored in order to raise the profile and esteem of technical qualifications (i.e. the current range of 'non-prescribed' qualifications, including technician qualifications) at these levels. MillionPlus would urge the Department to consider approaches that are based on a principle of "levelling up" the support package available to students, in order to drive quality across different sectors that operate in the tertiary space. The fairest and simplest approach with regard to financial support for students would be to extend the provision of tuition fee and maintenance loans to all HE designated courses at those providers.

To what extent do you agree or disagree that additional non-financial support will be needed to enable providers to develop their workforce and engage fully with employers?

What might examples of non-financial support be?

We welcome ideas from respondents on:

a. How providers could best allocate their existing resources to build and support capacity and delivery of approved HTQs;

b. Where additional help may be needed;

and c. What providers think should be prioritised in terms of any future funding allocation.

If you have any further comments that are not covered in the above, please include here.

N/A

To what extent do you agree that there is a need and opportunity for more young people and adults (including those who need to upskill/retrain) to be undertaking HTE in the future? Please provide examples from your own experience.

To what extent do you agree with these measures to improve IAG for young people, adults and employers?

Please give further thoughts on other ways we could help fill the HTE information gap for:

- Young people and their teachers considering their options after completing a level 3
- Adults in the workplace who need to upskill/retrain
- Employers who have skills shortages at higher technical level

All potential learners need access to high quality information, advice and guidance (IAG) that explains all possible options without bias or prejudice. At school or college level, this will be possible through the provision of funding and information to allow those schools to employ and support professional advisers. The key thing is that these people are aware of all routes, rather than attempt to direct individuals into certain qualifications. It should not be the case that certain students are pointed towards academic study at universities, while others received advice about technical routes.

A more challenging issue is in providing IAG to learners who are not currently in education. Although information can be made available online (notwithstanding the fact that some may be digitally isolated), it is far harder for those individuals (and employers wishing to support them) to access the people who can provide them with advice and guidance. The former Connexions service was one solution to this, as is information made available at Job Centres. However, it is worth considering the possibility of providing funding at a local level to consortia of education providers and employer representatives to enable them to establish places where individuals can access IAG (e.g. placing them in or near highly visited places like shopping centres, leisure facilities, health services). This will require long-term funding and commitment in order to be sustainable but is likely to be worthwhile as it will enable individuals to fulfil their full potential within the workplace, supporting productivity and growth.

Recognising the importance of IAG also highlights some of the limitations of the potential impact of a kitemarking system for higher technical qualifications. If there is not sufficient "buy-in" from wider society for a revamped technical education in the tertiary sector, then a system of Higher Technical Qualifications could be limited to acting as a means of differentiating between technical qualifications rather than raising the esteem of technical education when set against alternatives in tertiary education. Public perception of technical education is a critical factor, both in regard to potential students, young and old, and their parents or peers. An effective kitemarking system that entails little or no extra burden for institutions is to be welcomed but growing the status of technical education at a national level will require other factors to cohere with a new kitemarking system.

Do you have any further evidence on what works in this space and what more government can do to improve access and help support students to undertake and complete a HTQ?

N/A

With reference to the impact assessments published alongside this consultation - Do you have any comments about the potential impact the proposals outlined in this consultation may have on individuals with a protected characteristic under the Equality Act 2010? Please give reasons for your answer.

N/A