TECHNICAL AND FURTHER EDUCATION BILL

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Resolution of the Programming Sub-Committee.

RESOLUTION OF THE PROGRAMMING SUB-COMMITTEE

The Programming Sub-Committee appointed by the Speaker in respect of the Bill agreed the following Resolution at its meeting on Monday 21 November (Standing Order 83C).

That—

(1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 22 November) meet—

(a) at 2.00 pm on Tuesday 22 November;

(b) at 11.30 am and 2.00 pm on Thursday 24 November;

(c) at 9.25 am and 2.00 pm on Tuesday 29 November;

(d) at 11.30 am and 2.00 pm on Thursday 1 December;

(e) at 9.25 am and 2.00 pm on Tuesday 6 December;

(2) the Committee shall hear oral evidence on Tuesday 22 November in accordance with the following Table:

<table>
<thead>
<tr>
<th>Time</th>
<th>Witness</th>
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<tbody>
<tr>
<td>Until no later than 10.10 am</td>
<td>Lord Sainsbury of Turville; Shadow Chief Executive for the Institute for Apprenticeships; National Society of Apprentices</td>
</tr>
</tbody>
</table>
Technical and Further Education Bill, continued

Time                                                                 Witness

Until no later than 11.25 am  Association of Colleges; Further Education
Commissioner; Sixth Form Colleges’
Association; Collab Group (formerly 157
Group); University College London

Until no later than 3.00 pm    Ernst & Young; Lloyd’s Banking Group;
Santander; Barclays

Until no later than 4.00 pm    National Union of Students; Learning and
Work Institute; Blackpool and The Fylde
College

(3) proceedings on consideration of the Bill in Committee shall be taken in the
following order: Clause 1; Schedule 1; Clauses 2 to 23; Schedule 2; Clause
24; Schedule 3; Schedule 4; Clauses 25 to 45; and remaining proceedings on
the Bill; and

(4) the proceedings shall (so far as not previously concluded) be brought to a
conclusion at 5.00 pm on Tuesday 6 December.

Robert Halfon has given notice of his intention to move a motion in the terms of the
Resolution of the Programming Sub-Committee [Standing Order No. 83C].

Robert Halfon

That, subject to the discretion of the Chair, any written evidence received by the
Committee shall be reported to the House for publication.

Robert Halfon

That, at this and any subsequent meeting at which oral evidence is to be heard, the
Committee shall sit in private until the witnesses are admitted.

Gordon Marsden
Mike Kane

Schedule 1, page 21, line 13, at end insert—

“(4) The Institute for Apprenticeships and Technical Education in performing its
functions must have regard to the need to promote equality of opportunity in
connection with access to and participation in Further and Technical Education.”

Member’s explanatory statement

This amendment would ensure that the Institute for Apprenticeships and Technical Education must
have due regard for widening access and participation.
Schedule 1, page 21, line 13, at end insert—
“(5) An apprenticeship target shall specify what proportion of new apprenticeships starts is to be applied to apprenticeships for people—
(a) who have been looked after children; and
(b) with disabilities.”

Member’s explanatory statement
This amendment would ensure the Institute for Apprenticeships and Technical Education sets targets to increase the number of apprenticeship starts made by care leavers and people with disabilities.

Schedule 1, page 22, line 14, at end insert “following consultation with institutions, students and employers, and their representatives”

Member’s explanatory statement
This amendment would ensure that the Government must consult with institutions, students and employers, and their representatives before making changes to the “occupational categories” or “routes”.

Schedule 1, page 23, line 6, at end insert—
“(5A) The Institute must, in approving the group of persons specified in subsection (3), have regard to the desirability of the group’s members between them having experience of—
(a) representing or promoting the interests of individual students and apprentices, or students and apprentices generally;
(b) providing technical and further education;
(c) providing apprenticeships;
(d) at least one relevant trade union official;
(e) employing those who have completed technical and further education courses or apprenticeships; and
(f) any additional knowledge or profession that the Institute considers relevant.”

Member’s explanatory statement
This amendment would ensure that the groups formed to set standards for the “routes” in technical and further education have relevant experience and include students in the process.

Schedule 1, page 23, line 20, at end insert—
“(c) information about matters that it takes into account when deciding whether or not to convene a group of persons to prepare a standard for the purposes of subsection (6).”

Member’s explanatory statement
This amendment would require the Institute to publish information about its reasons for convening, or choosing not to convene, a group of persons to prepare a standard for an occupation.
Gordon Marsden
Mike Kane

★ Schedule 1, page 24, line 6, leave out “as it considers appropriate”

**Member’s explanatory statement**
This amendment would require the Institute to publish apprenticeship assessment plans for all standards.

Gordon Marsden
Mike Kane

★ Schedule 1, page 24, line 20, at end insert “and must include the following representatives—

(a) a number of employers which, taken together, comprise a broad range of employer within the given occupation;
(b) at least one relevant trade union official;
(c) at least one person engaged in delivering relevant education at the level of the standard being assessed; and
(d) at least one person who can represent or promote the interests of students.”

**Member’s explanatory statement**
This amendment would ensure that groups developing apprenticeship assessment plans include adequate representation of all relevant stakeholders.

Gordon Marsden
Mike Kane

★ Schedule 1, page 24, line 37, at end insert—

“(c) information about matters that it takes into account when deciding whether or not to convene a group of persons to prepare an apprenticeship assessment plan for the purposes of subsection (9)”

**Member’s explanatory statement**
This amendment ensures the Institute must publish information about its reasons for convening, or choosing not to convene, a group of persons to prepare an apprenticeship assessment plan in respect of a standard.

Gordon Marsden
Mike Kane

★ Schedule 1, page 29, line 34, at end insert—

“(1A) In paragraph 2(1) of (membership of the Institute), after subparagraph (c) insert—

(d) but at least one of the members appointed under paragraph 2(1)(c) must have recent experience of undertaking an apprenticeship, or of representing or promoting the interests of apprentices; and
(e) at least one of the members appointed under paragraph 2(1)(c) must have recent experience of undertaking a technical and further education course, or of representing or promoting the interests of students undertaking a technical and further education course.”

**Member’s explanatory statement**

This amendment would ensure that apprentices and learners are represented on the board of the Institute for Apprenticeships and Technical Education.

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Gordon Marsden
Mike Kane

**Clause 14, page 8, line 4, at end insert—**

“(3) Before an education administrator may perform functions specified in subsection (2), they must ensure an appropriate assessment is made and published of the impact of performing such functions, including, but not restricted, to—

(a) the impact on the quality of education provided to existing students of the further education body;

(b) the capacity of another body or institution to undertake any additional functions or provide education to additional students;

(c) the infrastructure of the local area, in particular transport;

(d) any impact on the travel arrangements of students to another body or institution; and,

(e) any financial impact on those students or any such impact on their travel arrangements, and what measures need to be taken to mitigate them.

(4) The Secretary of State shall make regulations to specify suitable bodies for making the assessments at subsection (3).”

**Member’s explanatory statement**

This amendment would ensure that an appropriate assessment is made of any potential impacts on students and their education, if an education administrator puts a further education body into “special administration” and takes action such as transferring students to another institution or keeps an insolvent institution open for existing students. This amendment would also require the Secretary of State to specify suitable bodies to perform such assessments.

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Gordon Marsden
Mike Kane

★ **Clause 14, page 8, line 4, at end insert—**

“(3) The education administrator shall not make any decisions required by subsection (2) without consulting—

(a) existing students of the further education body;

(b) existing staff of the further education body

(c) all recognised trade unions at the further education body.”

**Member’s explanatory statement**

This amendment would ensure that all relevant stakeholders are fully consulted about decisions taken by the education administrator in respect of the future of the further education institution.
★ Clause 22, page 10, line 6, leave out “for the” and insert “with the primary”

Member’s explanatory statement
This amendment would ensure that the primary concern of the education administrator is the special education administration objective, that is minimising disruption to learners.

Gordon Marsden
Mike Kane

★ Clause 22, page 10, line 7, leave out “(if possible)”

Member’s explanatory statement
This amendment would ensure that the primary concern of the education administrator is the special education administration objective, that is minimising disruption to learners.

Gordon Marsden
Mike Kane

★ Clause 22, page 10, line 7, at end insert—
“(3A) The education administrator may, in performing his or her functions for the purpose of achieving the objective of the education administration, request information, advice or guidance from practitioners with an understanding of education regarding the management of a further education body.”

Member’s explanatory statement
This amendment would allow an education administrator who, under the eligibility outlined in clause 15, might not necessarily be an education specialist to supplement his or her knowledge.

Gordon Marsden
Mike Kane

★ Clause 22, page 10, line 10, leave out “have special educational needs” and insert—
“(a) have special educational needs;
(b) are care leavers;
(c) are parents;
(d) are carers, carers of children, or young carers, as defined by the Care Act 2014; and,
(e) have other particular needs that may be determined by the appropriate national authority.”

Member’s explanatory statement
This amendment would make provisions for the particular needs of additional groups of existing students to be considered by an education administrator in pursuing the objective of an education administration.
Gordon Marsden
Mike Kane

★ Clause 23, page 10, line 31, at end insert—
“(2) The education administrator may not transfer assets of any further education body
to a private company where he or she considers that more than half of the funding
of the acquisition of the asset came from public funds.”

Member’s explanatory statement
This amendment would ensure further education bodies with a track record of accruing assets
publicly, could not be transferred to a private company.

Gordon Marsden
Mike Kane

★ Clause 37, page 18, line 14, at end insert—
“(c) The Secretary of State must ensure the list of disqualified officers is made
publicly available.”

Member’s explanatory statement
This amendment would ensure that a list of disqualified officers was publicly available.

ORDER OF THE HOUSE [14 NOVEMBER 2016]
That the following provisions shall apply to the Technical and Further Education Bill:

Committal
1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee
2. Proceedings in the Public Bill Committee shall (so far as not previously
concluded) be brought to a conclusion on Tuesday 6 December 2016.
3. The Public Bill Committee shall have leave to sit twice on the first day on
which it meets.

Proceedings on Consideration and up to and including Third Reading
4. Proceedings on Consideration and the proceedings in legislative grand
committee shall (so far as not previously concluded) be brought to a
conclusion one hour before the moment of interruption on the day on which
those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be
brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to
proceedings on Consideration and up to and including Third Reading.
Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.