

# Technical and Further Education

---

AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

---

**After Clause 1**

LORD WATSON OF INVERGOWRIE  
LORD HUNT OF KINGS HEATH

Insert the following new Clause –

**“Careers education: duty to publish strategy**

- (1) The Secretary of State must publish a strategy for the purposes of improving careers education for persons receiving education or training –
  - (a) in the course of an approved English apprenticeship;
  - (b) for the purposes of an approved technical education qualification; or
  - (c) for the purposes of approved steps towards occupational competence.
- (2) The strategy shall be laid before each House of Parliament.
- (3) The strategy shall specify provisions under which the Secretary of State will seek to –
  - (a) ensure that persons receiving education or training under subsection (1) receive information, advice and guidance relating to their future careers, and that such information, advice and guidance is delivered in a way which meets each person’s needs and is impartial;
  - (b) ensure that such information, advice and guidance may be taken into account by relevant authorities and partners to meet the needs of local or combined authority areas;
  - (c) ensure parity of esteem between technical, further and higher education; and
  - (d) monitor the outcomes of such information, advice and guidance for recipients.
- (4) The provisions specified in subsection (3) shall have specific regard to particular needs of different groups of persons receiving education or training under subsection (1), including –
  - (a) persons with special educational needs;
  - (b) care leavers;
  - (c) persons of different ethnicities;

**After Clause 1 - continued**

- (d) carers, carers of children, or young carers, as defined by the Care Act 2014; and
  - (e) persons who have other particular needs that may be determined by the Secretary of State.
- (5) The strategy shall include guidance for the purposes of improving careers education, to which the following bodies shall have regard –
- (a) the Office for Standards in Education, Children’s Services and Skills;
  - (b) the Institute for Apprenticeships and Technical Education; and
  - (c) the Office for Students.
- (6) The Secretary of State shall by regulations designate relevant authorities and partners for the purposes of subsection (3)(b).
- (7) The Secretary of State may by regulations designate –
- (a) further groups of persons under subsection (4)(e); and
  - (b) further national authorities or bodies under subsection (5).
- (8) Regulations made under this section –
- (a) must be made by statutory instrument; and
  - (b) may not be made unless a draft has been laid before and approved by a resolution of each House of Parliament.”

Insert the following new Clause –

**“Institutional autonomy and academic freedom**

- (1) The Secretary of State, in issuing guidance and directions, and the Institute for Apprenticeships and Technical Education, in performing its functions, have a duty to uphold the principle of institutional autonomy for English further education institutions.
- (2) In this section “institutional autonomy” means –
- (a) the autonomy of English further education institutions –
    - (i) to determine which courses to teach, the contents of particular courses and the manner in which they are taught, supervised and assessed,
    - (ii) to determine the criteria for the selection, appointment, promotion, remuneration, and dismissal of academic staff; and to apply those criteria in particular cases,
    - (iii) to determine the criteria for the admission of students and to apply those criteria in particular cases, and
    - (iv) to constitute and to govern themselves in a manner which they deem appropriate for their purposes, subject to legal requirements relating to the corporate form and purposes that they may adopt; and
  - (b) the freedom of academic staff within the law –
    - (i) to question and test received wisdom, and
    - (ii) to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing jobs or any privileges they may have at an institution.

**After Clause 1 - continued**

- (3) All persons or bodies exercising powers under this Act are under a duty to protect the principle of academic freedom in accordance with subsection(b).”

Insert the following new Clause –

**“Standards**

English further education providers have a duty to create and maintain threshold standards, which ascertain that the level of achievement attained by a student undertaking a further education course provided by it, is sufficient to merit the award of a qualification approved by the Institute for Apprenticeships and Technical Education.”

Insert the following new Clause –

**“Scheme to provide information about the quality of apprenticeships and technical education**

- (1) The Secretary of State must bring forward a scheme to provide consistent and reliable information about the quality of teaching provided by English further education institutions.
- (2) The scheme shall be operated by the Quality Assessment Committee of the Office for Students.
- (3) No arrangements for the scheme shall be made before the Office for Students has completed an independent assessment of –
- (a) the capability and competence of any proposed metric for assessing teaching quality;
  - (b) the balance accorded to any proposed metric within a scheme;
  - (c) the statistical validity of any data taken into account within any proposed metric, including the National Student Survey;
  - (d) the work undertaken by English further education institutions to ensure that teaching staff have the appropriate training; and
  - (e) the systems in place in English further education institutions which ensure that the courses offered are taught to a high quality standard.
- (4) Any scheme introduced shall have two outcomes –
- (a) meets expectations; or
  - (b) fails to meet expectations.”

Insert the following new Clause –

**“New further education institutions**

The Institute for Apprenticeships and Technical Education must not recommend to the Secretary of State the authorisation of a new further education institution unless –

- (a) the provider has been established for a minimum of four years with satisfactory validation arrangements in place;

**After Clause 1 - continued**

- (b) the Quality Assessment Committee is assured that the provider is able to maintain the required standard expected for the granting of approved qualifications for the duration of the authorisation; and
- (c) the Institute for Apprenticeships and Technical Education is assured that the provider operates in the public interest and in the interest of students.”

Insert the following new Clause –

**“Further education providers: freedom of speech and preventing unlawful speech**

- (1) All English further education institutions must ensure that their students, staff and invited speakers are able to practice freedom of speech within the law in the provider’s premises, forums and events and must put in place measures to prevent unlawful speech.
- (2) Subsection (1) extends to the premises, forums and events of the provider's student unions.”

**Clause 14**

LORD WATSON OF INVERGOWRIE  
LORD HUNT OF KINGS HEATH

Page 7, line 38, at end insert –

- “( ) minimise the risk to a local community of a long-term loss of technical and further education provision.”

**Before Clause 39**

LORD WATSON OF INVERGOWRIE  
LORD HUNT OF KINGS HEATH

Insert the following new Clause –

**“Constitution of further education corporations**

- (1) Section 20 of the Further and Higher Education Act 1992 is amended as follows.
- (2) After subsection (4) insert –
  - “(5) An instrument must provide for the role of the Clerk to include providing advice to the corporation with regard to matters including –
    - (a) the operation of its powers,
    - (b) the conduct of its business,
    - (c) matters of governance practice, and
    - (d) general procedural matters.”

**Schedule 1**

LORD WATSON OF INVERGOWRIE  
LORD HUNT OF KINGS HEATH

Page 21, line 6, at end insert –

“( ) After subsection (1)(d) insert –

“(da) local authority secured provision made under Section 15ZA of the Education Act 1996 (duty in respect of education and training for persons over compulsory school age: England).”

Page 21, line 7, at end insert –

“( ) After subsection (5) insert –

“(5A) In the exercising of its functions, the Institute must cooperate with –

- (a) Ofqual,
- (b) Ofsted,
- (c) The Office for Students,
- (d) The Skills Funding Agency, and

any other body identified by the Secretary of State as having an interest in the delivery or monitoring of apprenticeships.”

Page 25, line 23, at end insert –

“(1A) A technical education qualification approved under this section, which is undertaken by a person over compulsory school age but under 19, must support the person’s entitlement to the core entitlement under section 17C of the Education Act 1996 (the core entitlement).”

# Technical and Further Education

---

AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

---

*10 February 2017*

---