

# Learning & Skills Policy Update

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**February 2020**

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## Contents Heading:

- Introduction..... 1
- Unionlearn Seminar: Trade Unions & Skills . 1
- New government's skills policy ..... 2
- Apprenticeships..... 3
- Augar Review ..... 5
- Further education..... 6
- English, maths & digital skills ..... 7

## 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](mailto:imurray@tuc.org.uk). The newsletter and a range of other learning and skills policy briefings are available on the [unionlearn](http://unionlearn.org.uk) and [TUC](http://tuc.org.uk) websites.

## Unionlearn Seminar: Trade Unions & Skills

This seminar will launch a new Learning & Work Institute report analysing the benefits of social partnership in the skills system and the contribution that unions make in boosting access to workplace learning and training. The report has been commissioned by unionlearn and it examines the current state of play in

England and other parts of the UK. The report also explores approaches to social partnership arrangements on workforce skills and direct union engagement in workplace learning and training in other countries, including drawing on a new analysis to be published by the OECD's Trade Union Advisory Committee (TUAC).

Confirmed speakers at the event include:

- Mary Bousted, Chair (Joint General Secretary of the National Education Union and Chair of the unionlearn Board)
- Government representative (to be confirmed)
- Emma Hardy MP (Shadow Further Education and Higher Education Minister)
- Paul Nowak (TUC Deputy General Secretary)
- Joe Dromey (Deputy Director for Research and Development, Learning & Work Institute)
- Anna Byhovskaya (Senior Policy Advisor, Trade Union Advisory Committee to the OECD)
- Kevin Rowan (Head of Organisation, Services and Skills at TUC and Director of unionlearn).

**Date and timing: Wednesday, 25 March 2020, 10:00 – 13:00** at Broadway House, Tothill Street, Westminster, London SW1H 9NQ (lunch will be available for delegates). **To register**, go to: [www.unionlearn.org.uk/event/2020/trade-unions-and-skills-boost-jobs-and-productivity](http://www.unionlearn.org.uk/event/2020/trade-unions-and-skills-boost-jobs-and-productivity)

### New government's skills policy

This update sets out what we know about the new government's skills policy framework going forward. The information is largely drawn from three documents: the Conservative Party election manifesto and a press release and separate costings document published alongside the manifesto. The [manifesto and costings document](#) and the [press release](#) can be accessed online. The [Queen's Speech](#) and a [background briefing paper](#) setting out the legislative plans of the new government also refers to the National Skills Fund and other skills policy commitments highlighted in this newsletter.

The manifesto includes a section - *Invest in Britain's People* (pages 36–37) - which includes most of the skills policy commitments. It highlights the scale of the challenge in the coming years, including the impact of automation on the development of the jobs market and also the growth in new jobs and industries resulting from cleaner energy and the move to a carbon-neutral future. It also says that the new government “will invest far more in helping workers to train and retrain for the jobs and industries of the future.”

#### National Skills Fund & retraining

The main new initiative announced is a commitment to boost spending on skills through a new National Skills Fund worth £3 billion over the coming Parliament. The central aim of the new fund will be to “help to transform the lives of people who have not got onto the work ladder and lack qualifications, as well as people who are keen to return to work from, say, raising a family, or switching from one career to another.”

The plans are that the fund will:

- Provide matching funding for individuals and SMEs for high-quality education and training; and

- A proportion will be reserved for a further strategic investment in skills.

The press release links the establishment of the National Skills Fund with a new “Right to Retrain” and says that the £3 billion funding will be additional to current skills spending. The exact wording is as follows: “We will establish a new National Skills Fund as the first step towards a ‘Right to Retrain’. We will invest £600 million a year, £3 billion over the Parliament, into the Fund. This is new funding on top of existing skills funding. We expect this to include funding for a range of courses including apprenticeships.”

There is also a commitment to extensive consultation on the design of this new fund, as follows: “The Treasury will consult widely on the final design of the Fund to ensure that the money is invested wisely and delivers the best possible outcomes for individuals and businesses. The full details will be set out in the first Spending Review of a Conservative majority Government. We will have strong quality assurance mechanisms in place.”

The press release expands on the concept of a new right to retrain, saying it “will give individuals and small businesses the chance to level-up with high-quality education and training - opening up new opportunities for the incredible talent that is spread throughout the country.” It goes on to say that “over time, it is our ambition to establish a Right to Retrain for all adults [and] it is our ultimate ambition to empower millions of people in the future with the skills to achieve their potential, keep pace with technological change and embrace lifelong learning.”

The government has also confirmed that over time the ongoing development of the National Retraining Scheme will be closely tied to the development of the National Skills Fund. In a Parliamentary Written Answer on 8 January, a

government minister said: “We will invest an additional £3 billion over the course of this Parliament to support the creation of a National Skills Fund. The fund will build on existing reforms, including ongoing work to develop a National Retraining Scheme, an end-to-end service designed to help workers prepare for the changing labour market.”

### Other skills policy commitments

The manifesto also reiterated the previous government’s commitment to establish a UK Shared Prosperity Fund in order to ensure that the people of the UK do not lose out from the withdrawal of EU funding channelled via its Structural Funds. It says that this will allow for the replacement of the EU programme with “one that is fairer and better tailored to our economy” and that £500 million will be allocated to “give disadvantaged people the skills they need to make a success of life.”

There are also number of commitments in the manifesto on training in the NHS, where the “core priority is to make sure this workforce can grow and has the support it needs - in terms of numbers, training and resources”. The commitments include:

- student nurses receiving a £5,000-£8,000 annual maintenance grant every year during their course to help with their cost of living
- improving staff morale with more funding for professional training.

The manifesto also includes a commitment to develop a prisoner education service focused on work-based training and skills.

## **Apprenticeships**

### New government’s commitments

According to the manifesto, a central aim of the new government will be to “train up hundreds of thousands more highly skilled apprentices” but

there is no reference to a specific target as there has been in recent years. There is a commitment to a more proactive use of procurement, as highlighted by the following statement: “But we will go further and require significant numbers of new UK apprentices for all big new infrastructure projects – new hospitals, new schools, major transport projects and so on.”

The manifesto also includes a commitment that as part of its overall strategy to help employers invest in skills, the government will “look at how it can improve the working of the Apprenticeship Levy.” In addition, it is indicated that apprenticeship places will also be delivered through the new National Skills Fund (see above).

### LGBT+ inclusive apprenticeships

Unionlearn has launched the first ever lesbian, gay, bisexual and trans (LGBT+) inclusive guide to apprenticeships. The new guide, published during [LGBT+ History Month](#) and [National Apprenticeship Week](#), will help union reps fully support LGBT+ apprentices in the workplace. [LGBT+ inclusive apprenticeships](#) explores the barriers LGBT+ people can face at work, explains workplace rights and offers practical advice on how to improve diversity. It also stresses the importance of clear and robust policies and a zero-tolerance approach to all forms of discrimination and harassment.

The new guide follows TUC research published last year, which found that nearly 7 in 10 (68%) LGBT+ people reported being sexually harassed at work. Unionlearn director Kevin Rowan said: “Apprentices come from a wide range of backgrounds and have unique workplace experiences. It’s so important for all of them to feel safe at work and be able to grow in their chosen profession. But many employers could do more to ensure their apprenticeships support those from minority sexual orientations or gender identity backgrounds.”

“Bosses need to make sure they have policies and practices in place to make their workplaces inclusive. And they must collect and analyse monitoring data from all their workers to ensure those policies are working. I’d advise any apprentice to join their union. Unions are working hard to build inclusive workplaces and to negotiate effective policies to make working life better for everyone.”

The new guide is part of a series of resources unionlearn has produced to provide detailed guidance on apprenticeship issues relating to:

- [LGBT+ inclusive apprenticeships](#)
- [Tackling apprenticeship gender inequality](#)
- [Supporting Black and minority ethnic apprentices](#)
- [Accessible apprenticeships](#)

### Apprenticeship Pay Survey

The latest edition of the government’s [apprenticeship pay survey](#) for 2018-19 was released in January, including a report on GB data and separate reports on trends in England, Wales and Scotland. The key finding from the latest report covering GB is that contravention of the apprenticeship National Minimum Wage (NMW) has got worse since the last survey was undertaken in 2016. It shows that 19% of apprentices in 2018-19 were not getting paid the NMW rate compared to 18% in 2016. Even more worrying the non-compliance rate was even lower (15%) in an earlier pay survey undertaken by government in 2015.

Non-compliance is also much more widespread in the case of apprentices who are eligible for higher NMW pay rates because of their age and/or because they have completed the first year of their apprenticeship. For example, 34% of people aged 19-20 who were in the second year or later of their apprenticeship were not paid the statutory minimum (up from 32% in

2016). Also, in some sectors non-compliance has now reached scandalous levels, in particular Hairdressing (47%) and Childcare (33%). It is also very concerning that non-compliance in the childcare sector has increased from 27% since 2016. In a report last year the TUC set out a number of policy reforms to address apprenticeship NMW non-compliance and wider issues (e.g. transport costs) relating to increasing poverty among apprentices. See our [October 2019](#) newsletter for an update on this.

### Time off for off-the-job training

The [last edition](#) of this newsletter also provided an update on recent changes to the regulations on apprentices’ entitlement to 20% time off for off-the-job training. The [government](#) updated these regulations again in January by stipulating that from 1 August 2020 providers will have to input the total hours of off-the-job training that have been delivered to apprentices into the Individual Learning Record (this will apply to those individuals starting a new apprenticeship on or after 1 August 2019). A recent article on the [FE Week website](#) about this latest change to the regulations highlights that government views this as necessary because of evidence that too many apprentices are still not receiving the minimum amount of off-the-job training that they are entitled to.

### Trade Union Official apprenticeship standard

A new Trade Union Official apprenticeship [standard](#) is very close to being signed off by the Institute for Apprenticeships & Technical Education. The development of the new standard was taken forward by a trailblazer group comprising a number of unions supported by the GFTU and unionlearn. Events to promote the new standard were held in National Apprenticeship Week in London and Manchester. The next edition (Spring 2020) of unionlearn’s [Learning Rep](#) includes an update on the development of the new standard.

### Resit and retake guidance for apprenticeship end-point assessments

The DfE has recently published [guidance](#) for employers and providers on retakes and resits of end-point assessments (EPAs). All apprenticeship standards include a distinct EPA and only approved end-point assessment organisations (EPAO) can carry out these assessments.

When the employer and provider consider the apprentice to be ready to take an EPA they are deemed to be at the gateway stage. It is therefore their shared responsibility to decide whether the apprentice is ready to move to take the EPA although the apprentice should be allowed to give their view about their EPA readiness. However, if the apprentice doesn't pass, union reps should look at what extra support the apprentice might need. The DfE guidance sets out the employer's, provider's, EPAO's and apprentice's responsibilities around the gateway and the EPA including that:

- the employer and provider should devise an action plan and this should include an estimated time to prepare for the EPA retake
- the resit means sitting one or more failed components without a need for further training for the apprentice
- the employer and the EPAO agree on the retake cost which the employer pays for and a provider may contribute towards
- apprentices cannot be asked to pay for costs of training and assessment and are not responsible for resit or retake costs.

### **Augar Review**

According to a recent analysis by the [Institute for Fiscal Studies](#), there may be further additional spending commitments on FE and adult skills depending on the government's forthcoming response to the policy proposals in the [Augar](#)

[Review](#). This independent review was commissioned by the previous government to inform its review of post-18 education and funding. The has made recommendations that, if taken forward, will lead to increased funding for adult skills. For example, the review has proposed that all adults should have an entitlement to fully-funded provision to achieve their first Level 2 and/or first Level 3 qualifications.

The manifesto said that the “Augar Review made thoughtful recommendations on tuition fee levels, the balance of funding between universities, further education and apprenticeships and adult learning” and committed the government to “consider them carefully.” It is anticipated that the final response to the review will inform the government's multi-year spending review that will be conducted later this year.

The TUC highlighted its support for a number of the review's recommendations in a recent [submission](#) to the Education Select Committee, including:

- new fully funded entitlements for all adults so that they can attain a Level 2 and/or Level 3 qualification level
- other measures to boost take-up, and status, of higher-level vocational qualifications at Level 4 and Level 5
- increased financial support for adult FE and HE students through maintenance grants and bursaries
- making investment in the FE workforce a priority.

However, the TUC submission to the Select Committee also stressed that government would need to take forward a much more ambitious approach than that set out in the Augar Review in order to tackle the scale of the skills crisis currently facing us.

The TUC is calling for a number of key skills policy reforms, including:

- a significant boost to government funding for adult skills and FE
- new lifelong learning accounts for all adults incorporating fully funded entitlements to upskill or retrain
- a new right to paid time off for education and training for workers
- a new entitlement to a mid-life skills/career review and development of an all-age careers guidance service in England
- unions to have a voice at the table on all skills bodies, including the Institute for Apprenticeships and Technical Education and regional skills bodies (e.g. Skills Advisory Panels)
- a commitment to long-term sustainable funding for the Union Learning Fund and unionlearn
- a range of measures to guarantee young people access to a high-quality apprenticeship and/or technical qualification to a minimum of level 3.

On the last point, we have also been pressing for changes to ensure that all apprenticeships and technical courses are of a high quality and equally accessible to all young people. Some urgent reforms include the need for: much stricter enforcement of apprentices' entitlement to 20% of working time for off-the-job training; equalisation of the NMW apprenticeship rate with the NMW youth rates; a new "progression entitlement" for apprentices involving a right to progress from a level 2 to a level 3 apprenticeship; and, reform of the Institute for Apprenticeships & Technical Education to ensure more action is taken to address key challenges, particularly relating to equality & diversity, standards and quality.

### Further education

#### Capital funding

One of the recommendations of the Augar Review that the government has already agreed to take forward is a commitment to increased capital funding to develop buildings and equipment in the further education sector. According to the manifesto this will involve:

- investing £1.8 billion over the Parliament to "upgrade the entire further education college estate", and
- further investment to develop "20 Institutes of Technology, which connect high-quality teaching in science, technology, engineering and maths to business and industry."

Before the election was announced the Secretary of State for Education had already made the [commitment](#) for government to provide up to £120 million of additional funding to "enable every region in England to establish a high-quality Institute of Technology". The government describes Institutes of Technology as "unique collaborations between further education colleges, universities, and employers – including Nissan and Microsoft – offering higher technical education and training mainly at Levels 4 and 5 (above A levels and T Levels but below degree level) in key sectors such as digital, construction, advanced manufacturing and engineering." Twelve Institutes were already in the process of being established, backed by £170 million of government investment, and the latest commitment will extend the number to 20 with the aim of establishing up to 8 more Institutes in areas of the country that do not currently have access to one.

#### College of the Future Commission

The [Independent Commission on the College of the Future](#) was established last year by the Association of Colleges to develop a strategic response to a central question: What do we want

and need from our colleges in ten years' time? The Commission brings together leading figures from business and the trade unions as well as national and international experts and key stakeholders from across the four nations of the UK. Paul Nowak, TUC Deputy General Secretary, is a Commissioner and to date the TUC has facilitated two round-table sessions of the education unions to feed into the work of commission. The commission has also been calling for written evidence and the TUC and a number of the education unions have contributed to this. The final report of the commission will be published in the Spring.

### FE workforce announcement

The government recently [announced](#) a £24 million initiative to boost investment in the FE workforce. This will include:

- £11 million to provide bursaries and grants worth up to £26,000 to attract talented people to train to teach in FE, in priority subject areas such as STEM, English and SEND teaching
- A £10 million boost to expand the government's [Taking Teaching Further programme](#) which is delivered in partnership with the Education and Training Foundation (ETF). This programme supports industry professionals working in sectors such as engineering and computing to retrain as further education teachers. The scheme has already supported over 100 people to work in FE across the country so far. The new additional funding will support up to 550 more people to train to teach a range of technical subjects in 2020
- £3 million for high-quality mentor training programmes, designed and delivered by the ETF to support FE teachers – including those in the important early years of their careers – to develop and progress.

As part of the initiative the government has also committed to collect much more data on the FE workforce. UCU gave a [welcome](#) to this, saying: “The optional approach to data collection has failed - UCU has been calling for improvements to further education data for many years and we welcome this move to compulsory collection from colleges. Good quality data is essential if we are to paint an accurate picture of how staff are being treated by employers across the sector.”

### **English, maths & digital skills**

#### 20 years on from Moser report

In 1999 the Moser report, [A Fresh Start – improving literacy and numeracy](#), kicked off a national strategy aimed at improving adult basic skills. The report highlighted “that one adult in five in this country is not functionally literate and far more people have problems with numeracy”. The government subsequently developed its Skills for Life strategy to address these challenge and the strategy was updated in 2006 following publication of the Leitch Review report, [Prosperity for all in the global economy - world class skills](#).

The Skills for Life strategy continued until 2010 and it included memorable awareness raising campaigns, development of literacy and numeracy standards, curricula and qualifications as well as improvements to teacher training. One of the more helpful policy decisions in recent times has been to include digital skills as a fully funded entitlement for adults lacking basic skills (alongside existing English and maths entitlements).

The Moser report included a number of recommendations relating to trade unions, including:

- (i) Unions should provide basic skills programmes for their members based on the new National Strategy

(ii) Unions should work with the TUC to train and develop “union learning representatives”, who should support and advise learners and work with employers on the development of basic skills provision in the workplace

(iii) Unions should be encouraged to submit bids to the Union Learning Fund, and the Workplace Basic Skills Development Fund, for the development of basic skills programmes.

Most of the organisations referred to in the wide-ranging recommendations, including the Workplace Basic Skills Development Fund, no longer exist. The key exception to this is the continuing role of trade unions and union learning reps through the support of the Union Learning Fund and unionlearn.

The latest annual outcome data (2018-19) show that 205,000 learners were supported via the union route. For example, unionlearn supported 8,107 English and maths learners compared to a target of 7,500. The Union Learning Fund (ULF) supported 35,822 compared to a target of 23,541. In addition, the ULF supported 28,568 ICT learners compared to a target of 22,466 and 838 ESOL learners compared to a target of 567. The ULF also delivers a large number of assessments for learners that are not counted in the above outputs, and these figures are as follows: English assessments (13,347); maths assessments (12,480); and, ICT assessments (11,852).

These outcomes are significant considering the major decline in participation in English and maths learning highlighted in the Social Mobility Commission’s [State of the Nation 2018-19](#) report. The report points out that “between 2010/11 and 2017/18, there was a 31 per cent decline in adults participating in up to a Level 2 English and maths and a 30 per cent decline in the number of those achieving up to Level 2 qualifications over the same period”. The significant decline in learner numbers in English

and maths shows that there’s an urgent need for government to step up campaigns and strengthen provision to improve access to learning for all adults lacking these skill levels.