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# EXCELLENCE FOR LEARNERS, VALUE FOR EMPLOYERS

How independent training providers can deliver the workforce of the future

Paul Warner





aelp 

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This section briefly relates the report's overall findings and gives a summary of recommendations

Independent training providers (ITPs) are non-state providers of state-funded technical training provision.<sup>1</sup> They are the most common type of post-16 provider in England, with nearly 1,200 being recognised as in scope for inspection by the quality regulator Ofsted (Office for Standards in Education, Children's Services and Skills) (2020).<sup>2</sup>

Generally smaller than traditional FE colleges, ITPs are an essential part of the FE sector – training, teaching and developing the skills of individuals in every corner of the UK to support social mobility and economic productivity. ITPs engage a range of delivery methodologies outside the constraints of a traditional three-term academic year model. In constitution they can be charities, not for profit, privately owned, sole traders and sometimes even multinational organisations, delivering learning across a vast range of industrial sectors – although in most cases each specialises in a small number of occupational and sector roles.

ITPs are clearly recognised within the English skills system. They operate under many of the same performance and other regulatory measures as colleges, though with some differences designed to reflect their governance and organisation. They comprise (by number) 67% of all organisations accessing public funding to deliver technical and skills training (AELP 2021b) and deliver training to 30% of all adults in education and training, along with over 100,000 young people aged between 16 and 19 in further education. ITPs are however particularly associated with the delivery of apprenticeships, with 64% of all starts of this type attributable to ITPs in 2018/19, which between them accessed around 55% of all funding in 2021. However, their expertise stretches far beyond apprenticeships:

- ▶ over 50% of all learners achieving Functional Skills Level 2 qualifications in 2019/20 did so with an ITP
- ▶ the majority (56%) of the country's traineeships are delivered by ITPs
- ▶ in 2019 ITPs delivered £232m of European Social Fund (ESF) contracts, with £110m of this directly giving support to the unemployed and those either outside education or training, or in danger of becoming so.

ITPs deliver high quality provision with 80% judged 'good' or 'outstanding' by Ofsted; 85% of employers and 86% of learners report themselves satisfied with the overall quality of teaching, training and assessment that they offer.

This report cites multiple instances of employers being consistently appreciative that ITPs are available to offer a choice of methods of delivery to their workforce, and to potential recruits, that go well beyond the traditional academic year model. ITPs operate

<sup>1</sup> Unless otherwise explicitly stated, the ITPs referred to in this report are accessing public money to fund and deliver work-based, technical and vocational skills training, accredited or otherwise. Providers solely delivering full-cost recovery commercial provision are out of scope for this report.

<sup>2</sup> Skills provision is devolved to each of the home nations. The role of ITPs in Scotland, Wales and Northern Ireland is less central than in England, though still important. This report however concentrates on their role specifically in England

in a different context to colleges and other types of educational institution ('of' the FE sector yet somehow still separate from it), and as such are better able to understand the needs of employers than many mainstream education institutions. As generally smaller and leaner organisations they can react particularly fast to the changes in business cycles that employers experience, and for that matter to changes in government policy. This responsiveness is a key factor in their success and helps to explain their strength in apprenticeships, and more recently the 'bootcamps' designed by the Department for Education (DfE) as a rapid reaction to the severe skill shortages in certain industries that became apparent after the Covid-19 lockdown eased.

Despite all this, skills policy has historically tended to overlook the contribution of ITPs and has been formulated primarily with the needs of the state's own FE estate in mind. The main impact of this is to disadvantage the learners who choose to follow their studies with ITPs. Given the clear areas in which they perform particularly well, this report makes clear the need for equitable treatment of ITPs in policy, regulation and funding in order to maximise the advantages that their provision and their styles of working can offer to learners and employers alike. The report concludes with seven recommendations that, in essence, call for the system to allow ITPs to do more of what they do best.

## SPECIFICALLY, IT HIGHLIGHTS:

- 1 Policy approaches to skills training should concentrate on facilitating what works and not which type of institution delivers it.
- 2 Intervention measures must be reviewed and made more equitable between ITPs and other types of institution to avoid disadvantaging learners who choose to study at each.
- 3 Policy should aim to proactively harness ITP strengths in delivering skills training at Level 2 and below in order to help reverse the alarming drop in opportunities at these levels.
- 4 ITPs have particular strengths in engaging and working with employers in work-based and work-related learning contexts. More use should be made of these strengths in policy design and implementation rather than reinventing traditional models of academic-year, classroom-based methodologies.
- 5 In particular, policy prioritisation should be more equitable between GCSE and vocational routes to literacy and numeracy, allowing work-based learning to flourish.
- 6 Government and its agencies must trust ITPs to continue to deliver high-quality and responsive provision in line with employer and learner needs, ensuring that changes to rules and regulations accommodate the different drivers that underpin ITP activities.
- 7 The ITP sector is, and always has been, keen to work with government and its agencies to design and deliver the high-quality learning solutions that the economy needs. Policymakers and those designing the implementation of such policies must make much better use of their expertise, skills and attributes.

## INTRODUCTION

Skills development matters for national economic productivity, business growth, social mobility and social inclusion. Particularly when faced with the economic damage inflicted by the 2020/21 pandemic, it is more important than ever that all the operational and delivery tools at the disposal of policymakers are correctly used to their full effect to play a part in bringing this about.

International research has shown that independent training providers (ITPs) – non-state organisations using access to public money to deliver technical and skills training – exist within economies all over the globe. Their innate flexibility often puts them in a position to fill niches in public policy which state and market economies have difficulty filling – for example, attracting and re-engaging disadvantaged youth into learning and employment. Yet, as this report finds, ITPs play a leading role in many aspects of the English skills system that goes beyond this.

ITPs are more firmly embedded in regulatory and performance systems in England than in most other countries (Warner and Gladding 2019a) Despite this, ITPs feel that the policies and regulations that govern their activities are predominately shaped with the further education (FE) estate in mind – often by accident, but increasingly by design. Therefore, the system often fails to make the best use of what ITPs have to offer learners, even though that same system is already enhanced by their existence.

This report seeks to examine the role and value of independent provision within the broader English skills system and its contribution to national skills and economic and inclusion priorities. It explains and examines the role of ITPs, identifies areas where the system fails to act in the best interests of learners, and makes recommendations to policymakers and others about how the expertise of ITPs could be best used to improve the effectiveness of England's system of technical training.

### AUTHOR'S NOTE

Paul Warner is the Director of Strategy and Business Development at the Association of Employment and Learning Providers (AELP). The research was supported by Katrina Thomas, who led the development of the document accompanying this report, *Key Facts about independent training providers* (AELP 2021b). Thanks are also due to Malcolm Williamson and Madhavi Kumar, who undertook the interview phase and supporting desk research, and Chris Cotter, who analysed datasets and quantitative information. Editing and reference checks were undertaken by Jon Ingoldby, and final design by Anna Das. Thanks are also due to Matt Strong for a final sense check and to all my colleagues on the AELP Senior Management Team.

AELP would like to extend its gratitude to all those who were interviewed and provided valuable background information.

## RESEARCH METHODOLOGY

Researchers began the desk research phase of this work in May 2021 by collating statistical and quantitative facts regarding the contribution of ITPs to the delivery of post-16 technical training in England, the highlights of which were collected and first published in August 2021 (AELP 2021b). It should be noted that throughout this report, there has been deliberate selection of datasets in some cases to avoid reference to the 2020/21 year, which was unavoidably compromised by the Covid-19 pandemic and has therefore resulted in either incomplete datasets or datasets which do not reflect overall pre-pandemic trends. The author recognises that over time it may become apparent that some of these datasets in fact represent a new long-term paradigm which is not apparent at the time of writing, but in the absence of this historical perspective this report bases itself on data which the author is confident represents the sector as it is understood to be at the time of writing.

In the next phase, researchers interviewed at length 14 sector leaders and key stakeholders from a range of ITPs delivering in differing occupational sectors, and located in different parts of the country, to obtain their views on the following central issues:

- ▶ specific areas of ITP involvement in national and local skills delivery
- ▶ how ITPs are positioned to address skills challenges
- ▶ the relationship of ITPs to other organisations within the skills sector, including government, colleges, universities and employers
- ▶ areas where regulation or policy have worked for or against ITPs to deliver to their best ability.

From this, researchers established vital areas of interest to expand and develop key themes within this report. Supplemented by the desk research, the final report was brought together in the autumn of 2021 and launched at a reception in the House of Commons hosted by Lord Aberdare in February 2022.





**INDEPENDENT  
TRAINING  
PROVISION IN THE  
ENGLISH SKILLS  
SYSTEM**

This chapter looks at the background to independent training providers – what they are, and how they fit into the wider FE and skills system

‘Independent training provider’ is the most common name given to the most numerous type of provider in the FE and skills sector in the UK.<sup>3</sup>

ITPs are training organisations that access public funding to deliver vocational education and training to young people and adults wanting to improve their skills for employment and broader life. They are best known for delivering work-based learning programmes. However, between them they deliver a wide variety of government funded technical education and vocational training, along with basic skills (for example, literacy and numeracy) and life skills (for example, self-reflection and problem solving).

The Education and Skills Funding Agency (ESFA) officially considers that

ITPs are a key part of the Further Education provider infrastructure, supporting learners and employers through the delivery of apprenticeships, adult skills, education for young people and specialist provision.

ESFA 2019a

As such, ITPs are a significant part of the English skills system, even though the English system is probably at the extreme end of the world scale in how ITPs have been embedded and integrated into national policy. Nevertheless, as this research shows, policymakers often overlook their contribution and importance.

In the UK,<sup>4</sup> ITPs emerged as a distinct and essential entity in the sector during the 1980s, with their numbers significantly boosted when the government’s Manpower Services Commission (MSC)<sup>5</sup> began allowing private companies to bid for contracts to help reskill and return unemployed people to work. Since then, ITPs have diversified while

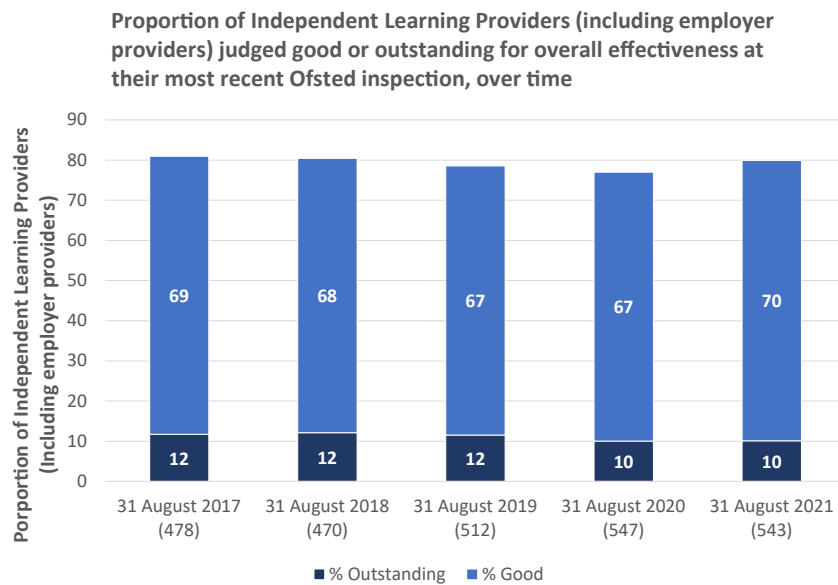
<sup>3</sup> Their overall nomenclature can change from place to place – for example, in recent years, they have been termed variously as ‘independent learning providers’ (ILPs) or ‘commercial and charitable providers’ (CCPs) in government and other documents, but for consistency in this report, we use the term ‘ITPs’. Privately funded, privately run commercial training providers are viewed for this report as a distinctly different type of provider and therefore beyond its scope.

<sup>4</sup> This report concentrates on the position of ITPs in the English system of skills and FE. While ITPs are commonplace in England, this is not so true for the other UK ‘home nations’, where different markets operate, and there are relatively minimal populations leading to fewer ITPs able to maintain financial viability. Nevertheless, even though the devolved governments procure mainly through colleges, ITPs can bid for specific programmes and projects, especially apprenticeships and employment support.

<sup>5</sup> The MSC was a non-departmental public body established in 1973 to coordinate employment and training services in the UK through a 10-member commission drawn from industry, trade unions, local authorities and education interests.

still retaining their expertise in work-based training and engaging employers in learning programmes. ITPs therefore currently deliver apprenticeships and an array of other vocational qualifications, and over half also deliver English and maths qualifications.

According to Ofsted (2020), ITPs represent the most significant number of FE providers, with approximately 1,180 ITPs publicly funded and delivering education, training and apprenticeships out of a total of around 1,900 providers of all types – a 60% increase compared with 2017. Around 69% of all ITP learners are apprentices. ITP cohorts can vary hugely in size – for example, the Lifetime Training Group Limited has around 36,000 learners and Babcock Business College has over 15,000 learners - though most ITPs have under 100 learners.



**Figure 1, source: Ofsted (2021)**

Between them, ITPs are thought to employ upwards of 23,500 people, though workforce data is far from complete. Staff recruited from industry often learn to train while on the job and with the help of non-statutory qualifications. Most ITPs do not operate using the same base of capital overheads as colleges, tending instead to employ work-based learning methodologies that incorporate employer premises and equipment in the delivery of training and assessment. Salary levels are not generally as high as in colleges, and as most ITP workplaces are not unionised, terms and conditions of employment tend to be highly market-based.

In terms of workforce expertise, more than three in five (62%) staff working for ITPs have prior experience of working outside of the education sector in an industry related to a subject they went on to teach or have leadership responsibility for. This was the highest such percentage amongst all provider types. 85% of ITP staff hold teaching-related qualifications, and are more likely to be currently working toward such a qualification than other types of provider. (DfE 2020b). In terms of quality of ITP leadership and delivery, Ofsted (2020) reported that 74% out of the 530 ITPs inspected up to the end of August 2020 were Grade 1 (outstanding) or Grade 2 (good). Statistics on Ofsted inspections between September 2020 and February 2021 show that this consistency in quality delivery by ITPs continues to hold up (Figure 1).

The fact that ITPs are superficially very similar to a broad sweep of other organisations in other industrial sectors helps in part to explain their relative invisibility as a distinct group in their own right to many people outside the FE and training sectors. While distinct from mainstream FE providers in that they are not run or directly controlled by the state, their work is nevertheless funded by access to public money, meaning they are regulated by the same government agencies, using broadly the same rules (though with some notable exceptions such as the intervention measures employed when failing against performance measures, which will be discussed later).

## FLEXIBILITY AND RESPONSIVENESS

Stewart Segal, a non-executive director of ITP Skills Training UK, summed up what he felt were the distinctive characteristics of ITPs and their contribution:

ITPs tend to be more commercially focused and therefore more sustainable in terms of making the provision work. ITPs tend to drive more effective and efficient delivery models [than purely classroom-based learning], including blended and online learning models ... because they face the same pressures as their clients. ITPs are great at interpreting government policy, making the link between publicly-funded training programmes and employers' business needs.

Warner and Gladding 2019b

This flexibility derives from constantly having to adjust their offer to balance what government is willing to pay for with what employers want, with the objective of providing a high-quality learning experience. Put simply, responding flexibly to government **and** employer demands is an ITP's whole business, and to a large extent their very existence depends on meeting these demands.

## CASE STUDY

Researchers became aware of a good example of an ITP using its initiative to introduce an innovation allowed by policy that was flexible enough to meet employer and employee skill needs. Using its knowledge of nursing qualifications, a small rural ITP was able to offer a solution to a care company experiencing issues with staff retention. Once qualified to the required level for care workers, the

employer had noticed that staff often started seeking employment elsewhere to advance their careers because the company had minimal opportunities for promotion. The ITP suggested establishing a new nursing assistant role and qualification to enable staff to progress in their career. This idea was accepted because it enabled the staff to gain promotion and have more senior responsibilities, while reducing total staff costs for the company as it no longer had to employ costly qualified nurses to administer medication. In addition, the company could adopt distance learning practices for additional training using short, cost-efficient training courses.

#### EMPLOYER VIEW

*'Southern Housing Group work with HTP Apprenticeship College, who are a fantastic independent training provider. They have the personal touch and genuinely care about the wellbeing and progression of their students, along with what is best for us as an employer. They are always quick to respond to my queries and are proactive with communication.'*

**Nicky Marsh, Apprenticeship & Qualifications Coordinator,  
Southern Housing Group**

As the government increasingly allowed ITPs to bid for public money, so their strong links with employers gave clarity to what training provision was needed, what it should be achieving and how it should be delivered and managed. This was for example key to the development and refinement of the new apprenticeship standards as they replaced frameworks as part of the overall apprenticeship reform process. Initially standards were to be designed and created solely by employers, but it soon became very clear that they wished providers to contribute their expertise as to what learning was possible and how effectively it could be delivered, so the rules for the development of standards were changed to facilitate this. Given that most apprenticeships are delivered by ITPs, they were therefore central to the development and implementation of apprenticeship standards – a key plank of government skills policy.

## GOVERNANCE

ITP governance structures can often be less cumbersome than other institutions, speeding up decision making. In recent years, levels of leadership, management and governance have become the focus of attention right across the FE sector (Greatbach and Tate 2018), leading to more specific training and attention being paid to the governance of ITPs. There is now a Code of Good Governance for Independent Training Providers, produced by the primary ITP trade body, the Association of Employment and Learning Providers (AELP 2018a) and, with the support of the Education and Training Foundation, AELP established a highly successful Apprenticeship Workforce Development Strategic Leadership and Governance Programme, which ran twice during 2021. Similar programmes are run by organisations such as the Association of Colleges for college principals and others, and this appetite for something similar among ITPs means that governance is improving right across the sector. This in turn ensures that the effectiveness of governance (or absence of it) is being addressed across the sector as a whole.

## INDUSTRY EXPERIENCE AND WORK-BASED PEDAGOGY

Work-based learning and training delivery methodologies are at the core of most ITP provision. Both are substantively different to classroom-based learning and teaching, and the culture within ITPs is, therefore, very often more akin to a being in a business than in the civil service or an educational institution.

### EMPLOYER VIEW

*'Our industry, being such a practical hands-on industry, there's a particular benefit to it being work-based learning.'*

Lee Melton, Head of People, Coaching Inn Group



Skills development is about practical experience in a work situation, backed up by theoretical input. As Graham Hoyle, ex-CEO of AELP has said, the acquisition of skills is best done in the workplace:

Ask yourself: *'The job you are doing now – where did you learn most about how to do it?'* The answer is on the job. So, work-based training is effective, and all vocational and technical training has to take place in a real-world situation.

Warner and Gladding 2019b

Meeting this challenge, the ITP workforce is often recruited and developed specifically to deliver work-based learning rather than adapting existing classroom-based competencies to suit work-based settings. In addition, training staff are mainly recruited from industry, so more staff in ITPs have relevant experience of the occupational skill set required by employers – indeed, many have been 'talent-spotted' when working with apprentices at employer sites.

Industrial specialism is therefore common in ITP training workforces. A substantial degree of specialism in technical and vocational skills allows these providers to focus on a particular part of the marketplace. Consequently, high levels of technical skills among ITP training workforces can be expected, as noted by the Education & Training Foundation (ETF):

The quality of learning delivery is a major preoccupation of ITPs, not least because of variable standards in the past leading to rigorous Ofsted inspection requirements and the implications to individuals and organisations of poor inspection results ... Most staff learn on-the-job and from regular training averaging 65 hours per year and focusing on policy updates and sharing good practice in learning delivery.

ETF 2018

## SUBCONTRACTING

For a combination of all the above reasons, ITPs have often entered subcontracting arrangements whereby they will deliver directly to learners on behalf of colleges or (less often) other ITPs. There are several reasons why these arrangements have been so popular down the years.

- ▶ Doing so can facilitate participation from more challenging-to-reach learners through holistic recruitment, engagement and outreach activity into the community, often using flexible and personalised approaches to re-engaging, recruiting and retaining individuals who have ‘dropped out’ of larger institutions.
- ▶ Subcontracting is often common practice where it enables training in niche industries, and for individuals looking to improve their career chances in the technical, digital and professional sectors who are not graduates of higher education (HE).
- ▶ It helps ensure high-quality delivery by moving matters of regulation and contract administration to a main contractor better resourced to deal with such things.
- ▶ Subcontracting often better allows grant-funded organisations to deliver government policy by giving them ready access to target cohorts that the direct contracting system has not allowed them to fully address

In all cases, ITPs have been well placed to deliver subcontracted provision, as they are generally good at attracting hard-to-reach learners, often specialise and (particularly in smaller companies) have superb vocational expertise.

In recent years, however, the combined impact of the failure of several high-profile ITPs, and the exposure of colleges, who were often simply using subcontracting to build reserves and soak up unspent funds, has meant that ESFA has taken an increasingly restrictive line. In seeking a more direct line of sight to how funds are being spent, and in seeking to reduce the numbers of organisations involved in delivery, the freedom to subcontract has been gradually restricted over the years through increasingly severe regulations. This has in many cases meant that successful and high-quality subcontracted provision delivered by ITPs has been forced to reduce or shut down completely.

The reforms to apprenticeship delivery, particularly the new apprenticeship levy regime, led to the possibility of subcontracting apprenticeships in their entirety being ruled out completely. It is instructive that before introducing the apprenticeship levy in May 2017, there were approximately 990 companies directly delivering apprenticeships in England. The introduction of the Register of Apprenticeship Training Providers (RoATP), accreditation to which was made mandatory in order to be able to deliver any part of an apprenticeship, saw this rise to 1244 as previous subcontractors began vying for direct business. (DfE 2021d)



In the first Ofsted report after this, it also became apparent that not only were there now more organisations than before delivering fewer apprenticeships, but that the quality of delivery was in fact now declining. AELP believe this was down to the way the Education and Skills Funding Agency (ESFA) had opened up the RoATP, which had closed off high-quality frontline provision by specialist providers using the management support of partner providers. At the same time it opened provision to others who had no track record of delivery whatsoever and whose quality credentials were quickly being called into question.

On the face of it, this may seem to question whether ITPs could produce high quality at scale, and policy continued to view the whole concept of subcontracting as inherently a bad thing. This does a great disservice to thousands of learners who may otherwise continue to benefit from high quality subcontracting and partnering arrangements which were actually undermined by the change of rules. It is true that some smaller ITPs need the support of larger providers by way of subcontracts, but the result is often – usually – strong and collaborative high-quality delivery. More of this needs to be encouraged, not limited by rule changes that appear to miss the big picture that the quality of established ITP delivery is in general at least as good as, if not better than, other parts of the sector.



**ITPS AND THEIR  
CONTRIBUTION  
TO THE SKILLS  
SYSTEM**

This chapter identifies characteristics of ITPs that align with the UK government's agenda of an employer-centred skills system

Following their emergence as a force in the 1980s, the role of ITPs in the English skills system significantly accelerated in the 1990s and early part of the 21st century alongside a policy to revamp the apprenticeship system. This in turn fed into an increasing concentration on skills and technical education as critical components of economic productivity, which culminated in three highly influential papers that have shaped the current skills landscape.

Professor Alison Wolf's *Review of Vocational Education* (Wolf 2011) argued for the development of skills to be prioritised over the attainment of qualifications as an end in themselves. The *Richard Review of Apprenticeships* (Richard 2012) heralded the start of a significant phase of reform designed to get employers much more involved in apprenticeships, while the *Post-16 Skills Plan* (DBIS/DfE 2016) powerfully articulated the need for 'more highly skilled people, trained effectively, to grow the economy and raise productivity, and ensure prosperity and security for individuals'. Throughout this period, policymakers listened to employers' complaints that young people were not 'work ready', which increasingly shifted policy thinking towards supporting work-based (as opposed to classroom-based) learning.

As a result, UK policy priorities, government funding and learning provision for those aged 16 and over increasingly focused firmly on developing economic skills for productivity. This tended to favour the approaches and delivery methodologies that ITPs employed, raising their share of delivery to the extent that Skills Minister Nick Boles at one point told FE colleges to stop letting ITPs 'nick your lunch' (FE Week 2015). Since this time, many ITPs have felt that policy and regulation have tightened the bonds on their activities, presumably in an effort to enable colleges to compete, instead of facilitating further ITP success in delivering what employers, learners and government are all seeking.

## ENGAGING EMPLOYERS

Improving the country's economic productivity requires a thorough understanding and effective delivery of the skills required by employers. As a result, although there has been fiscal restraint across many areas of public spending since the recession in 2009–11, apprenticeships have been something of an exception because the government perceives these as central to developing a sustainable workforce development strategy.

ITPs have shown themselves particularly adept in reacting in a fast, efficient and effective manner to a range of policy and operational priorities for employers, and are recognised as having particular expertise in the area of 'employer engagement' having long been identified as the preferred choice for the provision of training to most UK employers (CBI 2010: 48; CBI and Pearson 2018: 75) – ITPs in fact deliver 64% of all apprenticeships in England. (DfE 2021e)

Because ITPs tend to work with employers on work-based learning, often using employer premises and predicating their delivery on the timing of employer need, many (if not most) ITPs do not tend to recruit to their learning provision around the pattern of a traditional three-term academic year beginning in September. Instead, most use a 'roll-on, roll-off' approach, taking several cohorts into provision at different times of the year, enabling recruitment and completion to better reflect the peaks and troughs of an employer's business cycle. In this way, employers find they are not forced to fit their training requirements around an academic year – they have the choice to make dates work for themselves.

Since the apprenticeship reforms, the role of employers in developing apprenticeship standards and project managing the rollout of apprenticeships in their workforce has increased, and ITPs are well placed to provide them with the support they need to do this. ITPs work closely with employers to help solve staffing and productivity problems. They approach and get to know employers or specialist industries in their locality in order to understand their business needs, and use their expert knowledge of the FE and skills system to identify solutions designed for businesses through access to government-funded programmes.

The ability of ITPs to align with employers' needs and to service those needs while pursuing government policy, regulation and funding criteria is regarded as a powerful advantage by employers.

## EMPLOYER VIEW

*'The added responsibility for ITPs to have that connection with employers means that their services are better. There's more follow-up in terms of what they're doing as a training provider to align with our own business objectives.'*

Lee Melton, Head of People, Coaching Inn Group



## EMPLOYER VIEW

*'Southampton City Council, in line with its procurement procedures, works with a range of training providers ... Independent providers can provide a more personalised service that some learners really benefit from.'*

Southampton City Council

## EMPLOYER VIEW

*'We have found the key benefit of working with an independent training provider over a local college is the close working relationship formed between us and [them] through the frequent contact we have. This relationship fully supports each learner's progress and ensures the training delivered is aligned to our company policies and processes, resulting in each learner making connections between the theory learnt and all elements of their daily practice.'*

Lucy Price, Nursery Director, Woodentots Nursery

## EMPLOYER VIEW

*We selected an independent training provider due to their ability to be flexible in their approach to training delivery and to demonstrate both a customer and student focused offer. They worked with us to*

*develop a bespoke training package which meets the needs of the company. This proactive attitude from our training partner is vital to ensure we have the right skills in the business going forward.'*

Damon de Laszlo, Chairman, Harwin Ltd

## EMPLOYER VIEW

*'Basingstoke ITEC is a great company that delivers all the support and training to make hiring an apprentice as easy and smooth as possible. If we have any questions or [are] unsure on any of the funding or support, they help guide us in the right direction.'*

InTouch Communications

This triangulates with what ITPs we interviewed told us they set out to do.

We have to understand our client base, and we have to understand what [employers] need in order to improve their businesses because fundamentally that's what we're doing – and then we have to link that up with the best interests of the individual learners.

CEO, ITP; Hospitality sector

I know that my customer is the employer because if the employer is not engaged then the apprenticeship will fail.

Director, Ofsted “Outstanding” ITP

We work with the employers in making sure that the programme fits them; not that they fit the programme.

Managing director, ITP; Adult Care and Business Administration sectors

This ‘market mediation’ role is not exclusive to the ITP sector but is extremely well developed within it (Warner and Gladding 2019b). To be a thriving market mediator means having staff with business skills to understand employers’ perspectives and needs, and knowledge of the government-funded training market to advise on how employers can best navigate their way through it. ITPs, therefore, engage employers on behalf of the government – a role that goes well beyond the actual delivery of training.

The government approach to ITPs goes further than merely enabling access to funding; it has made clear that it sees ITPs as its proxy in stimulating employer engagement informal programmes and guiding them through the system.

Morris 2016

ITPs have a primary commercial driver behind what they do – failing to make a surplus will have a severe commercial impact on the company and possibly personal financial ramifications for its owners. The underlying motivation of ITPs as organisations is to serve their customers – the employers – and they work hard to align their delivery to employer



needs, which shapes an essential and effective role for ITPs in blending commercial nous with public policy and regulation in a way that traditional FE institutions have sometimes found difficult to achieve. This is not to say that ITPs do not have a social or community impetus to their work or motivation for delivery – research has shown that they do (Warner and Gladding 2019b) – just that they must blend commercial imperatives with this in an unusual and demanding way.

## DELIVERING ON SOCIAL INCLUSION AND SOCIAL MOBILITY

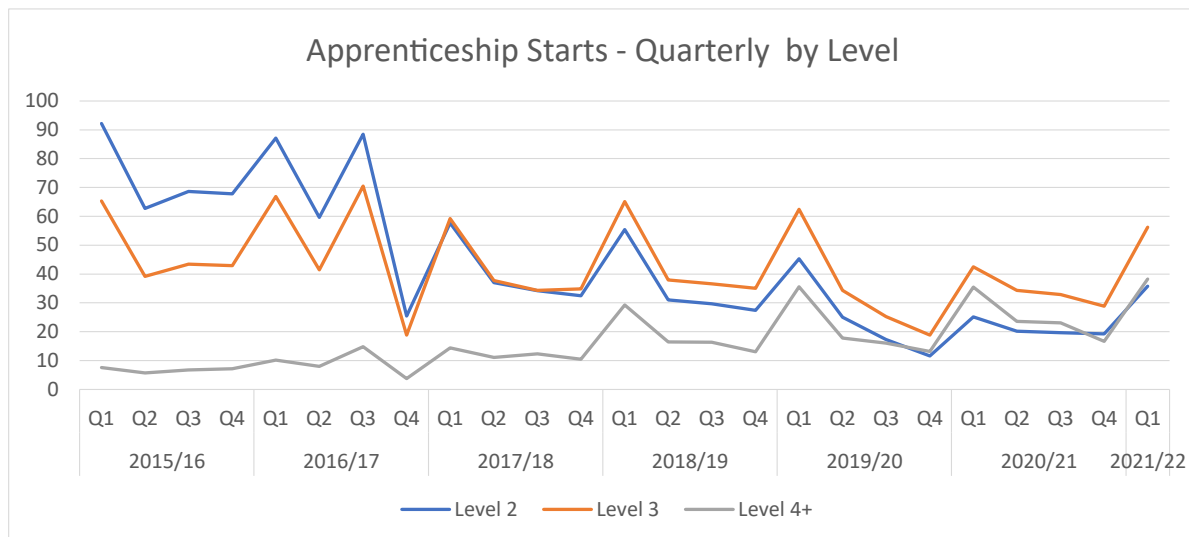
There are over 1.75m adults in education and training in England, of which over half a million attend ITPs (AELP 2021b). ITPs particularly play a major role in enhancing the social inclusion and mobility of disadvantaged people who are much more likely than average to learn and work at a low level:

- ▶ Given that ITPs are by some margin the largest deliverers of Traineeships, it is interesting to note that Traineeships deliver participation rates of 25% for learners with disabilities, compared to an overall participation rate of around 16% (DfE 2022).
- ▶ Of the 115 ITPs delivering Study Programmes to more than 35,000 young people, over 65% of them followed learning at level 3 or below (AELP 2021b).

Gloster et al (2015) pointed out the relationship between level of qualification and deprivation, with learners in the most deprived area being less likely than those in more affluent areas to study at Level 3 and beyond, a pattern which holds even when accounting for prior attainment levels. Given therefore that the majority of ITPs work tends to be done at Level 3 and below, there is therefore clear evidence that ITPs have particular strengths in catering for learners in disadvantaged and deprived areas.

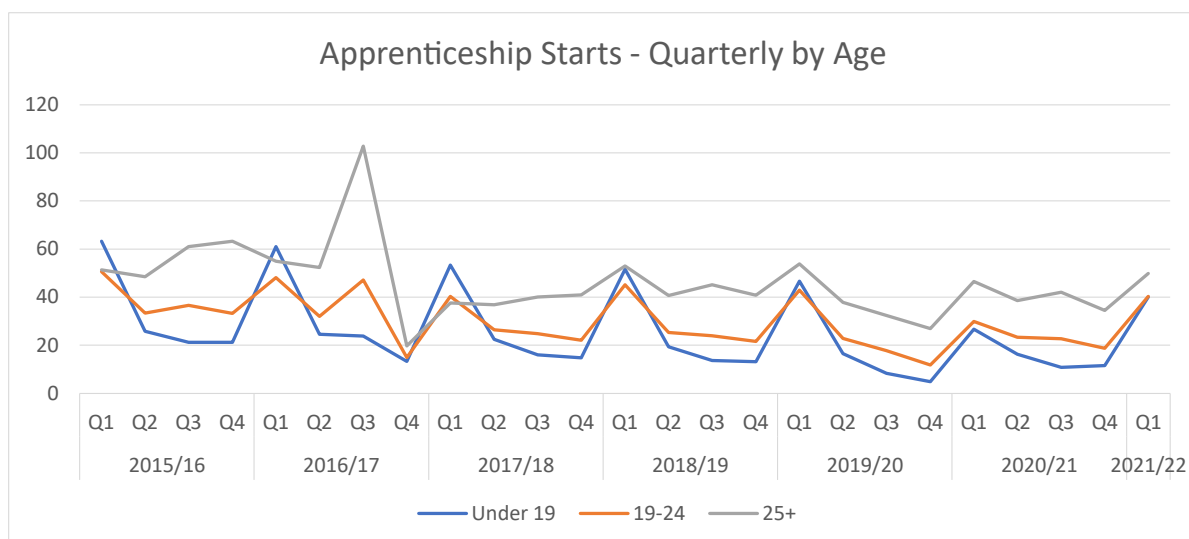
Policy and practice from the 1970s concentrated on widening participation and achievement with targets to raise overall skills to a minimum of Level 2, the level widely considered the baseline for employability. However, this emphasis has gradually but noticeably changed over the last few years. The 2009 financial crash imposed a fierce focus on economic recovery and maximising returns on investment of increasingly limited funds. Such returns tend to be better (in training terms) if training is provided to older learners and those with higher levels of previous learning. It was therefore clear to many commentators that the apprenticeship levy, introduced in 2017, had a structure that would shift the focus away from opportunities for younger, lower-level and new workers to older, higher-level and existing employees. This is indeed precisely what has happened, gradually eroding choice and opportunity for some of the youngest and most disadvantaged in society, many of whom attend ITPs.

This is well illustrated by Figure 2, which tracks apprenticeship starts by level since 2014.



**Figure 2, source: [explore-education-statistics.service.gov.uk/find-statistics/apprenticeships-and-traineeships/2020-21](https://explore-education-statistics.service.gov.uk/find-statistics/apprenticeships-and-traineeships/2020-21)**

The drop in apprenticeship delivery at Q3 in 2016–17 following the introduction of the apprenticeship levy is apparent. Additionally, Level 4 apprenticeships and higher have been on a rising trend, and for the first time overtook those for Level 2 in the last quarter of 2019–20. More recent figures indicate that some rebalancing may now be taking place, perhaps helped by the government’s financial incentives to employers to recruit apprentices which (early analysis suggests) seems to have been particularly successful with younger age groups at lower levels of opportunity. This is to some extent borne out by an examination of apprenticeship starts by age over the same period (Figure 3).



**Figure 3, source: [explore-education-statistics.service.gov.uk/find-statistics/apprenticeships-and-traineeships/2020-21](https://explore-education-statistics.service.gov.uk/find-statistics/apprenticeships-and-traineeships/2020-21)**

There are some signs of the fall in starts for those under 19 beginning to plateau, but in general the numbers continue to fall, with young people – and particularly those at lower levels – consistently at the worst end of this effect of the reforms to apprenticeships and apprenticeship policy.

Due to their extensive experience and expertise in engaging disadvantaged learners, ITPs are well placed to supply provision at Level 2 and below and therefore view this steep drop in apprenticeship opportunities at this level as alarming. At the same time, they recognise the part they could play in reversing these trends and are calling for the authorities to work with them to achieve this. ITPs have particular strengths and experience in working with younger and more disadvantaged groups, and can therefore offer a solution to this decrease in opportunities if their expertise is used to its fullest.

Many industries have traditionally employed high numbers of non-UK or European Union nationals, whose departure following Brexit, combined with new immigration restrictions and the pandemic, contributed to a shortage of labour in key industries such as agriculture, food production, haulage and health and social care where many opportunities are geared for lower levels of attainment – exactly the area in which ITPs can excel. The view among many ITPs is that their expertise in this area is not currently being used to its fullest by policy, which increasingly concentrates on the provision of higher-level apprenticeships and other ‘high value’ programmes, especially in sectors in which the UK considers itself to be a global leader, such as digital and creative. This is not to say that ITPs do not or cannot deliver at these levels, but at a time when the pandemic has severely impacted youth opportunities, every opportunity to mitigate this damage should be taken. It is frustrating that policy does not give this as much attention as it deserves.

More light can be thrown on the overall role of ITPs by examining their contribution to specific groups and policy priorities.

## **PROVIDING FOR SPECIAL EDUCATIONAL NEEDS**

ITPs have for many years provided for learners with learning difficulties or disabilities and amassed experience in supporting these learners through personalised provision and working closely with employers. More recently, they have made extensive use of emerging neurodiversity techniques to identify and support learners with previously ‘hidden’ additional learning needs, many of whom had dropped out of school and been referred to ITPs by Jobcentres or social and housing services.

## CASE STUDY

Researchers for this report were made aware of a learner with autism attending a small ITP experienced in personalising learning provision for multiply disadvantaged young adults. Through this ITP, the learner secured a work experience placement and then an apprenticeship with a childcare employer. The ITP educated and supported both the employer and the learner, including modelling inclusive behaviours in the workplace. This upfront investment of expertise led to the learner achieving qualifications first at Level 2 for a childcare worker role and then at Level 3, which enabled them to take a supervisory role.

## EMPLOYER VIEW

*'Ryde House Group have been supporting people with learning disabilities for over 35 years, and have utilised HTP Apprenticeship College, an independent training provider, for over 15 years. We have always been given an exceptional service from them ... They provide our staff with the highest quality service from the start of an employee's qualification right to the end ... HTP provide the personal interaction with the employee and us as an organisation, which we are all grateful for, as this really helps to demonstrate that they care about the apprentices they are supporting to complete their qualification ... We have also worked together pre-Covid to hold study group sessions within our training rooms, which is going above and beyond for our learners. Ryde House Group have worked alongside HTP for many years and will continue to do so due to all the factors above.'*

*Dawn Wilby, Quality Assurance and Training Manager, Ryde House Group*

## CONTEXTUALISING MATHS AND ENGLISH

ITP staff often have expert first-hand knowledge of the employers where their learners work and can therefore teach maths and English using applied examples rather than abstract or non-relevant contexts. As a result, Functional Skills qualifications are a staple among most ITPs as they were designed to be more relevant to the workplace and align more easily with workplace demands than GCSEs, which offer more theoretical rather than applied content.

Recent research by AELP (2021b) reported that over 50% of all Functional Skills qualifications are delivered by ITPs. This is even more remarkable when it is considered that each Functional Skill Level 2 qualification gained incurs a loss relative to the funding provided by ESFA, (AELP 2018b). The reason for this funding being set at a rate of £471 when followed as part of an apprenticeship (usually in a work-based context and delivered by ITPs) but set at £724 when followed on a standalone basis (most often in a classroom) has never been properly explained following its introduction in 2014. It is believed that the funding agency at the time felt that English and maths were embedded within apprenticeships to such an extent that this reduced the overall costs of delivery, justifying a lower rate of funding. However, providers are clear this is not the case – they are the same qualifications, they incur the same costs and, if anything, the fact that apprentices in work-based scenarios are less likely to be taught in large groups than in classroom-based situations could potentially make the qualifications more expensive to deliver on a unit basis, not less.

Additionally, providers feel that the reforms to the content of Functional Skills qualifications in 2019 are beginning now to be evident in reduced pass rates, making them even less viable to deliver. Supporters of the reforms claim that this may be because the content has been raised to the intellectual level of GCSEs, and that previously there had been a deficit in the Functional Skills offer. Providers feel very differently, saying instead that the falls in pass rates appear to have more to do with the content and methodology of the reformed Functional Skills now being more akin to GCSEs, which require a learning style that fails 40% of young people who leave school without a Level 2 pass (Lupton et al. 2021). This is clearly an area which requires further attention in order to ensure that learners are not being disadvantaged due merely to their preference in learning style.

The constant policy and funding prioritisation of GCSE and academic routes to literacy and numeracy therefore increasingly acts as a barrier to achievement in work-based learning overall. By reviewing this prioritisation and giving ITPs the wherewithal to deliver work-based pedagogies in work-based settings, there is the potential to make a huge difference to the overall skill levels of employer workforces



## FOSTERING WORK-READY ATTITUDES

ITPs have been particularly prevalent in the delivery of welfare to work employability programmes. They have taken leading roles in the original New Deal, Flexible New Deal, Work and Health Programme and much more besides under successive commissioning strategies devised by the Department for Work and Pensions (DWP 2020), which has readily acknowledged their skills and expertise. It is noticeable that colleges have never been heavily represented in DWP-funded provision of this nature, reflecting the DWP's recognition of the predominant strengths of ITPs in understanding employment relationships and meeting employer needs. As the skills and employability agendas have increasingly converged, so many of these companies have been able to bring their experience working with long-term unemployed people (often with multiple and complex barriers to work) into the learning sector with great success.

## ACHIEVING DIVERSITY

Further to the point above, many ITPs often act as recruitment departments for the employers they work with, interviewing and selecting for vacancy shortlists. Employers tend to trust their abilities to fulfil this function because, as mentioned earlier, many ITPs are underpinned by the same commercial drivers as the companies themselves; moreover, many can demonstrate vital track records of recruitment through involvement in welfare-to-work programmes. As a result, many ITPs have become skilled at attracting more diverse applicants for roles than may generally be the case.

### CASE STUDY

The construction industry has traditionally been seen as a predominately white working-class male environment and can miss out on potential skills that a wider pool of recruits would bring. In one example researchers identified for this report, a construction services firm used an ITP to help create new inclusive marketing materials and find new advertising channels, including direct to colleges, with considerable success in expanding the pool of talent from which they could recruit.

## DELIVERING HIGH-TECH, HIGH-VALUE SKILLS

As noted, the policy agenda and funding system have changed over time (particularly in the last decade or so) to focus on higher level apprenticeships and other ‘high value’ programmes. ITPs have responded to this change in the market and are building successful track records of delivery in these areas, seeking out suitable employers and tailoring their programmes to meet their exact demands. This tendency to sector specialism, combined with the commercial and work-based drivers that ITPs offer, gives employers confidence that their needs and demands are being met to a high level.

This demonstrable ITP expertise is not being utilised enough. The design and implementation of T Levels is an example. T Levels are intended to be an alternative to academic A Levels, teaching occupational and vocational skills to a standard that will enable the holder to secure employment.<sup>6</sup> Set at Level 3, T Levels are intended to act as a launching ground for not only employment but increasingly other and higher forms of professional and vocational study, and are framed by the government as a radical overhaul of the technical education system. Indeed, the government has referred to them as a new ‘gold standard’ of technical education (Belfast Telegraph 2018; DfE 2018; Honeycombe-Foster 2018), believing that the breadth and depth of study they offer is a significant step forward in delivering the crucial skills that the industry needs to thrive.

However, it was evident very early on that the design of T Levels virtually replicated the traditional two academic year/three terms a year delivery models that many other technical qualifications are based on. The option for a ‘roll-on, roll-off’ system of starts (the preferred model of most ITPs) was never seriously considered for T Levels. When the first providers were approved for T Level delivery, it was clear that the new qualification had been designed as a college-centric line of provision with only three ITPs being listed in the first 54 providers approved (DfE 2019; ESFA 2019b). This reduced to one by the time the launch happened in September 2020, a reduction almost certainly caused by the decision to exclude all ITPs – even the ones approved to deliver T Levels - from bidding for capital funding designed to support T Level providers. This is a clear instance where learners were disadvantaged by funding policy based on the type of organisation at which they choose to study.

It was even more baffling that at a very early stage of T Level policy design, there were concerns expressed (not least by the colleges themselves) that colleges may not have the infrastructure or capability to deliver the vital periods of industry placement that T Levels demand. ITPs, with extensive experience in delivering welfare-to-work, apprenticeship and traineeship placements, were very well placed to pick this strand up, and AELP made this case strongly (AELP 2021a). Nevertheless, policy focused on building up the capacity for others to deliver this function rather than utilising the existing ITP infrastructure, giving rise to questions as to the value for money gained by taxpayers.

<sup>6</sup> In general, T Levels are designed to ensure the holder can secure employment, while apprenticeships are designed to ensure they are competent in carrying out certain duties.

## MEETING THE GREEN CHALLENGE

The targets for a minimum of 250,000 jobs by 2030 contained in the government's plan for a "Green Industrial Revolution" (UK Government 2020) are extremely ambitious - not just in terms of the scale of jobs that are being sought in low-carbon and sustainable work, but the accelerated timescale in which this is aiming to be done. There is every reason for the UK to meet this, not just on an economic basis but on the well-founded assumption that changes in the profile of all industry and work need to happen now, and at scale, in order to successfully meet the growing global climate challenge.

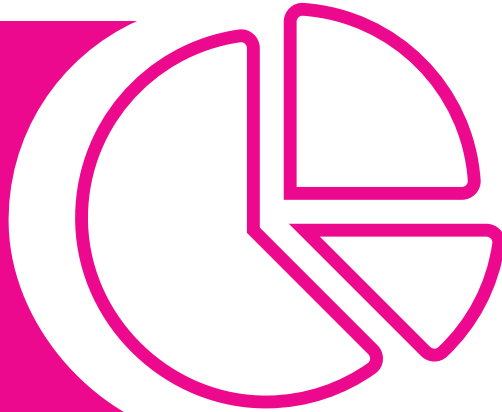
In order to give the very best chance of the skills sector being able to meet the demands of employers in this respect it is vital to use every tool at its disposal. Amongst other factors, this must involve optimising the core competencies of ITPs – their ability to rapidly engage employers and to interpret their needs, using their particular specialist expertise and workforce skills not just to respond to industrial demand, but to work with employers to foresee it and get ahead of the curve in developing appropriate skills solutions. Given the 5 years or so that the 10-point plan envisages it could take to develop appropriate green apprenticeship standards and other curricula, this work must start now.

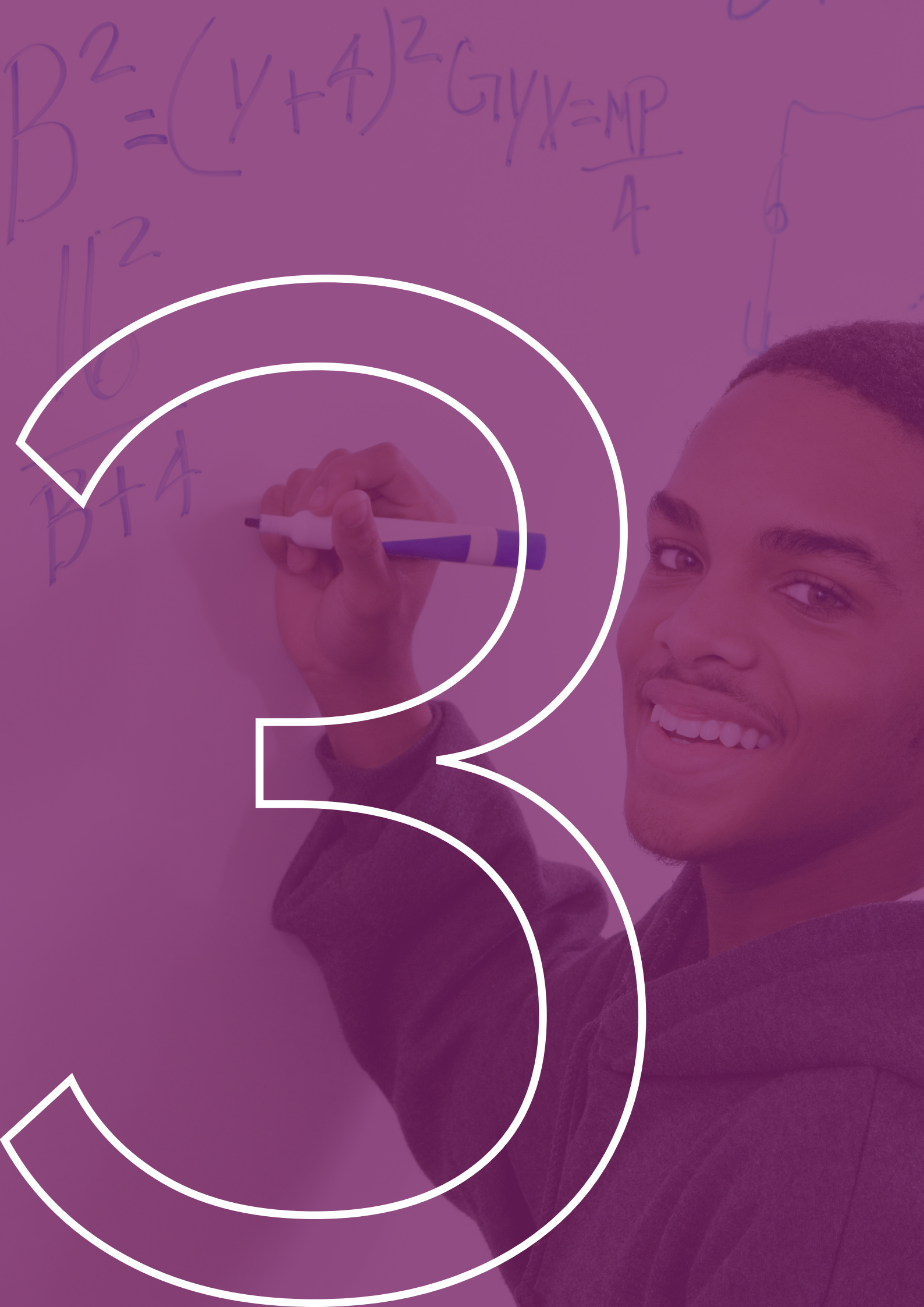
The wave of positive enthusiasm from ITPs to do this was strongly in evidence in February 2022 at the AELP Green Skills Summit in London, where employers, policymakers, providers and others came together to discuss the climate challenge and how best our sector could marshal its resources to meet it. Underpinning all of the conversations was a clear message – the green agenda is a top priority for us all, and we must work together to give all organisations the very best chance to play their part in developing the skills solutions we desperately need.

To succeed however, the necessary and substantial step change in how we meet this challenge must be facilitated by an equally necessary and substantial change of gear in the processes of doing so. The rhetoric of "employer-led" which has driven policy for some years now must be amended – at least in implementation – to allow ITPs to design, develop and deliver solutions to future skills needs. There must for example be far less agonising within the Institute for Apprenticeships and Technical Education (IfATE) about whether an apprenticeship standard is currently justified by the demand for the role it supports, when it is clear that the need is to develop this standard now for jobs that may not even exist yet but will do so in only a few years' time. ITPs are in an excellent position to drive this new approach. Their strong employer relationships, underpinned as they are by shared approaches and drivers to their businesses, and specialist sector expertise mean they could be in the spearhead of positive change on a green agenda for industry.

This is far less likely to happen however if, as is currently the case, ITPs continue to labour under iniquitous and unfair performance intervention rules; by being barred from receiving financial and other support that colleges and other FRE institutions can access; and through continuing to have to seek revenue funding for their operations through unwieldy and unfair procurement exercises that in some cases seem actively weighed against them. These issues and others are explored in more detail in the next section.







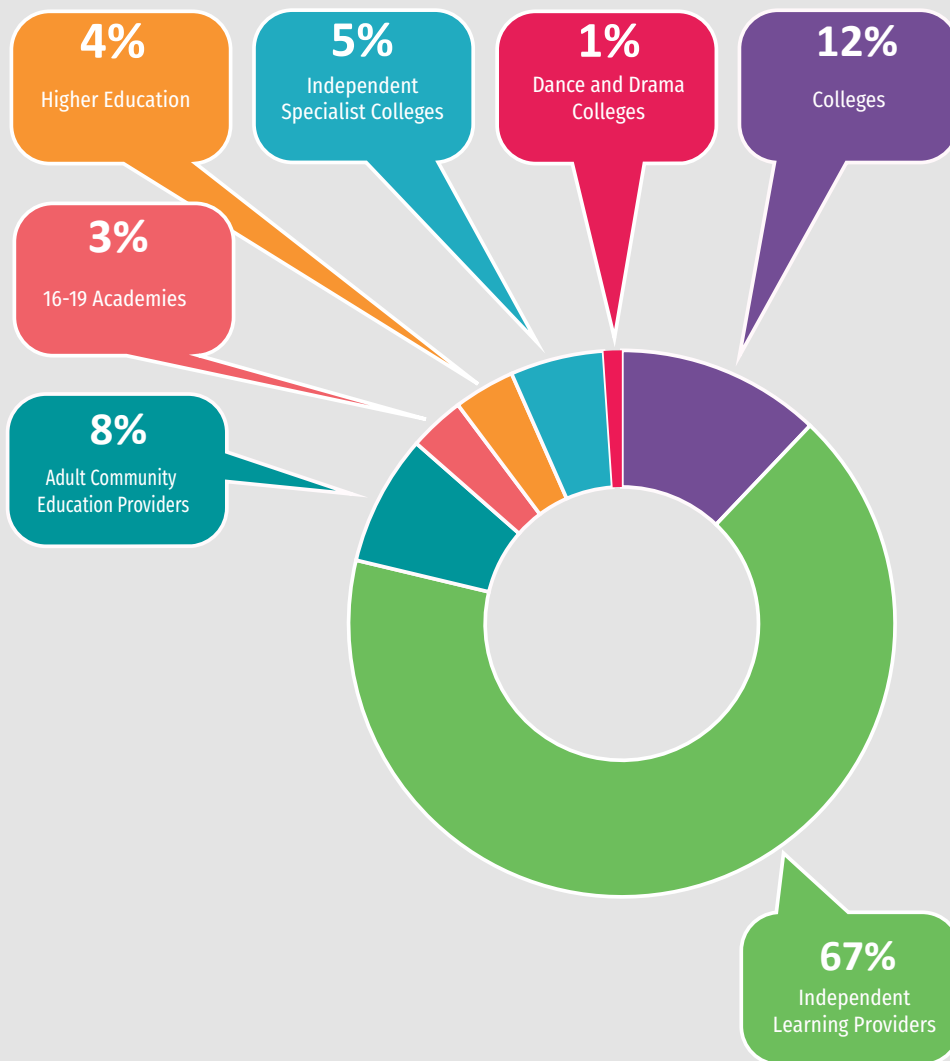
## CHAPTER THREE

# THE BREADTH OF ITP ACTIVITY AND THE BARRIERS TO DELIVERY

This chapter examines some of the operational and delivery data of ITPs – reinforcing their central importance to the FE and skills landscape and exploring some issues where the funding and regulatory system nevertheless work against them – and explores whether and how their ability to deliver is being limited by regulation

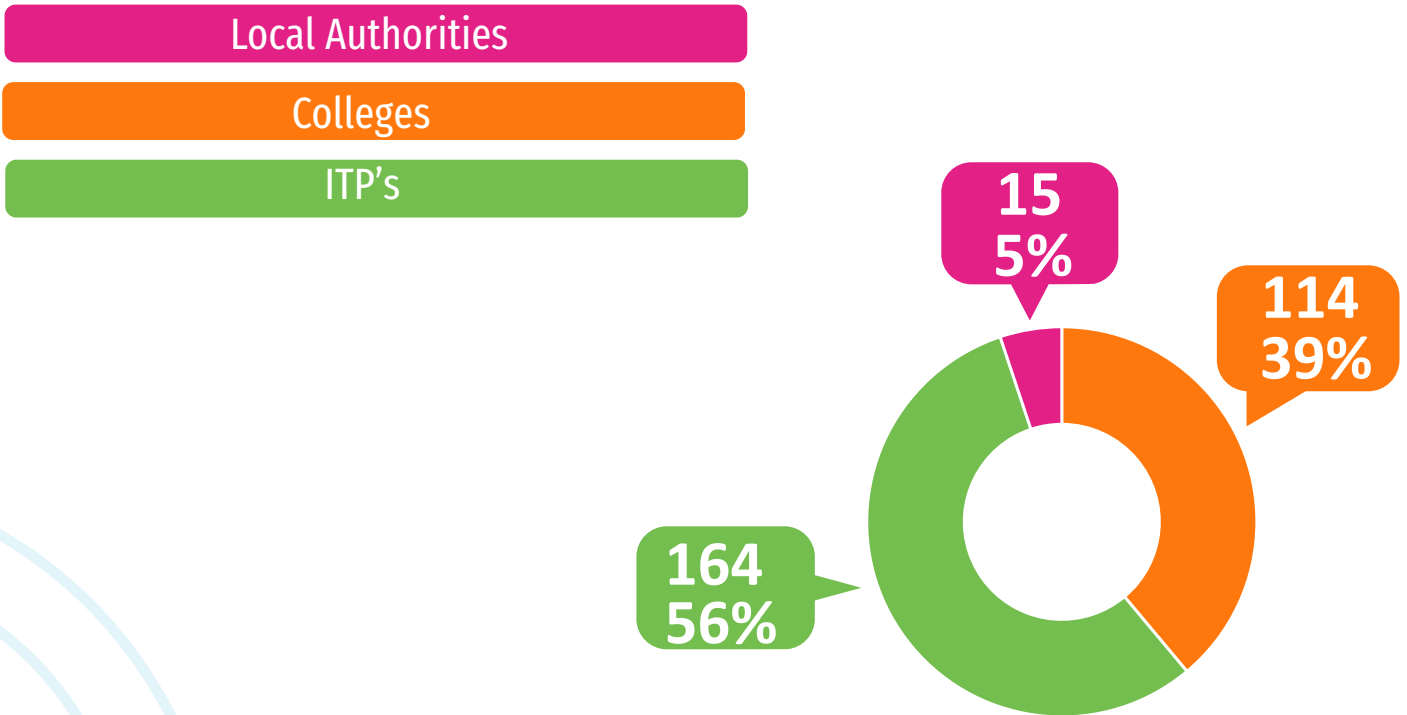
During the desk phase of this research, AELP examined a wide range of quantitative information demonstrating the range and scope of the independent providers in the English skills system, which gives a strong overview of their place and importance in the provision of skills learning.

- ▶ ITPs comprise, in terms of numbers of organisations, 67% of all FE institutions (AELP 2021b).



- ▶ ITPs deliver apprenticeships and traineeships for 16–18-year-olds worth nearly £381m, and apprenticeships to adults worth £354m.
- ▶ 69% of all apprenticeships starts in 2018/19 began at an ITP.

## LISTED TRAINEESHIP PROVIDERS BY INSTITUTION TYPE

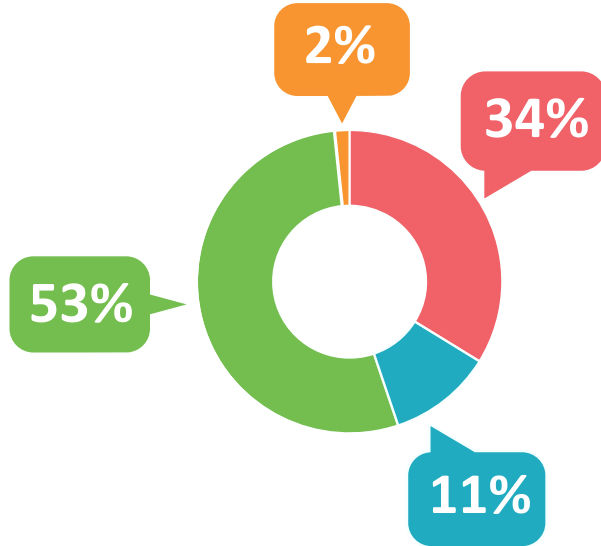


- ▶ In May 2021, 115 ITPs were delivering study programmes to nearly 35,000 learners, of which over 23,000 were following learning at Level 2 or below.
- ▶ Over 50% of learners who achieved a Functional Skills Level 2 qualification did so by following their studies at an ITP.
- ▶ In 2019, ITPs delivered ESF contracts worth £232–110m, which contributed towards operations to provide skills support to the unemployed and to support those who are, or are at risk of, becoming 'NEET'.<sup>7</sup>
- ▶ 30% (around 525,000) of all adults in education attend an ITP, attracting around £77m of directly-procured Adult Education Budget (AEB)-funded training between them.

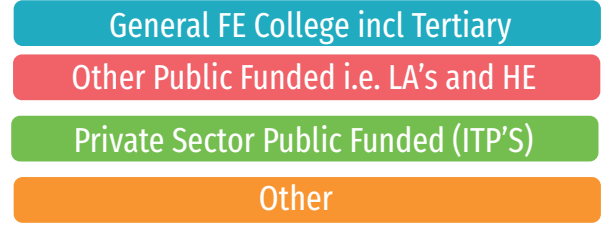
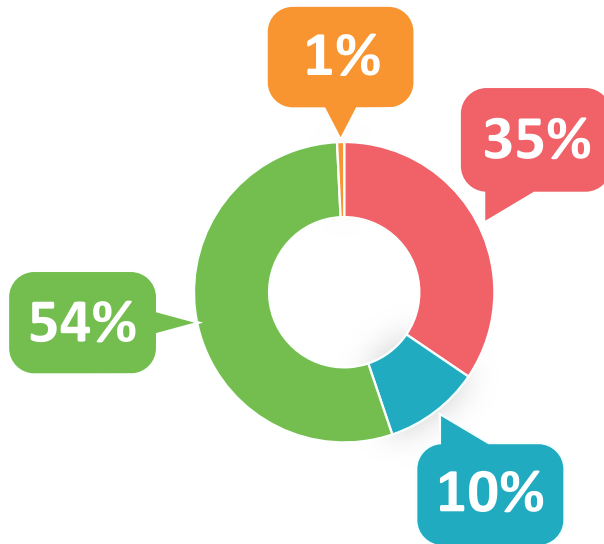
<sup>7</sup> NEET is an official designation for young people who are 'not in education, employment or training'.

# BREADTH & BARRIERS

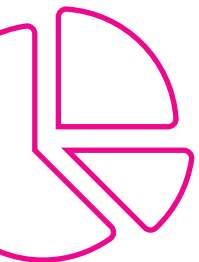
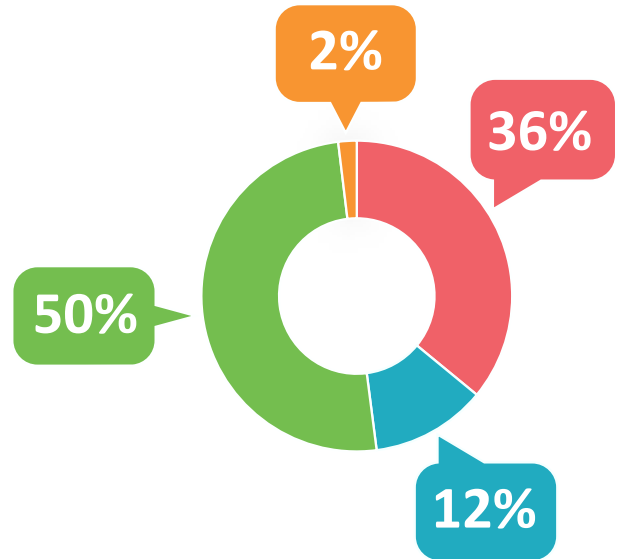
**MATHS FUNCTIONAL SKILL  
LEVEL 2 ACHIEVEMENTS, 2019/20**



**ICT FUNCTIONAL SKILL  
LEVEL 2 ACHIEVEMENTS, 2019/20**



**ENGLISH FUNCTIONAL SKILL  
LEVEL 2 ACHIEVEMENTS, 2019/20**



## INEQUITABLE TREATMENT

### ***Funding to ITPs for adults deliberately reduced?***

The most recent contract procurement under the AEB in 2021 drew widespread criticism of how ITPs appeared to have disproportionately been on the wrong end of allocation decisions despite their strong track records of delivery.

ESFA had once again stated an intent to reduce the number of contracts being procured, replacing these with 'fewer, larger direct ESFA-funded AEB contracts' (FE Week 2021). It was clear this would disproportionately and adversely impact on ITPs as the biggest single volume of contributors to this strand of provision, yet despite this, grant-funded providers were still nevertheless allowed to retain significant under-expenditure of their AEB funding in addition to being able to bid for more, reducing the pot still further. As a result of this procurement round, the number of providers in receipt of contracted AEB funding collapsed from 208 to 88.

Although FE Week termed this purge of ITPs from the AEB budget as a 'hidden agenda' (FE Week 2021), many argue it is not that hidden at all, and that the policy ground is indeed deliberately shifting against ITPs. The reasons for this are not clear, particularly given the strengths and potential that ITPs have to offer to the system.

### ***Skills Bill and accountability proposals set to limit ITP contributions?***

At the time of writing the Skills and Post-16 Education Bill ('Skills Bill') is progressing through Parliament (UK Parliament, 2021a). Its intent is to form the legislative underpinning for the reforms set out in the Skills for Jobs White Paper (DfE 2021a), to improve the functioning of the skills and post-16 education system and support the introduction of a 'Lifetime Skills Guarantee'. Running almost concurrently to this has been a consultation on reforms funding and accountability in FE (DfE 2021b). It is instructive to highlight two areas of these documents which are of particular concern to ITPs.

The Skills Bill proposes legislating for what are called 'Local Skills Improvement Plans' (LSIPs), by which designated employer-led groups develop local plans for priority skills needs that will steer decisions to commission, or otherwise provide, public-funded skills provision. Elsewhere the Bill facilitates the creation of a list of post-16 education or training providers who can effectively be trusted to facilitate an orderly exit from the skills market should for any reason their provision need to be wound down or terminated. It is explicit that the Bill's intention is solely to regulate ITPs, because schools, academies, FE colleges, local authorities, HE institutions, combined authorities and the Greater London Authority are not required to be included on the list.

Furthermore, the possible conditions for admission to the list include having insurance cover against a disorderly exit (a product which at the time of writing does not actually exist in the insurance marketplace) and a ‘fit and proper’ assessment of those having general control and management of the provider concerned. None of these conditions would apply to other types of provider.

The consultation document, *Reforms to further education (FE) funding and accountability* (DfE 2021b) meanwhile sets out to specifically address the underlying system of complex funding for adult skills, an objective that few would disagree needs tackling. It devotes a section to ITPs, saying that they will

continue to have an important role to play in delivering adult training and skills, supporting specialist and more innovative provision, providing more wrap-around support for individuals who might otherwise find it difficult to access mainstream provision and providing broader geographical opportunities than colleges alone can do.

AELP have argued that its specific proposals nevertheless amount to handing the commissioning of adult skills provision in non-devolved areas to FE colleges, effectively cutting the direct link between the DfE/ESFA and independent provision. To all intents and purposes this would make ITPs a type of subcontractor to the college system, which given ESFA’s increasing restrictions is at the very least a mixed message causing some confusion, but in any respect does not augur well for the overall future of ITPs in the skills system.

Taking these items together, there appears to be a move against ITP provision that is being embedded in skills policy and potentially cemented in legislation. ITPs will face costs for indemnities the like of which do not currently exist, and that no other part of the skills system will be expected to have – costs that will ultimately affect the provision for learners that choose to follow their learning with ITPs. It is not at all clear how imposing costs and impossible conditions on ITPs and constraining their ability to access public funding by channelling it through competitor organisations, will in any way benefit learners or optimise the possible contribution of ITPs to the skills sector as a whole.

In the debate on the Skills Bill in the House of Lords (UK Parliament 2021b, column 1741), crossbencher Lord Aberdare was moved to comment that he was:

concerned that they [ITPs] are sometimes viewed mainly as gap-fillers in the training system, as being of secondary importance to colleges and other statutory providers ... As a result, they often



seem to be at the back of the queue for the allocation of government funding for skills training, and ... have to cut the amount of training they are able to offer.

### ***ITPs at the back of the pandemic queue?***

The Skills Bill, and *Reforms to further education* (DfE 2021b) are not isolated examples of where ITPs find their contributions being downplayed despite their experience, expertise and ability to attract and train key groups of learners. Interview respondents repeatedly raised the support (or relative lack of it) made available for ITPs during the pandemic as evidence that their role in supporting young people and their learning aspirations was not being taken seriously.

*During Covid, we received no funding ... [even though] we had to build five new classrooms, bring in the [vulnerable] kids we needed to ... Even testing kits for Covid – we are working with the hardest to help and yet we got them three weeks later than schools and colleges.*

Director, West of England ITP

One of the strongest examples of the differing treatment of ITPs compared to other types of provider came at the onset of the first Covid-19 lockdown in March 2020. The government was relatively quick to offer financial support for mainstream FE provision. ITPs were initially reassured by the Cabinet Office on 20 March that:

*All public contracting authorities should ... put in place the most appropriate payment measures to support supplier cash flow; this might include a range of approaches such as ... payment in advance/pre-payment ...*

(Cabinet Office 2020)



The DfE, however, quickly appeared to contradict the Cabinet Office, saying that ‘government policy does not allow payment for services in advance of delivery’, thereby excluding most ITPs from the support ostensibly being made available to the FE sector as a whole. (FE Week 2020a). Along with further ministerial statements on this line (DfE 2020a), DfE in effect prevented government support for ITPs that had previously heeded the government’s exhortations to reduce contracted funding and concentrate on securing funding through the apprenticeship levy.

The lack of support by the government provoked a furious reaction from the ITP sector, with AELP seeking legal advice on the DfE’s apparent failure to comply with Cabinet Office guidance (FE Week 2020c). AELP’s then-CEO Mark Dawe commented that ‘It seems their goal is for the sector to collapse and remove any delivery to apprentices, other learners and their hundreds of thousands of employers’ (FE Week 2020b). Lawyers wrote directly to the minister on 27 April (AELP 2020) on behalf of AELP, but the response was inflexible: the DfE firmly rebutted every point made and maintained a position that was clearly out of line with Cabinet Office guidance.<sup>8</sup>

This lack of support for ITPs (and thereby their learners) was regularly cited by our respondents, and did nothing to encourage ITPs to keep doing what they do best, when they found that at their time of maximum financial peril the government seemingly abandoned them to their fate. It remains unclear why the department took this line against supporting apprenticeship providers – mainly ITPs – when guidance so clearly indicated that support was not only needed but should be made available to them.

### ***Intervention and remedies for poor performance***

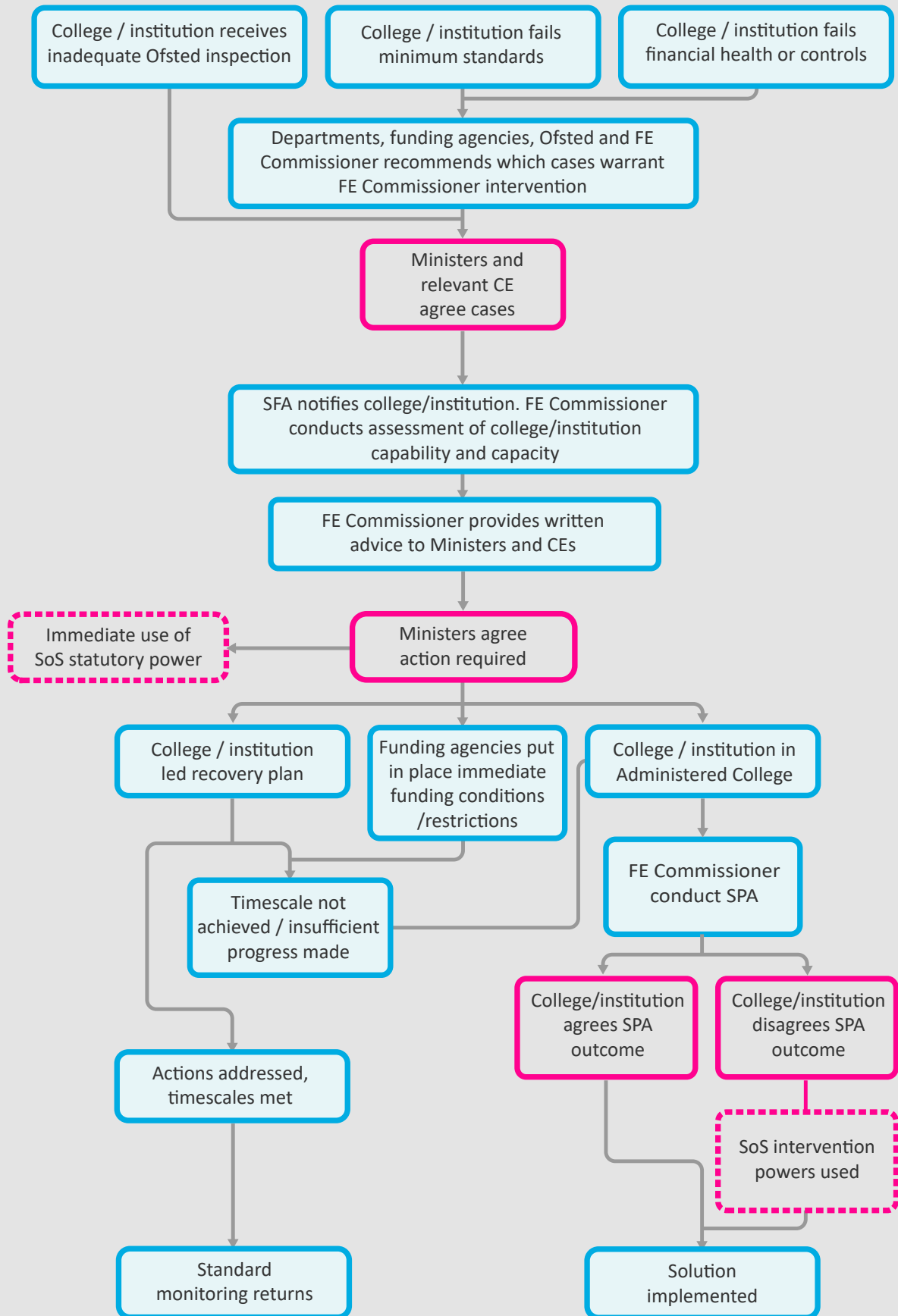
Many respondents consider one of the most extensive areas of imbalance between ITPs and others in the sector to be intervention questions relating to poor performance or market failure. For many years, the primary document on this subject was issued by the DfE (2014b)<sup>9</sup>. This established the position of FE Commissioner and presented a flow chart (Figure 4) for their intervention with colleges that failed minimum performance standards, financial health controls or who received an inadequate Ofsted inspection.

Even without further examination of the detail of the powers that were put in the hands of the FE Commissioner, it can be seen that this process was potentially lengthy and meant that learners could continue to be delivered substandard provision by an underperforming college provider for at least 12 months – in practice, it is for considerably longer than this. It was recently reported that 22 colleges have managed to go over 10 years without an Ofsted inspection (Tes 2021b). Furthermore, according to the government (UK Government 2021), 20 further colleges are rated as either Grade 3 (requires improvement) or Grade 4 (inadequate) but have not been inspected since 2018 – three of them have not been inspected since 2017.

<sup>8</sup> AELP had at one stage threatened a judicial review but given the pressures of the pandemic and the potential costs and delay that this would inevitably incur, such action was not finally taken. No discrete support for levy-funded apprenticeship providers, most of whom were ITPs, was ever made available.

<sup>9</sup> With some relatively minor amendments, this regime stayed in place until 2019 when an FE insolvency regime was introduced (UK Government 2019) that meant that colleges could fail and - for the first time - be placed into an insolvency process.

Figure 4, source: DfE (2014a)



Even given the interruption to inspections as a result of the pandemic, this would indicate that considerable leeway is being given to rectifying performance issues in colleges, whereas the process for ITPs is somewhat more abrupt:

Where an ITP is graded overall inadequate by Ofsted, or meets one of the financial intervention triggers, they can expect to have their contracts terminated early, subject to protecting the interests of learners. Where we have evidence that learners' interests would be best served by maintaining the contract we will only do so under strict conditions with rigorous monitoring, and we will seek to terminate the contract immediately if the ITP fails to improve.

(DfE 2014b)

In the 2019/20 year, 60 ITPs suffered 'unplanned exits' (DfE 2021c). Researchers have not been able to determine how many of these were as a direct result of an 'inadequate' Ofsted rating, failure to meet financial or performance targets, or for market reasons outside of these. However, it is instructive that the number of colleges indicted under the new insolvency provisions so far stands at one (Hadlow College), and despite broadly similar levels of quality as reported by Ofsted between colleges and ITPs, those colleges forced to close because of inadequate Ofsted performances stands at nil. It is difficult to avoid a conclusion therefore that learners at some colleges are being disadvantaged by the fact that different rules and standards for interventions on the grounds of quality are being applied to their provision as opposed to their peers at ITPs.

One reason often given to AELP for this inequality is the legal relationship between the state and FE colleges, which allows for the leadership and governance of a college to be replaced if necessary, while replacing the owner of an ITP would not be practical and is not something the DfE is in a position to require. This overlooks the point that the replacement or modification of any branch of a provider's leadership or management, or indeed their operational teams, could be a condition of continued funding. Even accepting that governance issues mean that the response of the government to poor performance can never be completely equivalent between ITPs and colleges, there is still considerable scope for it to be far less iniquitous.

The way institutions are treated across the sector therefore differs, and for no other reason than simply because of the type of institution they happen to be. It has nothing to do with quality, or financial robustness – it is simply that ITPs are given no leeway while the state is prepared to give itself plenty.

The most important part of this is that it comes at a cost to learners who can be subjected by the current rules to a continuing lack of choice, substandard provision or both.

By equalising the rules, learners can reasonably expect to receive the same high-quality provision wherever they go – ITP, college, or anywhere else.

### ***The importance of trust in the system***

In the autumn of 2020, research supported by the Further Education Trust for Leadership (FETL) and conducted by AELP talked to over 100 sector leaders – mainly ITPs – about their regard for the DfE, ESFA, IfATE and Ofsted (Warner 2020). Although Ofsted were rated as having been responsive and constructive during the pandemic and lockdown, it was found that the view of ITPs towards the DfE, ESFA and IfATE was already jaundiced but became more so as lockdown progressed.

The resulting report, *The Way We Work* (Warner 2020), called for a far greater sense of trust from the government and its agencies towards the sector, and towards ITPs in particular, who feel disproportionately adversely affected by rule changes designed to react to past misdeeds – by no means all of which were deliberate – by a minimal number of their counterparts. As one sector leader said, ‘The authorities pay too much attention to the few bad apples ... rules are put in place to manage the 1% of providers who don’t do the right thing, not get the best out of the 99%’ (Warner 2020). By trusting the expertise of ITPs to react efficiently, effectively and responsively to the skills market – which all evidence says they do – and ensuring that rules do not disproportionately affect their activities relative to any other type of institution, the country’s skills system could hugely benefit.

ITPs make a huge and positive contribution to the skills system. They deliver excellent results to learners and employers and the quality of their work is at least equal to – if not better than – other types of institutions in the sector. They are involved in just about every type of provision strand available, and constantly innovate and implement provision in a timely, effective and economic manner. Indeed, the skills system is in many ways dependent on ITPs being there. The sheer numbers of learners benefiting from the choice of delivery styles and the specific expertise of ITPs, in a vast range of occupational sectors and across a huge range of types of provision, shows that skills policy would be (at best) compromised and (most likely) almost unable to deliver in many aspects without ITPs being in existence. This makes the constant shifting of policy ground against them increasingly difficult to understand, and increasingly important to challenge.

As Mark Dawe has written (Tes 2021a) ‘the strength and success of ITPs lies in their flexibility, innovation and laser-like focus on delivering what employers want and need’. It is regrettable that this is often overlooked (or even completely ignored) when the government talks about local partnership, preferring to concentrate on the leading role of employers and facilitating colleges and others to meet their needs. ITPs are not just there, as Lord Aberdare put it, as ‘gap-fillers’ – they are a crucial part of any employer-responsive delivery system and by working with them instead of allowing a drift against them to continue, policymakers, regulators, and funding authorities have the opportunity to make an enormous positive impact on skills delivery across the country.



# CHAPTER FOUR

## CONCLUSIONS: CLOSING THE GAP

In speaking to ITPs all over the country and in many different occupational sectors for this report, researchers were struck by the commonality of views. ITPs operate in a different context to colleges and other types of educational institution ('of' the FE sector yet somehow still separate from it), but their contribution is such that much of the system (and particularly apprenticeships policy) would fail without them.

ITPs achieve their success using a slightly different set of drivers to those of schools, colleges and universities – they are far more beholden to market forces and cannot rely on the state to support them should they face financial or other difficulties. As a result, ITPs tend to be more commercially driven and market responsive and are generally more like the employers with whom they work than are colleges, universities and other parts of the state infrastructure. ITPs tend to be faster to respond, relatively more efficient and better able to understand what employers want and why they want it.

At the same time, the learners with whom ITPs work often originate from challenging or disadvantaged backgrounds. They may not have fared well in traditional educational institutions – or maybe are just seeking an alternative learning environment to the structures of compulsory education:

*We get the [learners] that don't go to college, in about July, September, October time. And then we see another influx in about January where they've done a term [at college] and found it's not for them.*

Managing director, ITP; Adult Care and Business Administration sectors

Given that ITPs are largely associated with apprenticeships, so it can be seen that ITPs play a huge part in ensuring that some of the most disadvantaged in society can take the first crucial steps on a sustainable career ladder. Given the policy priority accorded to these over the last few years, it is therefore surprising that the government has not done more to recognise and acknowledge this, and indeed during the pandemic refused to support many of them at all to maintain their provision. The fact that so many did is testament to how efficient and effective ITPs are, demonstrating exactly why they deserve the chance to do more of what they do best by releasing some of the constraints on their activities.



The relationships that ITPs have with employers and learners mean that different dynamics are often at play than elsewhere in the sector, and ITPs believe that regulation struggles (or sometimes does not even try) to keep up with this. ITPs deliver effective training in the context of a fast-moving and volatile commercial market across a broad range of occupations and industrial sectors, while the government fund this using taxpayers' money in the full glare of public opinion and with a fierce concentration on probity and value for money. These are not intrinsically incompatible objectives, but many ITPs feel that the government nevertheless approaches regulation of ITPs almost as a zero-sum game amounting to maintaining the state's own infrastructure by reducing the influence of ITPs. The need is to close the gap – concentrate on what works, not focus on which type of institution delivers the education and training, and instead allow each institution to do what it does best within a common overall framework of funding, regulation and performance measures.

ITPs clearly operate far beyond the confines of apprenticeships. They deliver study programmes (particularly to disengaged and disadvantaged learners below Level 2), adult skills training, employability programmes, traineeships, offender learning programmes, employability training and very much more besides. They do this combining a drive for high quality and the proper use of taxpayers' money while being fixed on ensuring that customer needs are met using the most effective and economical means possible. They are very clearly not just 'filling gaps in provision', and indeed many ITPs we spoke to for this report were quite offended by this perception of them. ITPs play a leading and key role in very many aspects of work-based learning and training delivery. One interviewee told us:

*If we fill any gaps at all, it's only because we're the mortar between the bricks in many cases. Without us the whole wall could come down.*


Deputy CEO, ITP; Creative and performing arts sectors

5

**RECOMMENDATIONS**

- 1 Skills policy should concentrate on facilitating what works and not which type of institution delivers it.** Each institution should be facilitated to deliver to its strengths within a common overall framework of funding, regulation and performance measures. Any institution-led bias in formulating skills policy, funding and regulation is outdated and unhelpful, and its concentration should be placed on allowing learners to maximise their potential wherever they choose to learn.
- 2 Intervention measures must be reviewed and made more equitable to avoid disadvantaging learners that choose to study at each type of institution.** The differing treatment of ITPs, colleges and others in the skills system when it comes to intervention on the grounds of poor quality or performance merely disadvantages learners on the basis of where they choose to study.
- 3 ITPs are well placed to engage learners and supply skills training at Level 2 and below, and policy should aim to proactively harness these strengths to help reverse the alarming drop in opportunities at this level and below.**
- 4 In policy design, less default reliance should be placed on traditional models of academic year, classroom-based methodologies that limit the use of ITP strengths in engaging employers and enabling learners to reach their full potential.** ITPs have particular strengths in engaging and working with employers in flexible work-based and work-related learning and delivery contexts.
- 5 In particular, policy prioritisation should be more equitable between GCSE and academic routes to literacy and numeracy, and work-based learning.** The content reform of Functional Skills that converged it with the content of GCSEs, and the discounted funding rates of Functional Skills within apprenticeships, both work against the effectiveness of work-based learning, which most ITPs use because it works best for the employers they support.
- 6 Government and its agencies must trust ITPs to continue to deliver high-quality and responsive provision** in line with employer and learner needs, ensuring that changes to rules and regulations accommodate the different drivers that underpin ITP activities. In this way, learner choice can be widened and employers can benefit more from the expertise that ITPs have to offer.
- 7 With regard to all the above recommendations, the ITP sector is, and always has been, keen to work with government and its agencies to design and deliver the high-quality learning solutions that the economy needs. ITPs bring a wealth of experience, expertise and industry knowledge that are vital to formulating the proper responses to skills needs of employers and learners alike. Policymakers and those designing the implementation of such policies must make much better use of these attributes.**

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