



# **AELP Submission: #120**

**AELP Ofsted Big Listen Paper**

## **Executive Summary**

The Association of Employment and Learning Providers (AELP) welcomes the opportunity to contribute to Ofsted's Big Listen. Whilst AELP believes the shift from the Common Inspection Framework to the Education Inspection Framework was a significant step forward for further education we still believe there are evolutionary changes to continue to enhance the value, impact, and fairness of inspection.

In summary, our six recommendations and asks of Ofsted are as follows:

1. To explore a wider range of inspection grades, including to pass judgement whether or not providers have the "capacity to improve".
2. The need to continue to improve consistency of inspection, to ensure providers of all types and sizes are receiving a similar experience.
3. To ensure parity and fairness, consider broadening out notification periods for all providers, building on the learning gathered from the extension of notice to Large and Complex providers in September 2023.
4. Review the scope of inspection to only include elements which are funded by the Department for Education or a Combined Authority.
5. Continue to provide opportunities for providers to access support and guidance directly from inspectors, including opportunities for Nominees to shadow inspection teams.
6. The future of reporting the outcomes of inspections should be proportional to enable the providers and the public to be able to make informed decisions.

## **About AELP**

The Association of Employment and Learning Providers (AELP) is a national membership body, proudly representing its many member organisations operating in the skills sector. AELP members deliver a range of training and vocational learning – including the majority of apprenticeships as well as Skills Bootcamps, 16-19 Study Programme, Adult Education Budget and more. AELP members support thousands of businesses and millions of learners in England by delivering a wide range of training, vocational learning, and employability programmes. Our members include independent training providers, colleges, higher education institutions, employer providers, awarding bodies and end point assessment organisations. They support learners of all ages, in every community, and at every level of post-16 study.

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### **Recommendation 1: A Wider Range of Inspection Grades**

Feedback from our members suggests that the range between 'good' and 'requires improvement' is too wide. We suggest having a five-grade scale would be more appropriate to recognise a wider range of provision. Alongside this, AELP encourages Ofsted to also consider the re-introduction of a judgment to recognise whether providers have the "capacity to improve".

One of the critical themes within the Big Listen survey is impact. Independent Training Providers (ITPs) are in a uniquely difficult situation if they receive an inadequate inspection outcome. In many cases, a grade 4 outcome means that the DfE will terminate their funding agreement. Whilst we appreciate Ofsted cannot determine what other organisations do with the outcomes of their inspections, it is important to acknowledge the impact.

This means providers are forced to exit the market which ultimately significant disruption for employers and learners at the same time. Unlike other institutions Ofsted inspects, there is no intervention support or a second chance. Although AELP would never advocate supporting poor provision, there are times when a provider makes a genuine mistake or simply misunderstands requirements. We believe there should be support available to assist providers prior to contract removal where there is capacity to improve in line with the Apprenticeship Accountability Framework approach.

We would also advocate the incorporation of Personal Development and Behaviours and Attitudes criteria moving from key judgments that are graded to being considered as part of a provision type for example apprenticeships or adult learning programmes. This would enable inspectors to consider the impact but also the appropriateness of the support for learners whose requirements are vastly different more easily.

### **Recommendation 2: The Need to Continue to Improve Consistency of Inspection**

A further area which we believe requires ongoing consideration is continuing to improve the consistency of inspection between different inspectors. AELP continues to advocate for Ofsted to ensure HMIs and Ofsted Inspectors have both current occupational and sector experience appropriate for the provider and provision they are inspecting. We still get feedback from our ITP members of inspections teams with either no experience in the occupational field and/or no specific experience in work-based learning provision. Therefore, it would be important to learn from the previous expansions of scope (Level 6-7 apprenticeships and skills bootcamps) and recruit inspectors with specific experience of teaching with these types of provision. We would encourage Ofsted to implement an ongoing skills and competency audit of the inspection workforce to ensure a diversity of inspectors which meet the needs of the sector.

### **Recommendation 3: Notification Periods for Providers**

The unknown of when an inspection will fall provides a significant uncertainty for staff particularly nominees and other senior leaders as it can lead to weekly anxiety as to whether personal plans will be disrupted due to notification particularly when periods of leave are booked. In addition, the two-day notice period is often shortened to one and half days by the time the initial briefing meeting has occurred, and the provider has sufficient information about the focus of deep dives. There is currently a perceived disadvantage and inequality for smaller providers as they do not receive the same treatment as those who are deemed Large and Complex. Just because their provision is smaller in scale, doesn't mean that it is any easier to organise the logistics of an inspection.

AELP would support the extension for notice period to providers who currently fall outside of the Large and Complex inspection category. With the suggestion a staggered notification scale of 6, 4 and 2-days' notice depending on the quantity of provision types offered, number and geographical

spread of learners. Whilst we appreciate this may be logistically difficult for Ofsted it would provide providers with more time to notify employers and learners of inspection and hopefully enable them to be able to participate in inspection more effectively.

#### **Recommendation 4: Scope of Inspection: Funded Aspects Only**

Whilst we are not proposing wholesale change the Education Inspection Framework (EIF), AELP believes that Ofsted should not be able to inspect non-funded aspects of delivery e.g. British Values or Careers advice within inspections. If they are included, they should be recognised as value added activity with recognition being given to providers who do it well. Many providers currently feel aggrieved and frustrated that they are being judged on the quality of activity that they are not funded for. Only provision that is funded should be checked by Ofsted.

#### **Recommendation 5: The Need for Better Training and Guidance**

AELP is pleased that Ofsted introduced the role of a shadow nominee following the proposals we put forward and shadows nominees have made an excellent addition to an inspection team as they allow providers to succession plan more effectively. AELP would encourage Ofsted to take shadowing a step further, by allowing providers to shadow on inspection would also help build capacity and bust myths about what happens on inspection.

#### **Recommendation 6: The Future of Reporting the Outcomes of Inspections**

The reporting outcomes of inspections should be clear and transparent to enable employers, providers and the public to be able to make informed decisions. We would like to see reports providing enough information to enable them to showcase what providers are doing well and where there are areas for improvement. The current format of reports means it is difficult to gauge how far away providers are from making those improvements for example. This is in line with our recommendation for Ofsted to recognise providers the capacity to approve, we would suggest incorporating this into inspection reports would make them more usable for organisations like DfE and their decision-making processes. However, we are mindful that the nominee and shadow nominee receive extensive feedback verbally and we advocate that this to continue.

For further information or queries please contact:

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