

Self-regulation – shifting the paradigm

Seminar six – 11 March 2009



A new regulatory settlement for learning and skills – an Aunt Sally for discussion A summary

The ambition

- co-design and co-ownership of regulatory arrangements by the sector, its customers and government to maximise the effectiveness of the FE and skills sector and its contribution to the public good in the context of the *Excellence and Fairness* model for public service reform;
- an empowered sector, taking responsibility for its performance, committed to high ambition and excellence for its learners, customers and communities; and
- a shift over time towards better internal regulation and governance by providers themselves, driven by constant and close attention to self-improvement, enabling lighter external regulation, proportionate to performance, and closer to the irreducible minimum necessary for public accountability.

The proposition - part one – three components of co-design

- a high-level *Partnership Board for FE and Skills Regulation and Performance* to oversee the regulatory arrangements as a whole, involving government and its agencies, the sector, and its customers and learners;
- *sector-led bodies*, building on existing bodies, to develop policy and practice in relation to key dimensions of regulation and performance;
- a *Sector Policy and Development Board for FE and Skills Regulation and Performance*, building on the existing Single Voice, to act as a sector-wide coalition, committed to supporting improvement and excellence as the basis for greater self-regulation, and via its members, acting as a vital communication channel with the sector as a whole; and
- these components in time to replace existing arrangements through a safe process of transition.

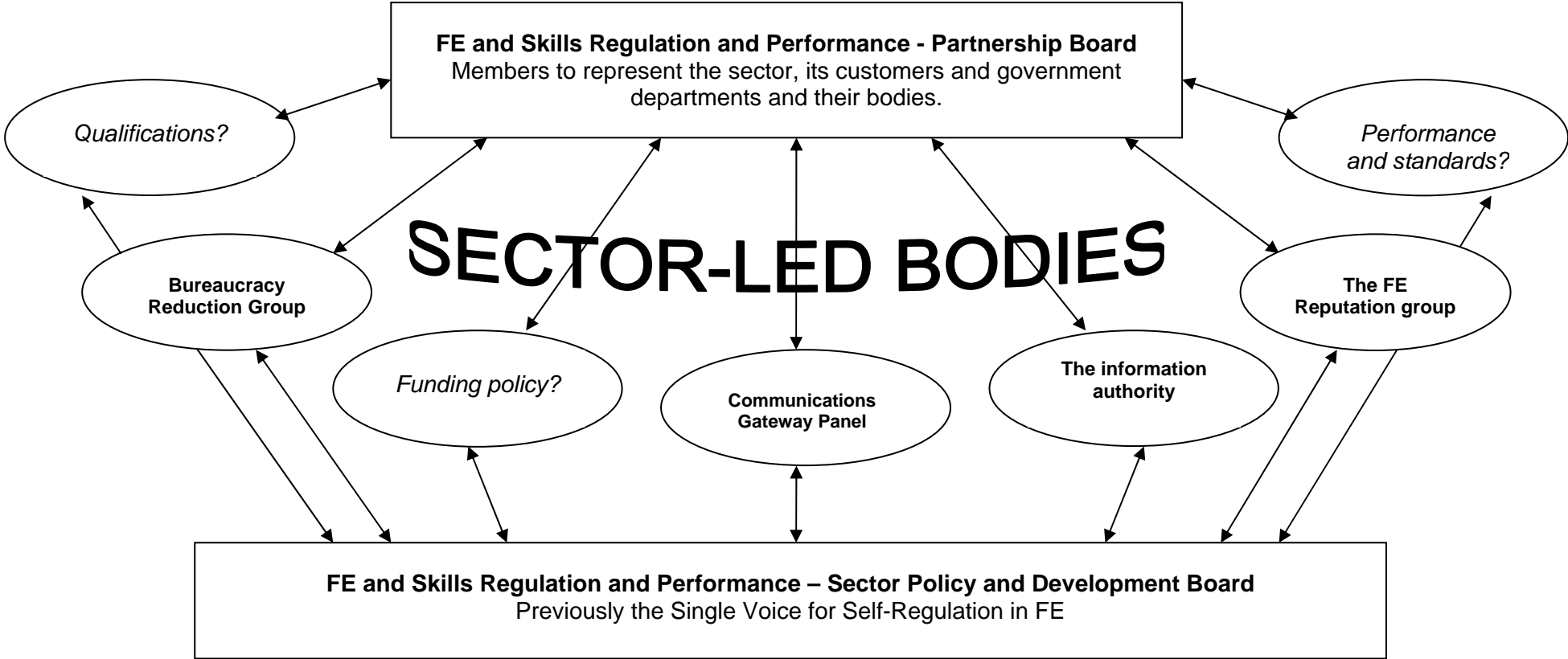
The proposition - part two – an agenda for development

- a development programme to shape elements of the regulatory and performance framework through activity at provider level – individually, in partnership and collectively – piloting, modelling and testing practice. This will help to generate the deep-rooted ownership and responsibility necessary to provide the bedrock of proposed mechanisms for co-design and co-ownership of the system as a whole. The agenda includes animation of professionalism and leadership throughout the sector, self-assessment and self-improvement to support improvements in internal regulation and governance as the basis for reduced external regulation.

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A Model for Co-design and Co-ownership of FE and Skills Regulation and Performance



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Introduction

NB This paper was prepared following a request at the fifth seminar in the series for LSIS to provide an 'Aunt Sally' of how self-regulation might operate in practice. It was intended to stimulate discussion but should not be taken as having any endorsement from LSIS or from the sector.

1. This paper should be read in conjunction with *The emerging consensus*¹. It aims to be consistent with the propositions set out in that document and complements the proposals for further detailed work. The paper also takes account of the sector's responses to the Consultation Prospectus² and refers to these where relevant.
2. The rationale for establishing a new settlement for the sector's regulatory framework is the need to improve effectiveness and efficiency and to enable the sector to be as responsive as possible to its customers – individuals, employers and communities - particularly in the current economic recession.
3. The model for the next stage of public service reform, set out in *Excellence and Fairness*³, proposes three key dimensions – citizen empowerment, new professionalism, and government acting in a strategic leadership role. This new approach to public service reform – expressed in the diagram below – was discussed at the first seminar and is embedded in the model proposed in this paper.



¹ Available on the LSIS website <http://www.lsis.org.uk/Libraries/Documents/Self-regulation-theEmergingConsensus.sflb>

² An analysis is available on the Single Voice website here http://www.feselfregulation.org.uk/pdfs/SV_090109%20Single%20Voice%20Analysis%20of%20Responses.pdf

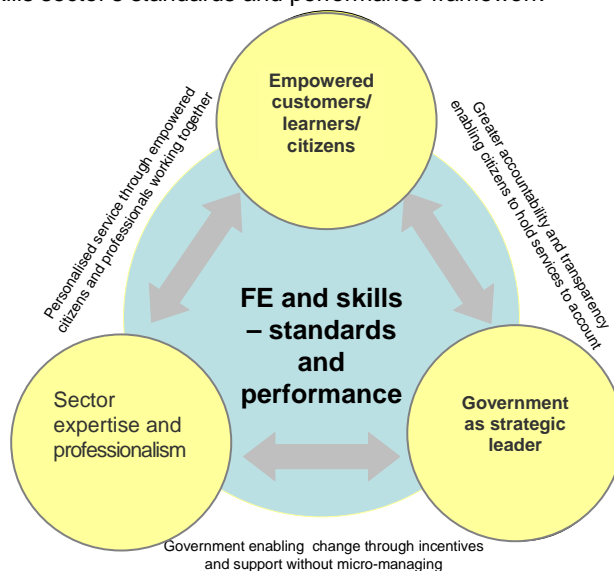
³ *Excellence and fairness: achieving world class public services*, the Cabinet Office, summer of 2008, published http://www.cabinetoffice.gov.uk/strategy/publications/excellence_and_fairness/report.aspx

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4. The overwhelming consensus from the seminars has been the ambition for the sector to co-design and co-own the regulatory and performance management systems within which it operates (proposition 3). This tripartite model encapsulates our view of the dimensions that need to shape a co-designed regulatory system, translated for the FE and skills sector as government in a strategic leadership role; empowered customers and learners (the market/citizenry); the expertise and professionalism of the sector itself, as in the amended diagram below.

At a systems level – a tripartite approach to co-designing the FE and skills sector's standards and performance framework



5. The ambition is to achieve the best possible alignment between the aspirations of government, the sector and its learners, customers and communities. This proposal aims to evolve existing arrangements to achieve this ambition.

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Part one - three components of co-design

Component one: FE and Skills Regulation and Performance – Partnership Board

6. At the highest level of the model, a new Partnership Board would provide the forum for discussion between the sector, government, its regulatory partners and its customers. It would provide the forum for achieving shared ownership of the regulatory and performance framework⁴.
7. The Consultation Prospectus proposed an FE Authority with regulatory powers. The structures proposed here do not have direct regulatory functions, so do not enact the FE Authority. The FE Authority was not welcomed by respondents unless it could be seen to replace existing regulatory mechanisms.
8. The Consultation Prospectus also proposed an FE Strategic Accord which would delineate the division of responsibilities between the FE sector and government and its agencies. This body would effectively keep this division of responsibilities under review and would introduce the third, customer dimension into the process. Consideration should be given to whether this division needs to be explicitly agreed or whether a more fluid approach that encourages evolution would be preferable.
9. The aims of the Partnership Board could be to ensure a coherent overview of sector regulation and performance with a view to:
 - securing common agreement on the overall shape of the regulatory framework by partners to secure robust accountability for public expenditure
 - securing the best alignment possible between the aspirations of the sector, its customers and government;
 - maximising efficiency through extending internal or self-regulation and reducing unnecessary regulatory bureaucracy;
 - ensuring the sector's achievements and its contribution to the public sphere are more fully and effectively reported and incentivised; and
 - enhancing public and political trust and confidence in the FE and skills sector.
10. The precise functions of the Partnership Board would depend upon the functions of the bodies that exist beneath it and the degree of delegation to that level. The Partnership Board would not have a regulatory role. However it could:
 - review and monitor the effectiveness of the regulatory arrangements as a whole;

⁴ A body with similar membership may well exist but without the explicit purpose of co-design and co-ownership.

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- receive reports on the work of the sector-led bodies (see below from paragraph 14);
 - review and monitor the balance of responsibilities between the sector and agencies;
 - report to ministers on developments and progress;
 - advise on sector development and improvement priorities; and
 - consider emerging policy priorities and their implications for the performance and regulatory system – for example the Machinery of Government (MoG) changes would be a major focus currently.
11. Membership would reflect the following 3 dimensions:
- **the sector** – this could be through the Single Voice and/or through associations which would act as representatives of the different parts of the sector, as well as through providers in an individual and independent capacity;
 - **customers** – the employer voice could be through the UKCES, CBI and/or British Chambers of Commerce; the learner voice could be through NUS (and or the National Learner Panel), and through direct nominations from providers; communities through local authority representation/LGA; and
 - **government and associated bodies**– this would include government department/s (DIUS, DCSF and DWP), Ofsted, funding agencies, LLUK, IfL, QCA and LSIS.
12. The pros and cons of the chair being from a particular constituency could be discussed - a chair from the sector would signal that it is assuming greater responsibility; a chair from the customer constituency could enhance the customer voice.
13. **Questions for consideration**
- Would Partnership Board perform a useful function? What existing arrangements and bodies could it replace?
 - Would the membership be manageable?
 - What powers would it need?
 - Should an explicit FE Strategic Accord be agreed?
 - Are the aims, responsibilities and membership appropriate?
 - What constituency should chair the group?

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Component two: sector-led bodies

14. There are currently four bodies⁵, established initially by government, which are now under sector leadership, supported by government-funded secretariats (in some cases via the LSC). The profile of these bodies is currently not high in the sector, and resources in some cases are small and uncertain, limiting their effectiveness. However, this proposal is based on an assumption that if given a secure resource base, they have significant potential to enable the sector to support, shape and inform the regulatory framework.
15. The following sector-led bodies exist currently:
 - **The Bureaucracy Reduction Group** which reviews the operation of existing policies and scrutinises the design and implementation of new policies to challenge unnecessary administrative burdens. Consideration might be given to renaming the group The Scrutiny and Simplification Group to avoid the implication that reduction of bureaucracy is inevitably beneficial and to reflect its purpose more clearly;
 - **the information authority** which provides a single mechanism, or gatekeeper, for setting information standards and data and reporting requirements (ie for ILR, FfE, etc). No change is proposed to the purpose of this group;
 - **The Communications Gateway Panel** which reviews and challenges proposals for publications intended for the FE sector to ensure they are clear and drafted appropriately; and
 - **The FE Reputation Group** which works across partners to promote co-ordinated approaches that raise the profile of the sector (such as VQ day or Colleges' day) and anticipates potential risks to sector reputation and takes action to address these (for example, the intention to raise the participation leaving age earlier than planned).
16. In order to address more comprehensively regulation and performance matters, these bodies could be extended to cover the following themes⁶:
 - **The Performance Measures and Standards Group** - this would be a new group. It would examine the performance measurement frameworks and take forward the sector ambition to create a single performance assessment framework that will satisfy the requirements of government, inspectorates and funding bodies while being responsive to diverse missions in the sector. Other matters that could be explored through this group include: the creation under MoG changes of an 'approved provider accreditation register' which would establish common minimum standards for providers operating under both funding regimes, and the proposal (which provoked mixed reactions) in the Consultation Prospectus for an FE Code including values, standards and behaviours. to which providers would commit. The responses were divided as to whether this should be regulatory or voluntary - this could be explored through this group.

⁵ The roles and membership of these bodies are set out in the *Joint working protocol between the Single Voice and the FE sector-led bodies* (in annex 1, from page 14 below).

⁶ There may be scope for combining some of the themes suggested.

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- **Funding methodology and policy group** – this would be a new group examining matters related to funding for the whole sector, ideally looking across the Young People's Learning Agency (YPLA) and SFA, and possibly DWP. Currently there are a number of groups examining sector funding on behalf of sector associations and the LSC. This group would provide a focal point for the whole sector and there may be scope for rationalisation of existing arrangements.
 - **Qualifications policy and development group** – this would be a new group to consider sector influence on qualifications and credit policy including on the design and approval of units and qualifications. Its aim would be to maximise the sector's capacity to meet the needs of its customers while maintaining public confidence. The group might for example: review the potential implications of the recent extension of Foundation Degree awarding body status to institutions within the sector; consider new types of qualification pathways in order to ensure their appropriateness for FE and skills customers, and; consider how the sector can work more effectively with SSCs to develop effective units and qualifications.
17. Membership of the existing bodies is set out in Annex two (page 21). Consideration could be given to extending membership to reflect the full diversity of FE sector providers and, perhaps more radically, involve customers, and thus reflect the tripartite constituencies on the Partnership Board (see paragraph 11). This suggests that sector membership should include both people nominated through associations and others appointed in an individual capacity. Consideration should also be given to ensuring membership extends below leadership in order to engage wider workforce opinion.
 18. In addition to addressing the themes specifically, the sector-led bodies would report to and be advised by both the Partnership Board and the Sector Policy and Development Board and could be responsible for highlighting areas for sector pilots, research and guidance, for commissioning directly, via sector bodies and associations or via LSIS.
 19. Detailed consideration would be needed regarding the respective responsibilities of these bodies, and about the extent to which they could operate on the basis of consensus or with delegated authority. The roles of the different groups are likely to demand varied approaches.
 20. In addition, the sector-led bodies would need to collaborate on dimensions of their work that overlap. This could be done through the Sector Policy and Development Board. In summer 2008, a protocol⁷ was signed between the four existing sector-led bodies and the Single Voice setting out how they would work together to create synergy and maximise impact. This protocol has not been fully implemented but remains aspirational given the current context in which the Single Voice and some of the sector-led bodies have limited and uncertain resource. The protocol is due for review in May 2009.

⁷ See annex A for the protocol between Single Voice and the sector-led bodies and the annex which includes the terms of reference; annex B sets out their current membership.

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21. Questions for consideration

- Could the sector-led bodies perform a useful function? Are the themes proposed appropriate? Is there scope for combining some of the themes suggested? What existing arrangements could be consolidated into these sector-led bodies?
- What powers and resource do they need to carry out their functions effectively?
- Is there a clear relationship between the sector-led bodies, the Partnership Board and the Sector Policy and Development Board? Should membership be extended to include sector customers?
- What capacity and mechanisms does the sector itself need to underpin these arrangements to bring appropriate evidence and expertise to the table?

Component three: FE and skills Regulation and Performance – Sector Policy and Development Board (currently The Single Voice)

22. The Single Voice for self-regulation in FE was set up to provide a single coherent view from the sector on regulatory matters. The renaming is suggested, tentatively, to align with the title of the proposed Partnership Board. It would effectively provide a forum for the sector itself to develop its own policy perspectives, drawing on its member associations and to inform and advise the work of the sector-led bodies.
23. The aims of the Single Voice (set out on page 18 below) would need to be reviewed in light of the sector-led bodies, but like the Single Voice, The Sector Policy and Development Board would not have a regulatory role. It could be responsible for:
- developing whole sector policy on regulatory and performance matters;
 - keeping an overview of development activity in the sector related to increasing self-regulation;
 - receiving reports from the sector-led bodies to review cross-thematic implications and compound effects and implications;
 - receiving advice and feedback from member associations on relevant developments for specific parts of the FE and skills sector and advising sector-led bodies on areas for attention
 - advising on differentiated approaches needed for different types of sector providers; and
 - providing, through its members, a powerful communication channel with the sector workforce as a whole, promoting understanding, dialogue and practical developments to support greater self-regulation and create a clear sector narrative about the shift towards excellence.
24. Questions for consideration
- Is the sector - and its associations - committed to having a single, common view on regulatory matters? Are the benefits clear?

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- Does the Sector Policy and Development Board add value to the role of the sector-led bodies and the Partnership Board?
- Are the respective roles of sector associations and the Sector Policy and Development Board clear?
- Are associations willing to cede authority to the Sector Policy and Development Board?
- What resources and capacity would be needed to enable the Sector Policy and Development Board to carry out this role effectively?

The proposition

Part two - an agenda for development

25. This section brings together elements of discussion across the seminars about priorities for development which need to be driven forward. This section of the paper is complemented by the sister paper *From good to great*, which suggests more detailed actions in relation to specific regulatory mechanisms.
26. The areas set out below arise directly from the seminar discussions. While they identify some key areas, they are not comprehensive. Notably the critical role of peer support and review processes, highlighted within the Consultation Prospectus are not dealt with here directly, but will be crucial to enhance self-improvement and internal regulation. Equally, leadership development for a more self-determining environment will be essential to achieve the ambition.
27. A key role for the Sector Policy and Development Board, working with partners such as LSIS, would be to consider and agree with partners a comprehensive development plan.

Animating whole-sector engagement

28. With the greater engagement of the sector in co-designing its regulatory and performance framework comes greater responsibility for generating the quality-driven culture needed to continually enhance sector performance. Top-down approaches to regulation and performance management have been blamed in the past for a culture of compliance rather than of high ambition. Therefore as the sector gains more ownership of the systems, through new arrangements for co-design and co-ownership, performance should rise.
29. To achieve this, system-level mechanisms for co-design and co-ownership must be animated by action throughout the system by providers, acting individually and collectively, to develop organisational practice. Commitment to high ambition, excellence and fairness for learners, customers and communities must run deep through the culture of the entire workforce and will need to be supported by ownership of the reform agenda at individual practitioner and provider level.

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30. The responsibility for stimulating this engagement would rest in large part with the sector and its associations, co-ordinated through the proposed Sector Policy and Development Board. However, the role of LSIS and its partners and how they engage the sector in commissioning and managing the range of elements of development activity will also be significant. Mechanisms for the proposed sector-led bodies and Sector Policy and Development Board to shape and commission programmes should be considered. The National Improvement Partnership Board which steers the National Improvement Strategy and involves sector associations and sector agencies could also contribute to formulating a comprehensive strategy for implementation.

Communications and discourse

31. The quality of professional discourse within the sector and its capacity to engage professionals at all levels, to draw on detailed experience within providers, and to have excellent communications around the system, will be vitally important. An effective iteration between policy and practice will be essential to give validity to evidence. Therefore, communications between the centre and providers and individual practitioners will be critical. The Sector Policy and Development Board would have a key role here through its members.

Effective internal regulation, governance and leadership of individual provider organisations

32. As agreed in *The emerging consensus*, improvement and regulation are separate although closely linked activities (see proposition one in *The emerging consensus*). Self-assessment and self-improvement drive effective internal regulation - the more effective the internal regulation, leadership and governance, the lighter the external regulation can become and the more it can approach the irreducible minimum of accountability for public money. Therefore, fully effective internal regulation, leadership and governance are the cornerstone of the shift towards lighter external regulation.
33. A robust strategy has to be based on a shift away from a prescriptive compliance-based approach to performance management, and towards an assumption that providers themselves should take responsibility for the detail, and are best placed to ensure that service delivery meets local needs. The potential dimensions of internal regulation, leadership and governance and how these might develop are developed further in the sister paper *From Good to great*.

Performance measurement and standards

34. Ownership of performance standards by providers themselves individually and collectively, can as indicated above, encourage high standards. In addition, as set out in proposition 7 in *The emerging consensus*, (paragraphs 38-42), the performance management system should be capable of recognising the different missions and ambitions within the sector. It needs to encourage not deter providers from playing a full part in their local communities, engaging in Local and Multi-Area Agreements within their locality and performing effectively within the new Comprehensive Area Assessment.

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35. This also relates to the sector's desire for a flexible but single performance assessment framework. It was suggested that the FfE could evolve to become a flexible national indicator set for learning and skills, the equivalent of those in operation for local government. Beyond core requirements, providers could select additional indicators that are most appropriate to their local context and devise meaningful strategies to achieve them. This is in line with the emerging 'core and options' approach for FfE and would still provide a means of explaining and accounting for what the sector will deliver for government and enable data to be aggregated at national level.
36. It was also argued the sector should devise '*new metrics*' to measure the contributions that are made beyond the baseline requirements – '*merely accounting for money does not tell us what impact we are having on the lives of learners and communities*'. It could be within the gift of the sector itself to determine its own additional metrics it was argued. The performance and standards sector-led body could take forward such work.

Addressing under-performance

37. An expectation of a more self-regulating sector is that the sector itself will take a stronger role in addressing under-performance, in advance of failure. Underperformance should be identified by the internal regulation and governance function and corrected, but if not, it will be revealed by financial statements, accountability data and/or through an Ofsted inspection report.
38. An agreed protocol needs to be established regarding the stages and responsibilities for dealing with under-performance. For example, there could be a set period during which remediation is attempted by LSIS and other mechanisms perhaps orchestrated by LSIS. If sufficient improvement is not evident within an agreed time period, the provider could be referred to the relevant funding body for a change of governance or cessation of contract. This is explored further in the sister paper *From good to great*.
39. Within this system, appropriate arrangements should be developed to secure the standards of the large number of new private and independent providers entering the system. Concern was expressed about their effect on the sector's overall reputation should they perform to a lower standard than their more established counterparts.
40. The sector-led body on performance and standards could develop the detail of a protocol between key partners, for agreement at the Partnership Board.

Streamlining existing arrangements

41. Annex two of *The emerging consensus* provides an analysis of existing mechanisms alongside the purposes of regulation that need to be addressed to maintain the public interest. It also highlights the proposals set out in the Consultation Prospectus issued by the Single Voice and has been updated in light of the sector's responses to the Consultation Prospectus. There is a clear case for further simplification of the arrangements. This would naturally fall to the Bureaucracy Reduction Group (or renamed Scrutiny and Simplification Group).

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Accountability in the locality

42. A theme throughout our discussions has been the importance of FE and skills providers playing a full part within their local communities and economy, engaging with community regeneration, well-being and cohesion agendas for example. As the mechanisms within localities such as Local and Multi-Area Agreements and Comprehensive Area Assessments evolve, the alignment and coherence between performance management and accountability arrangements for the locality and for providers individually become critical. A priority therefore is to ensure that shifts in the regulatory and performance arrangements are compatible with the emerging local authority-based mechanisms and promote the role of FE providers as strategic partners in place-shaping.
43. This area of work relates to performance measurement and standards (paragraphs 34-36) and to cross-government policy. The Partnership Board may therefore provide an appropriate forum for ensuring that the cross-departmental arrangements promote the government's ambition for FE and skills to be significant contributors to effectively co-ordinated public services in the locality.

Defining professionalism and exploring the potential role of professional bodies

44. The professionalism and professional empowerment of individuals is intrinsic to self-regulation and self-improvement. The culture of compliance engendered by New Public Management theory has sapped the agency and self-determination of the workforce so that we must now consider how to renew that sense of professionalism. *'We can only make a reality of self-regulation through the action and agency of individuals'*, it was argued. We need professionals who take responsibility for engaging in professional dialogue to influence and shape policy and practice. It was argued that *'we need to reconstruct professional dialogue'* and that *'dynamic resistance and contestation must be part of it'*.
45. Professionalism and professional bodies therefore have a key role in self-regulation and self-improvement in the sector. Evidence from initial research and mapping of membership of professional bodies indicated that some sector providers have staff in membership of over 100 professional bodies other than the Institute for Learning (IfL). This suggests that the potential role of professional bodies is greatly under-exploited.
46. That having been said, there was a recognition that the FE and skills sector will really benefit from developing a common understanding of what *'professionalism'* means. We concluded that the sector should establish a *'common professionalism'* throughout the sector workforce, including among those who belong to professional bodies that lie primarily outside FE. This concept of professionalism should enshrine abiding, unchanging values, but also be able to shift with the changing environments in which the sector operates.

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Annex one

The Single Voice for Self Regulation (for Further Education)

A joint working protocol between the Single Voice and the FE sector-led *information authority*, Bureaucracy Reduction Group, FE Communications Gateway Panel and FE Reputation Strategy Group.

Introduction.

1.1 The 2006 FE White Paper set out the Government's ambition to develop a new relationship with colleges and providers which would reinforce their autonomy within a significantly deregulated operating environment.

1.2 The FE *information authority*, the FE and Training Bureaucracy Reduction Group, and the FE Communications Gateway Panel are sector-led regulatory and gate-keeping mechanisms which support the action being taken by Government to simplify the system, including the organisational landscape, and reduce administrative burdens for the benefit of learners, employers and the system itself, including learning providers. The Groups are driving further deregulation - streamlining data standards and requirements; reducing bureaucracy at all levels, and improving communications. The sector-led FE Reputation Strategy Group has also been set up to promote the national reputation of the FE sector.

1.3 Through self regulation the sector is taking collective responsibility for regulatory matters and for improving performance across the sector which affect the sector's national reputation. The Single Voice - which is jointly owned and managed by the main organisations which represent further education colleges and providers - represents the collective view of the sector on regulatory matters through strategic dialogue with Government and its agencies.

1.4 The work of the Single Voice and the named Sector-led bodies is mutually reinforcing in terms of identifying strategic priorities for discussion with government and its agencies and acting as a challenge to Government policies and their implementation.

1.5 This document sets out how the Single Voice and the Groups will work together to the benefit of the sector and how, by working collectively, they can add value which is greater than the sum of their different parts.

Parties to the Protocol

2.1 The parties to this Protocol are:

- The Single Voice for Self Regulation (for Further Education)
- The FE *information authority*
- The FE and Training Bureaucracy Reduction Group
- The FE Communications Gateway Panel
- The FE Reputation Strategy Group

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Annex 1 sets out the headline terms of reference for each of the parties

Annex 2 shows draft Single Voice policy documents which refer to the parties to this protocol.

Annex 3 provides an agreed definition of ‘sponsorship’ in relation to shared responsibility for a Further Education sector-led body.

2.2 The Protocol is supported by DIUS and DIUS will facilitate the support of other government departments and agencies. The current accountabilities will be retained in order to ensure that the groups are seen to keep their independence.

Key Principles of joint working

3.1 Working with the Single Voice, the named groups will work together to raise the reputation and performance of the sector and act as facilitators of positive change and innovation. Whilst it is recognised that each of the groups has a unique and distinctive role, they and the Single Voice believe that by working together they can bring added value to learners, employers and the sector.

3.2 The Single Voice will champion the Groups and ensure that their outcomes and impacts are communicated to the sector, to Government and more widely.

3.3 The key outcomes being collectively aimed for are to:

3.3.1 Introduce effective sector self-regulation

3.3.2 Achieve consistently high and improving standards of sector quality, data management and communication

3.3.3 Improve FE performance and reputation

3.3.4 Work effectively with the sector to improve resource utilisation at the front line through greater simplification of the FE landscape, systems/processes.

3.4 Work plans will be co-ordinated by:

3.4.1 The chairs of the Groups sharing their proposed annual plans with each other and with the Single Voice by July each year. Plans will be complementary and cross referenced in order to create synergy, support for each others’ plans, and avoidance of duplication.

3.4.2 Bi-annual joint planning taking place to identify overlaps, issues for joint work and issues that could be simplified.

3.4.3 The Groups assisting the Single Voice to develop its policies and thinking in a way that takes account of issues identified as part of their work.

3.5 Meetings will be co-ordinated by:

3.5.1 The Groups exchanging agendas and minutes between themselves and with the Single Voice.

3.5.2 The Groups offering observer status membership to the Single Voice and to each other.

3.5.3 An annual working meeting of all groups with the Single Voice.

3.5.4 A biannual joint meeting of Chairs with the Single Voice.

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3.6 Regarding representation on groups:

- 3.6.1 The Single Voice will facilitate representation from the sector onto the groups.
- 3.6.2 Members representing Single Voice member organisations will be responsible for feeding back to the Single Voice via the organisation they represent.
- 3.6.3 The Single Voice will support the groups in their monitoring of the contribution of the sector to meetings, to ensure that representation is effective.

3.7 Regarding working with and communicating with others:

- 3.7.1 Any Code of Conduct developed by the Single Voice for its members, will support the ambitions in this protocol.
- 3.7.2 The Groups will develop a high level communications plan/timetable with the Single Voice.
- 3.7.3 The Single Voice will use its communications channels to publicise the impact of the Groups and to report on issues that affect the Groups.
- 3.7.4 The Single Voice will consult the Groups on any communications they plan to make about the work of the Groups.
- 3.7.5 Existing communications networks will be used wherever possible.
- 3.7.6 The Single Voice will encourage colleges and providers to be responsive to the importance of simplification, reducing their own bureaucracy, handling data and MIS effectively and to use the FE Communications Gateway Panel to ensure that sector-led communications are fit for purpose.
- 3.7.7 All parties will work together to develop good external relations and promote the reputation of the sector.

3.8 Regarding monitoring and review:

- 3.8.1 The Groups will review and evaluate their impact on an annual basis.
- 3.8.2 The Groups will maintain their established reporting cycle (to ministers/LSC etc.) and copy their reports to the Single Voice so that the Single Voice can co-ordinate an annual joint 'impact report' on the effectiveness of their collective work.
- 3.8.3 The Single Voice will communicate the collective impact being made by the Groups to government departments and the sector.

Agreement

4.1 This agreement applies for the academic year 2008/9 and all parties agree its content and will work in the spirit of cooperation. The arrangements will be subject to review in May 2009 or earlier by agreement.

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Signed:

Sir George Sweeney: Chair of the Single Voice for Self Regulation (for Further Education)

Date _____

Marilyn East: Department for Innovation and Skills

Date: _____

Christine Tyler: Chair of the FE and Training Bureaucracy Reduction Group

Date _____

Alison Birkinshaw: Chair of the FE Reputation Strategy Group

Date: _____

Graham Jones: Chair of the *information authority*

Date: _____

Sally Dicketts: Chair of the FE Communications Gateway Panel

Date: _____

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Annex 1: Respective roles and responsibilities of the Single Voice and the Sector-led groups

The Single Voice's role is to:

- Secure greater provider autonomy through effective sector self-regulation
- Ensure that the sector focuses on meeting the needs of learners, employers and communities
- Bring simplification of regulatory requirements
- Raise Professional confidence and trust in the sector
- Achieve consistently high and improving standards of sector quality, data management and communication
- Improve FE performance and reputation
- Be accountable to the sector and to government.

The Single Voice Memorandum of Association sets out the Objects for which the Company is established and includes, “(c) to work in collaboration with and assume responsibility partially or wholly for existing functions of the LSC, QIA, CEL, LLUK, Becta and such other

persons, organisations and bodies as may be agreed by the Board of the Company.” This clause allows for the joint-working protocol between the Single Voice and the sector-led groups, which have been established by the DIUS and the LSC.

Governance

The name of the Company is “The Single Voice for Self Regulation (for Further

Education)”, which is a Company Limited by Guarantee and not having a Share Capital. The Single Voice is a sector-owned body. The Company is governed by a Board of Directors representing its members: the 157 Group, Association of Learning Providers (ALP), Association of Colleges (AoC), the National Network of Local Adult Learning Providers (HOLEX), Land Based Colleges Aspiring to Excellence (Landex), Mixed Economy Group (MEG), The Association of National Specialist Colleges (NATSPEC), National Institute of Adult Continuing Education (NIACE), Sixth Form Colleges Forum (SFCF).

The FE and Training Bureaucracy Reduction Group

- To ensure significant government policies are implemented with the minimum amount of bureaucracy so that funding and time is released to frontline services that enhance learner and employer services
- To identify and scrutinise significant schemes to minimise their impact at the front line
- To work with Govt Agencies and Providers to achieve Simplification Plans
- To identify across agencies opportunities for improved ways of working/ efficiency gains
- To provide strategic support for self regulation within the sector

Governance

The BRG has a Board that meets five times per year. Representation is from the agencies, providers and staff representatives. The BRG produces an annual plan and annual report. It is formally accountable to the Secretary of State and the Chair of the LSC.

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They look at forward policies to identify the issues where the greatest savings can be achieved/ or the greatest risk exists. They attempt to measure, benchmark and baseline savings and /or benefits from schemes.

Their main focus relates to the strategic direction of the sector therefore they operate with minimum resources and rely upon the sector to own their actions via leadership

Single Voice will be the nominating body for the sector provider representation on the group and they will be encouraged to input innovations at the pre agenda stage.

FE Communications Gateway Panel

- The FECG Panel defines and promotes standards for producing good quality communications for the FE sector.
- The Panel reviews proposals and drafts of new publications and other communications that are primarily focused at FE providers.
- The majority of publications emanate from DIUS, DCSF and LSC, but the Panel is happy to review any communications which impact on FE practitioners.
- The Panel does not comment on policy, but rather focuses on style of presentation, including tone and layout, and also on the timing of publications.

Governance

The FECG Panel meets on a monthly basis, with members drawn from FE colleges, independent training providers and sixth form colleges. It is important that members of the Panel are practitioners who have direct experience of implementing the material contained in the documents they review. Publications reviewed to date include policy statements, consultation documents, guidance and good practice, as well as ministerial letters.

FE information authority

- To improve the quality and use of information in support of effective decision making by all stakeholders in the FE system
- To reduce significantly bureaucracy across the FE system to release time, resources and energy for front line services
- To improve accountability to learners, learning providers and data users for data standards, collections and reporting
- To apply the principle of collect once, use often, used by all – making more data, more widely available
- To observe the eight principles of the Data Protection Act

Governance

The information authority has a board which meets four times a year. Organisations represented are the main providers and users of data within the FE system. *The information authority* is accountable to the Minister of State, Lifelong Learning, Further and Higher Education (DIUS) through the appointment of its independent chair. It also derives its authority through the signing of a protocol by member organisations which commits them to work together in the interests of the system as a whole.

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The board is responsible for setting standards for data collection, analysis and reporting within the FE system. It is tasked with reducing the burden associated with data bureaucracy. It examines new initiatives to ensure that implementation maximises the benefit from information and minimises the associated burden. *The information authority* is responsible for specifying the main learner data collection, the individualised learner record. It sets standards for and authorises other data collections.

The FE Reputation Strategy Group

- To improve the national reputation of the Further Education sector.

Governance

The FERSG is a sector led group that meets every six weeks to drive their programme of activity.

The 'FERSG Advisory Group' provides support to the FERSG, acting as a sounding board for ideas, and providing advice and guidance on specific topics or areas of expertise.

The FERSG agreed key objectives in November 2007 which will be reviewed on 23 June 2008. A communications plan is also being drafted to outline activities for the year ahead.

The FERSG works closely with DIUS and the LSC but is not currently accountable directly to a Minister.

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Annex two

Membership of sector-led groups

Bureaucracy Reduction Group

Board Members

Tony Craven – Interim Chair
Derek Bodey – St. Brendan's College
Elizabeth Bray – West Suffolk College
Paul Eeles – Association of Learning Providers
Julian Gravatt – Association of Colleges
Martin Jones – Guildford College
Paul O'Shea – St. Charles College
Frank McMahon – YH Group (WBL provider)
Paul Phillips – Weston College
Peter Roberts – Stockport College
Dan Taubman – University and College Union

Co-opted members

Sarah Battarbee – DCSF
Linda Hayenhand – DCSF
Christine Lewis – Becta
Isabel Nisbet – QCA/Ofqual
Pauline Sparkes – QCA/Ofqual
Joe Parsons – Ofsted
Ian Wilson – LSIS
Marcia Twelftree – Implementation Review Unit

Sponsors

Sue Baldwin – DIUS
Sue Rogers – DIUS
David Russell – LSC
Debbie Watson – LSC

Executive

Paul May – Chief Executive
Elizabeth McCann – Secretariat

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FE COMMUNICATIONS GATEWAY PANEL: MEMBERS

Name	Organisation	Status
Graham Briscoe	Governor, Weston College, Coleg Gwent, City of Bath College	Member
Deborah Bullivant	Divisional Director (Yorks and North East) Rathbone	Member
Sally Dicketts (Chair)	Principal, Oxford and Cherwell Valley College	Member
Barbara Field	Principal, Harrow College	Member
Dorothy Jones	Principal, Southwark College	Member
Lubna Kazmi	Assistant Principal, Newham Sixth Form College	Member
Iain Mackinnon	Chair of Governors, Ealing, Hammersmith and West London College	Member
Graham Moore	Principal, Stoke on Trent College	Member
Robin Parkinson	Principal, Great Yarmouth College	Member
Ian Phillips	Chair, Woodhouse Sixth Form College	Member
Kathryn Podmore	Principal, Birkenhead Sixth Form College	Member
Jennifer Sims	Principal, John Ruskin Sixth Form College	Member
	Independent Training Provider place	Member

FE COMMUNICATIONS GATEWAY PANEL: OBSERVERS

Paul Warner	National Operations Manager, Association of Learning Providers	Observer
Sue Baldwin	Deputy Director FE Reform Unit, DIUS	Observer
Rob Wye	Director of Strategy & Communications. LSC	Observer
Louisa McGeehan	Communications Adviser	Communications adviser to the Panel
Jen Storey	FE Reform Unit, DIUS	DIUS Contact
Paul Hackett	Publications Manager	LSC Contact

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The information authority

Board members

Graham Jones – Chairman (former principal, Sutton Coldfield College)
Susan Pember – DIUS
Caroline Miller – Head of Adult Learning, Kenton College
Bob Powell – Chief Officer, HOLEX
Isabel Nisbet – Acting Chief Executive, Ofqual
John Collis – Operations Director, National Training Resources
Julian Gravatt - Director of Funding and Development, Association of Colleges (AoC)
Malcolm Britton – DCSF
Margaret Coleman – LSC
Mario Ferelli – Higher Education Funding Council for England (Hefce)
Melanie Hunt – Ofsted
Chris James – Director of Research and Development, Asset Skills
Ivor Jones – LLUK
Daniel Mason – Local Government Association
Ian Pryce – Principal, Bradford College

Secretariat

Una Bennett, Head of *the information authority*
Anne Fessi, Community and Stakeholder Manager
Peter Ashton, Quality and Standards Manager
Paul Kelman, Stakeholder Engagement Manager
Neil Higgs, Community Facilitator
Lisa Macdougall, Project Team Leader - Data Specification
Sarah Williams, Data Collection Co-ordinator
Sharon King, Data Development Co-Ordinator
Stephie Brook, Project Support Officer
Helen Karabatos - PA to Una and Team Administrator

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FE Reputation Group

Members

Chair: Alison Birkinshaw, York College

Lynne Sedgmore	157 Group
Ben Verinder	Association of Colleges
Paul Warner	Association of Learning Providers
Christine Tyler	Association of School and College Leaders
Paul Head	College of North East London
Gayle Bodsworth	Department for Children Schools and Families
Julie MacDonald	Department for Innovation Universities and Skills
Seth Brook	Department for Innovation Universities and Skills
Jackie Miller	Gen 2
Robin Newton-Syms	Lancashire Colleges Principals' Group
Jaine Clarke	Learning and Skills Council
Frank Villeneuve-Smith	Learning and Skills Network
Gillian Dyer	Learning and Skills Improvement Service
Sue Whitham	Sixth Form Colleges Forum
Julie Peach	Warwickshire College
Sue Higginson	Wirral Metropolitan College
Mike Atwell	Workers' Educational Association
Peter Templeton	Workers' Educational Association
Anne Linsey	YMCA Training