

Learning & Skills Policy Update

March 2018

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

National Retraining Scheme

On 13 March the Chancellor issued his Spring Statement and referred to ongoing progress with the development of the National Retraining Scheme. In the November Budget the Chancellor had confirmed that the government would “enter into a formal skills partnership [National Retraining Partnership] with the Trades Union Congress and the Confederation of British Industry, to develop the National

Retraining Scheme”. The aim of the partnership is to “help set the strategic priorities for the scheme and oversee its implementation, working with new Skills Advisory Panels to ensure that local economies’ needs are reflected.” The November Budget also confirmed that two early priorities for the scheme would be to boost learning and training opportunities for construction skills and digital skills.

In the Spring Statement the Chancellor said that at the first meeting of the National Retraining Partnership (5 March) there “was a clear and shared commitment to training, to prepare the British people for a better future ahead.” This first meeting of the new partnership was attended by: the Chancellor; TUC General Secretary, Frances O’Grady; CBI Director-General, Carolyn Fairbairn; the Secretary of State for Education, Damian Hinds MP; and, the Exchequer Secretary, Robert Jenrick MP.

At a recent *Campaign for Learning* seminar about the National Retraining Scheme, Paul Nowak (TUC Deputy General Secretary) and Neil Carberry (CBI Managing Director for People and Infrastructure Policy) gave their views on the new training programme. Paul Nowak said: “Unions, government and business must work together to make sure that the National Retraining Scheme helps every worker who is struggling to progress to better work, or at risk from the impacts of technologies like

automation and AI. Globalisation, industrial change and Brexit demand that we invest in the potential of all workers, delivering the skills we need to compete in the growth sectors of the future.

He added: "Trade unions have a unique role to play, making sure workers whose needs are most acute receive the right support and training opportunities. This can safeguard their livelihoods and enable them to take on the jobs of the future."

Neil Carberry said: "We're delighted to be working alongside the TUC and the government as part of the National Retraining Partnership. The Partnership, alongside improved technical education and a reformed apprenticeship levy, could drive a skills revolution. We are committed to designing a system that really delivers for those already in work, improving careers, opportunities and business performance."

A Department for Education spokesperson said: "The National Retraining Scheme will make sure that there are opportunities available for everyone to get the skills they need throughout their lives. It is crucial we get this right - that is why we continue to work closely with key groups including the CBI and TUC so the scheme is spot on for both learners and employers".

In the Spring Statement the Chancellor also gave more information on the early priority of boosting construction skills. He said: "Next month our £29 million construction skills fund will open for bids to fund up to 20 construction skills villages around the country." More information on this construction skills initiative will be made available shortly.

Apprenticeships

Spring Statement announcement

In addition to the National Retraining Scheme, the Chancellor highlighted a change to apprenticeship funding in the Spring Statement. He said the following: "We're committed as a government to delivering 3 million apprenticeship starts by 2020 with the support of business through the apprenticeship levy. But we recognise the challenges the new system presents to some small businesses looking to employ an apprentice. So I can announce today that my Right Honourable Friend the Education Secretary will release up to £80 million of funding to support those small businesses in engaging an apprentice."

In effect this will boost the government funding pot for subsidising apprenticeship training for employers in England who don't pay the levy (i.e. all employers with an annual paybill of less than £3 million). Under the current funding regime these employers only pay 10% of the costs of apprenticeship training and the government meets 90% of the costs.

Off-the-job training

There continues to be a large amount of lobbying against the new regulation introduced by government last year stipulating that all apprentices should be engaged in off-the-job training for at least 20% of their working time. The new regulation also specifies that this does not include the time off required for English and maths learning that some apprentices need to pursue if they have not attained the necessary minimum standard required for their apprenticeship. The government guidance on off-the-job training is set out detail at: www.gov.uk/government/publications/apprenticeships-off-the-job-training. Unionlearn summarised the guidance in the [July 2017 edition](#) of this policy update newsletter and it is also highlighted in our new edition of [Your rights as an apprentice](#) leaflet.

Education Select Committee inquiry

The House of Commons Education Select Committee is currently undertaking an inquiry into the quality of apprenticeships. The TUC has submitted written evidence highlighting a range of concerns, in particular relating to poor quality training and employment, including extensive contravention by employers of the National Minimum Wage (NMW). The TUC submission also highlights the slow progress in tackling the barriers that certain groups – particularly women, BAME groups, and disabled people – face in accessing the best apprenticeships.

Some of the key findings from the TUC submission are as follows:

- the government's latest survey of apprentices highlights that 30% of them are not even aware that they are actually undertaking an apprenticeship and this lack of awareness is found among 55% of adult apprentices (those aged 25+)
- one in seven (14%) apprentices say that they do not receive any formal training
- 37% of all apprentices were not receiving the minimum advised amount of training
- nearly one in five (18%) apprentices are not getting paid the NMW rate (£3.70 an hour) and this is worse than the previously reported level of contravention of the Apprentice NMW (i.e. affecting 15% of apprentices in 2014)
- 54% of all apprenticeship starts are accounted for by women but only 4% of engineering apprenticeships are taken up by women
- In 2015/16, 38% of the applications for apprenticeships were from BAME groups but they only accounted for 17% of starts
- Between 2005/06 and 2015/16 the proportion of apprentices classified as

disabled fell from 11% to 9.9%.

The TUC submission called on the government to ensure that the Institute for Apprenticeships takes forward a much more proactive role in tackling poor quality provision and equality and diversity issues. It also called on the government to provide a proper voice for trade unions in the reformed apprenticeship system and to draw on the “social partnership” models in other European countries with high quality apprenticeship systems. The TUC submission, and written evidence from other organisations, is available at:

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/education-committee/inquiries/parliament-2017/apprenticeships-and-skills-training-inquiry-17-19/publications/>

The Director of unionlearn, Kevin Rowan, also gave oral evidence to the Select Committee and a video and written transcript of this evidence can also be accessed at the above weblink. This evidence session also included a strong message of support by the Chair of the Select Committee (Robert Halfon, MP) for unionlearn's work in helping apprentices and other learners in the workplace (for more details, see: www.unionlearn.org.uk/news/unionlearn-praised-commons-select-committee).

Your rights as an apprentice

In *National Apprenticeships Week* unionlearn promoted a new edition of its leaflet aimed directly at apprentices, [*Your rights as an apprentice*](#). The leaflet helps apprentices to consider what to expect from their apprenticeship, what they are entitled to and what they can gain from the experience. The 20% off-the-job training rule is one of the new regulations that apprentices need to be aware of. The leaflet also highlights the terms and conditions of employment and minimum pay rates that all apprentices are entitled to.

Unionlearn has also recently updated the [Apprenticeships – Know your rights eNote](#). Enotes are interactive online guides that provide an easy introduction to a topic and they contain a mixture of text, video and quizzes.

Transferring Apprenticeship Levy funds

Last year the Government published their plans to allow levy-paying employers to transfer 10% of the annual value of funds entering their apprenticeship service account to other employers from April 2018. The details of this was included in the [December 2017 edition](#) of this newsletter. To support communication of this new flexibility the government has now issued a new update on the policy change, including links to three advisory resources as follows:

[Watch this 3-minute video about transfers](#)

[Read the GOV.UK page on transferring apprenticeship service funds](#)

[Read this updated transfers blog that now includes key dates](#)

Equality and diversity

In February the government [announced](#) a new initiative – “5 Cities Project – aimed at promoting the take-up of apprenticeships among under-represented groups, including Black, Asian and Minority Ethnic (BAME) and those from disadvantaged backgrounds. The project will see the government’s National Apprenticeship Service (NAS) work with partners in the Greater Manchester, London, Bristol, Birmingham and Leicester areas on this agenda.

Some major employers are also supporting the initiative, including B&Q, Rolls Royce, Optimity, and Interserve. Local authorities, Local Enterprise Partnerships, apprenticeship

providers, schools, and community groups are also closely involved in the project. Each of the five cities have pledged to boost diversity in apprenticeships in their local area. For example, Greater Manchester aim to deliver a 16 per cent BAME apprenticeship representation and Leicester will deliver an increase in apprenticeships for those from disadvantaged backgrounds.

Mayors in these cities will lead co-ordinated activity with local partners and NAS to help break down barriers and support BAME individuals to apply for apprenticeships. Members of the [Apprenticeship Diversity Champions Network](#), including the BBC and the University of Birmingham, will also support the project.

Commenting on the initiative, Andy Burnham, Mayor of Greater Manchester, said:

“We want Greater Manchester to be known for its fairness, equality and inclusion – a place where that everyone can get on in life and get into work, whatever your circumstances, background or aspirations. That’s why I’m proud that Greater Manchester is part of a pilot that’s going to celebrate the diversity of our city-region. We’ve already had initial discussions with employers - including some national household names - who are committed to working together to make sure that our workforces are more representative of the communities we serve. Those employers and communities will be a crucial part of shaping how the pilot will work in Greater Manchester, and we’re looking forward to getting started.”

Part-time apprenticeships

A new report from [Young Women’s Trust](#), Trust for London, flexibility experts Timewise, and the Learning and Work Institute has revealed that potentially thousands of people are missing out on the opportunity to train because of a lack of

part-time apprenticeship opportunities. The report shows that just one in ten apprentices are contracted for less than 30 hours per week, leaving the training out of reach for many who are unable to work full-time – particularly women, people with caring responsibilities, disabled people and young people leaving the care system.

The report also shows that employers see huge potential for part-time apprenticeships to increase diversity. Polling done by YouGov for Young Women's Trust showed that more than half of employers (54%) would be willing to offer part-time apprenticeships, including 65% of those in the public sector. Despite these findings and some excellent examples of employers making part-time apprenticeships work, many employers wrongly continue to believe there is no demand or that part-time apprenticeships would be difficult to administer. Meanwhile, potential apprentices found that resources such as the Government's 'Find an Apprenticeship' service did not allow them to search for part-time apprenticeships, meaning many thought they were simply not available.

The organisations behind the research now hope to develop and test a model of part-time apprenticeships that will benefit both businesses that are experiencing skills shortages and those looking to get back into work or progress their careers on a part time basis.

English and maths

Functional skills qualifications consultation results

A major review of English and maths functional skills qualifications (FSQs) has been running for some time. The latest policy consultations were undertaken in 2017. In response the Department for Education (DfE) has now

released the subject content for both [maths](#) and [English](#) FSQs. Ofqual has also released their decisions about the overall approach to assessment. Some of the assessment decisions, such as including spelling tests for Entry level English, were based on what was proposed in the subject content.

The decisions include:

- specifying both a minimum and maximum overall assessment time
- setting rules on the overall number of assessments in new FSQs in English and maths
- retaining a pass/fail grading model
- setting weighting ranges for spelling, punctuation and grammar (SPaG) within the Writing component for English
- introducing weightings for calculator, and non-calculator, based assessment in maths.

[Ofqual's consultation response](#) explains that its original proposal to set a minimum overall assessment time has been modified by also allowing for a maximum assessment time. Ofqual also originally proposed not to set rules for the number of FSQ assessments in English and maths but some respondents highlighted that this approach would reduce ease of comparability between different awarding organisations and undermine a consistent approach to assessment. As a result Ofqual has reverted to the current approach of having a set number of assessments.

Within the English Writing component the SPaG will be weighted to give it more emphasis and, again, to help make the awarding organisations' approaches comparable. There will be no access to spelling and grammar checks in the Writing component despite mixed views from consultation respondents. Some of the respondents weren't in favour of spelling tests

at Entry level but Ofqual has decided to set the assessment rules in line with the subject content proposal.

Regarding maths FSQs, some respondents (including most of the unions that unionlearn liaised with) did not want to see non-calculator based assessments included. Nevertheless, Ofqual has decided to proceed on the lines of the subject content proposal and included both calculator- and non-calculator-based assessments to improve assessment and to improve comparability.

The new FSQs will be available for teaching from September 2019 and the maximum overlap period between the current and new FSQs will be 12 months. It is notable that respondents representing apprenticeship programmes advocated for a longer overlap period.

More consultation is to follow to nail down all the specific details of the above decisions. Ofqual has also launched another consultation which goes into more detail about the proposed rules and guidance for new FSQs. This part of the consultation chain is open until 11 May 2018. The draft rules and guidance as well as the details on how to respond are on the [DfE website](#).

Praise for union role

A government research report published by the Department for Education (DfE) has highlighted some of the positive benefits union bring to supporting English and maths learning in the workplace. The Behavioural Insights Team (BIT) were commissioned to develop and test behavioural interventions to improve participation and completion of maths and English courses. Their findings are set out in their final report, “Improving Engagement and Attainment in Maths and English Courses: insights from behavioural research”.

Commenting on the union role, the researchers highlighted the innovative role of unions, as follows:

“We also saw union-supported learning, through learning centres and Union Learning Representatives (ULRs) as one of the few effective existing models of work-based support for maths and English. The ULRs emphasised that in their view this was because of the peer element: ULRs are colleagues and friends, rather than managers, and therefore employees were more willing to come to them about this type of training.”

More detail on the report is available at: www.unionlearn.org.uk/news/benefits-union-learning-recognised-government-report

ESOL

The [Integrated Communities Strategy Green Paper](#) suggests that government is finally going to give due consideration to developing a national ESOL strategy (page 35 onwards). This is something which unionlearn and other stakeholders have been calling for in recent years. What they are currently proposing as a strategy is as follows:

To boost English language skills – which are fundamental to being able to take advantage of the opportunities of living in modern Britain such as getting a job, mixing with people and playing a full part in community life – we will:

- propose developing a new strategy for English Language in England
- launch a new community-based English language programme
- work with local authorities in the Integration Areas to improve the provision of English language learning and establish a new infrastructure fund open to other local authorities

- facilitate a new network of community-based conversation clubs.

While these proposals do not include a direct reference to ESOL provision in the workplace, there is the opportunity to make the case for this in responses to the green paper.

Unionlearn has recently launched a new leaflet – [Are we all speaking the same language?](#) - which aims to encourage unions and employers to work together to help workers who would benefit from English language support. The leaflet highlights the need for good communication in workplaces, and points to the benefits of having workers who are confident with their English skills. More information is available at:

www.unionlearn.org.uk/news/new-unionlearn-leaflet-encourages-esol-support-work

Review of post-18 education

The independent panel appointed to inform the government's review of post-18 education and funding has launched a [call for evidence](#). This is seeking views on the four areas it has been asked to consider, as follows:

- Choice: identifying ways to help people make more effective choices between the different options available after 18, so they can make more informed decisions about their futures.
- Value for money: looking at how students and graduates contribute to the cost of their studies, to ensure funding arrangements across post-18 education in the future are transparent and do not stop people from accessing higher education or training.
- Access: enabling people from all backgrounds to progress and succeed in post-18 education, while also examining how disadvantaged students receive additional financial support from the government,

universities and colleges.

- Skills provision: making sure we have a post-18 education system that is providing the skills that employers need.

Tax relief for training

The Autumn Budget 2017 had announced that the government intended to consult on how it could extend the existing tax relief available for self-funded work-related training by employees and the self-employed. In the Spring Statement the Chancellor said that the government would be publishing a consultation on “improving the way the tax system supports self-funded training by employees and the self-employed”.

Through the consultation the government wants to gain an understanding of:

- how it can best learn the lessons from previous initiatives, such as vocational training tax relief in the 1990s, and tax deductions for training in other countries
- how it could design an extension to the existing tax relief that focuses on supporting good quality training for those wanting to upskill or retrain, particularly those who want or need to change career
- how it could design an extension that prevents misuse on recreational activities, is sustainable for the public finances, and is simple to understand and administer

The consultation document is available at:

www.gov.uk/government/consultations/taxation-of-self-funded-work-related-training