

NOTE OF MEETING BETWEEN SINGLE VOICE FOR SELF REGULATION OF FE AND DIUS

WEDNESDAY 22 APRIL 2009

Welcome and introductions

1. Stephen Marston welcomed everyone to the meeting. A list of attendees is attached at the annex. Apologies were received from Marilyn Hawkins and Alison Boulton.
2. Stephen Marston then summarised the purpose of the meeting: to reach agreement on the major components of 'self regulation'; clarify roles and responsibilities; and agree a forward agenda and priorities.

Single Voice opening comments

3. Sir George summarised the Single Voice's position. Members recognised that there was not an appetite in the FE sector for self-regulation to be pursued through the formation of new organisations; rather, a prioritised, well-defined agenda for action was required. There were three issues that they wished to pursue:
 - Standards
 - Minimum levels of performance – who defines and owns these
 - Providing clarity on intervention and regulation.
4. Progress had already been made in relation to establishing an LSIS Council representing the diversity of the FE sector. Dialogue was ongoing in developing an electoral system with the aim of this being ready before the end of term, to reinforce the Council's democratic role. Members were committed to the continued existence of the Single Voice. A new chair would be appointed. It was not seeking DIUS resource.
5. There followed a general discussion in which the following points were made:
 - a. There was general agreement that the Single Voice had demonstrated its value, as a way of articulating and resolving views across the FE sector. Members would wish it to continue as a forum for raising sector-wide issues, and developing collective views, in the broad area of regulation.
 - b. The agreed first priority area for the Single Voice to pursue was in relation to the set of issues around quality and improvement, performance measurement and management, and quality-related intervention. Other work was going on in parallel which would materially affect the level and forms of regulation within FE. In particular, the operations and approach of the Skills Funding Agency, and the development of "skills activism", would have a big impact on administrative bureaucracy and the scope for colleges and providers to determine priorities in meeting training and skills

needs. The individual representative organisations would engage directly in those other developments, and the Single Voice might in time want to bring them within the scope of its discussions. But for now it was right to focus on the priority area of quality and performance.

- c. The sector was not seeking to 'own' or run the regulatory system. Rather, its purpose was to shape the discourse on regulatory matters. In terms of prioritising activity the focus was on standards and how to set minimum thresholds of performance. Activities would be co-owned and developed by the sector.
- d. The Single Voice would act as a forum of the sectoral groups which would develop a consensus on issues, but was not itself seeking to become a substantial organisation. There would be occasions where it was appropriate for each of the representative groups to put its views forward individually. AoC and ALP would provide resources to support the work of the Single Voice.
- e. The responsibility for minimum levels of performance would rest with the funders ie. DIUS/SFA. It was recognised as a function of the Government to determine a consistent minimum set of performance standards, as an integral part of securing accountability for public funds. But the sector wanted a greater say in how these were developed, as well as an important role in supporting colleges and providers in developing quality and standards.
- f. In developing the LSIS Council, the intention would be to ensure that this was made up of providers rather than the sector groups. The Council, and LSIS itself, would not have any policing, enforcement or regulatory role. Its job was to support, and work on a voluntary basis with, colleges and providers, including those where poor performance needed to be addressed.
- g. The development and maintenance of robust, challenging governance arrangements was critical to the reputation and effective functioning of the sector. A joint project was underway between LSIS, AOC and ALP to support the definition and promotion of high standards of performance by college governing bodies and their corporate equivalents in providers. While the Single Voice would promote collective action, it was also essential that each college and provider took lead responsibility for individual action to sustain and raise its own performance.
- h. The Single Voice represented the range of institutions across the FE sector. But that needed to be supplemented by work to ensure understanding and engagement across the full range of those working in FE. This necessitated a robust communications strategy which would need to include a better explanation of regulation and self improvement, how these two were different but also linked together.

Presentation of executive summary of LSIS self regulation seminars

6. Caroline Mager highlighted the top level points that had arisen from the seminars that LSIS had hosted on behalf of the Single Voice. In taking the agenda forward, the approach set out in 'Excellence and Fairness' should be adopted and entail a process of co-design and co-ownership based around the tripartite elements (Government in a strategic leadership role, renewed professionalism and empowered customers and citizens). The customer element had not featured in the seminar series but needed to be uppermost in terms of future developments. She reiterated the points made about wider engagement of the sector.

Discussion of the way forward and actions

7. Discussion then focused on the model of elements for a shared regulatory system set out in paragraph 15 of the report, *Self Regulation - Shifting the paradigm*. Emphasis would be on co-designing a future system. The following actions were agreed:
 - a. The Single Voice would bring forward proposals to cover elements 3, 4, 5, 7, and 8 (accountability data; sector-wide coalition for self improvement; under-performance protocol; quality inspection and value for money audit; performance standards set by providers). All of these were aspects of the agreed priority focus on quality and performance. Proposals would need to marry the aim of promoting incremental improvement with having a funding system based on minimum performance levels. The 'protocol' would be a statement setting out processes including who would take action and when, but was not intended to provide a basis for regulatory intervention.
 - b. The Bureaucracy Reduction Group would be asked to take forward work to consider the proposals for appointing an ombudsman.
 - c. The arrangements for financial control and financial memoranda were relatively well established and accepted. So they did not need to be a priority at this stage for further work. In any case, the SFA would need to review, in consultation with the sector bodies, the financial control framework once it was up and running.
 - d. DIUS would map the current groups on which the sector was represented. The purpose was to (i) provide a clear statement showing the role, scope and membership of the various groups and how they related to each other; (ii) review whether all the current groups were needed; (iii) consider whether the balance of representation and engagement of the various sector bodies on the various bodies was right; and (iv) consider how the role and impact of the various groups could be better communicated, so that people in the FE sector had a better understanding of their work.
 - e. Graham Hoyle, as Chair of the NIPB, would develop a narrative for engaging the sector based on the principles agreed above. This would make clear that development had entered a new phase.

- f. LSIS would produce a short statement summarising what had been agreed which would accompany the final report.

8. Two areas for further discussion outside of the meeting were identified:

- a. how to involve the sector in future development of the Framework for Excellence.
- b. The opportunities offered by current qualifications reforms in relation to quality and self-regulation. There was interest in considering how, individually or collectively, colleges and providers could play a larger role in developing qualifications, for example by becoming awarding bodies.

May 2009

Attendees

Stephen Marston	DIUS (Chair)
John Landeryou	DIUS
Marilyn East	DIUS (notes)
Roger McClure	LSIS
Caroline Mager	LSIS
Ben Margulies	LSIS
Sir George Sweeney	Chair, Single Voice
Vic Croxson	Landex
John Bingham	AoC
Martin Doel	AoC
Chris Thomson	SFCF
Graham Hoyle	ALP
Bob Powell	HOLEX
Lynne Sedgmore	157 Group
John Widdowson	Mixed Economy Group
Alan Tuckett	NIACE

Apologies

Marilyn Hawkins	157 Group
Alison Boulton	NATSPEC