**DfE public consultation on level 4 & 5 provision and higher education in further education.**

**Purpose – For comment**

**Background**

DfE are seeking views on level 4 and 5 provision and higher education in further education (HE in FE) undertaken by learners aged 18+. This provision is primarily vocational in nature, is offered in a range of subject areas and is delivered mostly by further education colleges in partnership with universities and awarding bodies. Level 4 and 5 provision and HE in FE aims to ensure the widest range of people can access HE. It is essential for employers as it provides a vital pipeline for the economy.

**Aim**

The aims of this paper are:

* To gather feedback from the NI construction industry and stakeholders to be incorporated into a CITB NI response on behalf of the industry.
* Provide the NI construction industry and stakeholders with a sufficient summary of the consultation, principles expressed and draft answers to the questions posed by DfE (which can be found in appendix one).
* Encourage all stakeholders to individually respond to the consultation.

**Responding to the consultation**

There are several ways to respond to the consultation; CITB NI encourage feedback to this paper and will be submitting a response on behalf of the industry and its stakeholders.

Complete the online questionnaire or provide general feedback directly by the deadline of the 9th March before 5pm (Click on this [DfE](https://www.economy-ni.gov.uk/consultations/level-4-and-level-5-and-higher-education-further-education-he-fe) link to be directed to the web portal).

**Extracts from the draft consultation**

***Purpose***

* Align principles with the vision for collaborative education opportunities.
* To establish a framework to guide future policy and delivery of level 4 and 5 provision and a clearly defined role for the further education colleges in higher education landscape.
* To deliver skills needed to support economic growth and to tackle disadvantage by providing viable pathways to education and employment.
* Enhance the flexibility of level 4 & 5 and HE in FE provision to offer greater opportunity for reskillers, upskillers, lifelong learners and students of all ages and backgrounds.
* Work closely with employers to better link the high-level demand identified with the requirements of individual sectors and employers.
* Employers use these provision pathways to develop their employees in terms of upskilling, development, knowledge, and qualifications.
* To aid in strengthening future workforce requirements.

***Principles proposed for level 4 & 5 HE in FE provision:***

1. To provide a broad range of high quality, higher education pathways, focusing on local need, key strategic clusters and needs of employers and learners.
2. Should be primarily professional, technical, and linked to the economic skills need of local business and industry sectors.
3. Should be agile and responsive to meet local and higher-level qualification needs.
4. Should promote and support widening participation and lifelong learning.
5. Further education colleges should offer HE progression pathways locally for learners at level 2-3 whether at school, FE college or in an apprenticeship.
6. Should be value for money, quality, and complementarity. FE colleges should collaborate across the sectors with a range of stakeholders.

***What qualifications to deliver?***

Currently the foundation degree (FD) is the preferred qualification and underpins higher level apprenticeships. Should this continue? There are two possible proposed ways forward.

1. Making changes to the foundation degree (FD) ensuring it’s as fit for purpose as possible for providers, employers, and learners.
2. Not having a preferred qualification, introducing an approval process where a range of qualifications could be delivered.

***The 5 options for level 4 and 5 qualifications***

1. Retain current position that the FD is the ‘preferred’ qualification at level 4 and 5.
2. Retain current position that the FD is still the ‘preferred’ qualification but work with providers ensuring they can be used flexibly to meet the needs of a wider range of learners and employers, establishing clear criteria.
3. Remove the preference for a particular level 4 or 5 qualification but put in place an overarching approval process using quality criteria, similar to the approach to approving Higher Technical Qualifications in England.
4. Remove any preference for level 4 or 5 qualifications and allow providers complete freedom to choose and deliver qualifications they believe best meet the needs of learners and the economy, provided the qualifications are on a National Qualification Framework.
5. Select an alternative preferred qualification, such as HNC and HNDs or a new suite of level 4 and 5 Diplomas and Certificates focussed on technical skills and designed to meet local need.

***Criteria on who should deliver which HE qualifications***

* FE colleges currently permitted in exceptional circumstances to deliver undergraduate degrees.
* Proposing to retain this position, set clearer criteria to help understand better when level 6 degrees can be delivered by a further education college.
* There must be evidence of strong support from employers and a likely sustainable demand from potential students.
* A conclusion to engagement facilitated by universities and university colleges.
* Endorsed by the relevant further education hub and relevant professional bodies. Should contribute to widening access to higher education and meet rural needs.
* FE colleges should demonstrate sufficient expertise of teaching staff in line with relevant agreed policies.

***Foundation degree policy***

* A foundation degree (FD) must have at least 1 undergraduate degree (UD) which students can move on to. Should those who successfully complete a FD be exempt from the first two years of a UD?
* This would be DfE’s preference and where not possible to set a definitive policy, the current policy should be followed that FE colleges must partner with a local university.
* The proposed option is to set some criteria for when FE colleges can seek a partnership with a university outside of NI.

***Funding for students undertaking level 4 & 5 qualifications***

* Currently restricted to specific qualifications such as Foundation Degrees, Diplomas of HE.
* HE student financial support should be available to all qualifications on the regulated qualifications framework, which have been subjected to a separate quality assurance process.

**Conclusion**

The consultation on level 4 and 5 provision and higher education in further education addresses known challenges and proposes objectives and priorities to combat these.

**Recommendations**

To encourage NI construction industry members and stakeholders to:

* feedback to CITB NI on the proposed responses,
* respond to the consultation from their organisation’s perspective.

The link below is to the DfE web portal where the consultation along with the various methods of engagement are available.

[**DfE Web Portal**](https://www.economy-ni.gov.uk/consultations/level-4-and-level-5-and-higher-education-further-education-he-fe)

**For further details, queries or to relay your feedback please contact ryan.booth@citbni.org.uk**

**Appendix 1. Consultation questions and draft CITB NI answers**

**QUESTION 1** – Do you agree with the purpose set out for level 4 and 5 provision and HE in FE?

**A1.** CITB NI generally agrees with the purposes set out in the consultation for level 4 and 5 provision and HE in FE. The purpose set out for this consultation is outlined in the summary above, paragraph 1 of the extracts section.

**QUESTION 2** – Do you agree with the principles for level 4 and 5 provision and HE in FE?

**A2.** CITB NI agrees with the six proposed principles proposed in the consultation. These principles should provide a firm base to adequately cover level 4 and 5 provision and HE in FE qualifications for the construction industry. The six proposed principles are outlined in the summary above, paragraph 2 of the extracts section.

**QUESTION 3** – Do you agree that the purpose and principles combined are appropriate for guiding future policy and delivery of level 4 and 5 provision and HE in FE?

**A3.** CITB NI agrees the combined purpose and principles are appropriate for guiding future policy and the delivery of high-quality level 4 and 5 provision and HE in FE.

**QUESTION 4** – If not, what should be removed or added to the purpose or principles and why?

**A4.** CITB NI believes the purposes and principles are adequate and that nothing needs to be removed or added from what is currently included.

**QUESTION 5** – Have you any other comments on the Purpose and Principles Section?

**A5.** CITB NI has no further comments to make on the purpose and principles section.

**QUESTION 6** – Do you agree that options 2 and 3 are the most appropriate for further consideration? If not, why not?

**A6.** CITB NI would tend to agree option 3 may be most appropriate for further consideration. **Option 3: Remove the preference for a particular level 4 or 5 qualification but put in place an overarching approval process.** *(We strongly suggest reading paragraphs 55 – 70 from the main body of the consultation to get a full understanding of the arguments for and against each option.)*

However, we are aware of certain instances FE Colleges reverting to the HNC/D model. Engagement with employers in areas where Level 3,4 & 5 quals have a traditional track record, like construction, there are those that still prefer and understand them over FD's. FDs were developed to introduce qualifications in areas where "technician" grades did not exist. There is an opposing viewpoint held by some within the construction sector, that these FDs did not improve the level or quality of the qualification, only changed the name, confusing the industry and learners.

Option 3 is preferred by the Department / Government as they developed it and it allows sectors with no history of that technician grade to have it available.

**Making it a "preferred option" may result in alternatives not being funded.**

**QUESTION 7** – Do you think option 2 or option 3 better meets the purpose and principles we have set out for level 4 and level 5 qualifications? Are there any additional arguments for or against either of the options that you would make?

**A7.** CITB NI would tend to agree option 3 may be the best option moving forward for level 4 and 5 qualifications. This proposes no ‘preferred’ qualification at level 4 and 5, needing a quality assurance process introduced, determining the suitability of qualifications in line with the established criteria. Depending on a number of overarching factors this model could lead to greater visibility and awareness of level 4 and 5 pathways with the goal of greater uptake. It should also offer greater flexibility for colleges to respond to employer needs and the needs of the economy. This could also offer greater opportunity for the delivery of niche or bespoke qualifications which could be widely welcomed by the construction industry.

**QUESTION 8** – Do you agree with the criteria at paragraph 61 for when an alternative to a Foundation Degree could be used, if a Foundation Degree is to be our preferred qualification? If not, what should be changed?

**A8.** CITB NI agrees generally with the criteria in paragraph 61. Meaningful engagement with the relevant stakeholders demonstrating demand and support for an alternative to a FD will be vital to support the choice of qualification. If there is also significant evidence of greater value for money and better pathways offering greater flexibility this would strengthen the argument for alternatives to FDs.

**QUESTION 9** – If we were to adopt an over-arching designation do you agree we should work with England to use the Higher Technical Qualification terminology? If not, what should we use and why?

**A9.** CITB NI is supportive of the continued use of NOS developed with input from employers as the basis for qualification development. Adopting some other mechanism such as employer endorsement to map NOS to particular levels of study, enabling the adoption on an over-arching designation would also be welcomed.

**QUESTION 10** – If we are to use an over-arching designation what should any quality assurance process be based on – the employer-led standards that also underpin apprenticeships in England, National Occupational Standards or something else such as employer endorsements – and why?

**A10.** CITB NI believes using NOS and employer endorsement would provide an adequate QA process to underpin over-arching designation.

**QUESTION 11** – Do you agree that an over-arching designation with an associated quality assurance would create additional costs and time requirements? How can we ensure these are kept to a minimum without lowering standards? What would the costs be for you/your organisation?

**A11.** There would undoubtably be some additional costs associated with creating an over-arching designation. However, industry engagement via sector partnerships and consultations with subject matter experts could provide an adequate and cost effective approach.

**QUESTION 12** – How should we deal with existing qualifications in use if we were to introduce a new overarching-designation with an associated quality assurance process?

**A12.** CITB NI would suggest the approach for existing qualifications should be based upon the uptake of the existing qualifications i.e., only the qualifications currently most in use should be allocated a designation. **Note: this applies to sectors where new qualifications are required to be invented to meet progression routes or new skills areas.**

**A13.** CITB NI do not have any other comments to make regarding section 2 on higher education qualifications.

**QUESTION 13** – Do you have any other comments or information relevant to the considerations in Section Two on Higher Education Qualifications?

**QUESTION 14** – Do you agree with the proposed option to continue to limit the circumstances in which the further education colleges can offer level 6 undergraduate degrees but with clear criteria defining the circumstances when level 6 undergraduate degrees can be introduced? If not why? And what would be your preferred option?

**A14.** Skills gaps remain at level 4 & 5 and local FE providers across NI focusing their activity at this level will better support local employers and encourage them, and learners, to upskill. Therefore, CITB NI agrees with the preferred option 3 to limit the circumstances in which the further education colleges can offer level 6 undergraduate degrees but with clear criteria defining the circumstances when level 6 undergraduate degrees can be introduced.

**QUESTION 15** – If so, do you agree with the criteria that should be applied for the delivery of level 6 undergraduate degree provision within a further education college setting? If not, why not and what would you change?

**A15.** CITB NI agrees with the criteria that should be applied for the delivery of level 6 undergraduate degree provision within a FE college setting. Specifically, regarding the need for evidence of strong support from employers, endorsement from the relevant professional bodies, widening access to higher education and FE colleges demonstrating they have sufficient expertise of teaching staff.

However, CITB NI would also challenge the link to the 10x economic vision. This identifies specific priority sectors with construction not being included as one of them. There are many sectors and skill areas that need level 6 qualifications (like construction), that are not directly linked to the 10x vision or the skills barometer. By focusing on these, we are in danger of developing a skills ecosystem that is unbalanced. The economy and society need a balance of skills and competencies in a range of sectors that do not get prominence within the 10x vision or Skills Barometer. These are vital in facilitating the high value and high productivity areas that 10x focusses on.

**QUESTION 16** – Do you agree that some form of cap should be set on level 6 provision in further education colleges? If so, at what level should it be set – and should it be based on full or part time provision? And should it be set for each further education college or be a single cap across all the colleges?

**A16.** CITB NI is unsure whether some form of cap should be applied to each FE college to avoid oversupply and encourage FE providers to focus on the local supply of level 4 & 5 provision.Care and consideration are needed here. What is really meant by oversupply? Is this to meet the needs of the economic activity within NI or the needs of the NI based employer? If the former, it could lead to a skills crisis as there are those with the qualifications in question, who leave the province to gain employment and higher-level salaries elsewhere. We need to train for those who serve the "domestic need" and those who operate outside NI but bring the salary back into the NI economy.

The problem with a "cap" is that it is based on the budget of a single department, not the economic impact of training individuals to move them from unemployment (both within and outside NI) to employment. The financial benefits of reducing unemployment payments, the impact of heath & wellbeing on reducing NHS costs, and the positive impact of salaries and associated tax & spending on the overall economy and society, must be considered.

**QUESTION 17** – Have you any other comments on the issues in Section Three on Higher Education Delivery by Different Providers?

**A17.** CITB NI have no other comments to make on the issues in section 3 on higher education delivery by different providers.

**A18.** Articulation is the recognition of prior learning and receiving credit which is transferrable to contribute to the award completed at a second institution. CITB NI agrees that due to the studies done in the past and the potential issues, there should be no single model of articulation, focussing on the 2+1 model unless there is for example clear evidence learners are unlikely to succeed. We also agree the timeframe to complete a level 6 qualification should be similar where possible to a straight level 6 undergraduate degree pathway providing the academic rigour and assessment process is consistent.

**QUESTION 18** – Do you agree, given the factors outlined, that there should be no single model of articulation?

**QUESTION 19** – Do you agree with the underlying principle that Foundation Degree students can complete the level 6 qualification in a timeframe similar to a student undertaking the straight undergraduate degree pathway unless there is clear evidence that individual students or cohorts of students are unlikely to succeed even despite appropriate support?

**A19.** CITB NI is unsure whether to agree with the underlying principle that foundation degree students can complete the level 6 qualification in a similar timeframe to a student undertaking the straight undergraduate degree pathway, unless clear evidence suggests they are unlikely to succeed despite appropriate support.

One general reason a learner opts for the FD route is that they are not ready to take the academic route. This, generally, means that there needs to be a different style of learning and attainment which can in certain instances take more time. It may be reasonable to expect an academic style learner to achieve academic success faster than a vocational learner. It needs to be clear that this process is not a VQ, it is about academic knowledge and how it is obtained and assessed. It is not unreasonable to say that some will achieve this faster than others. What is important is that both routes are available.

We should not focus on time as a disadvantage, but as a means of arriving at the same academic point, with, perhaps a higher level of competence in applying the knowledge once obtained that the "fast route " candidate does not have. So, it may be wrong to focus on a time frame at all - where focus would be better shifted to delivering the outcome.

**QUESTION 20** – Do you agree with the proposed option that Foundation Degrees should be able to be developed with universities outside Northern Ireland subject to the proposed criteria?

**A20.** Learners maynot have access to a FD in their particular area of interest, or may not wish to progress beyond a FD. Having more FD’s available from a wider range of HE providers would give NI learners greater choice. Therefore, CITB NI agrees withthe preferred option 4 that FDs should be able to be developed with universities outside NI subject to the proposed criteria.

**QUESTION 21** – Do you agree with the proposed criteria?

**A21.** CITB NI agrees with the proposed criteria which is;

* Compliance with relevant Departmental policies.
* Evidence that articulation would not present a significant barrier for students wishing to articulate.
* Collaboration to ensure new provision is only developed once and is used across all further education colleges.
* Confirmation that the arrangements would not be significantly more expensive for students or the Department.

**QUESTION 22** – Do you have any other comments on Section Four on Foundation Degree Policy?

**A22.** CITB NI currently have no further comments to make regarding section four on the FD policy.

**QUESTION 23** – Do you agree with the recommended option? If not, why not?

**A23.** CITB NI agree with the recommended option regarding financial support; “Subject to a full assessment of cost and the availability of funding, higher education student financial support should be available to all qualifications on the Regulated Qualifications Framework which have been subjected to a separate quality assurance process (other than a HNC/D) until such a process can be fully integrated into the regulatory process.”

**QUESTION 24** – Is there any further information about the likely costs associated with different options that you can provide or wish to comment on?

**A24.** CITB NI have no further comments to make regarding the information and likely costs associated with different options.

**QUESTION 25** – Are there any other comments you wish to make on Section Five on Higher Education Student Funding?

**A25.** CITB NI have no further comments to make regarding section 5, higher education student funding.