

Technical and Further Education Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

[Amendments marked ★ are new or have been altered]

Amendment
No.

After Clause 1

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

1★

Insert the following new Clause—

“Financial support for students undertaking apprenticeships

- (1) The Secretary of State must by regulations made by statutory instrument make provision for—
 - (a) making a person undertaking a statutory apprenticeship, as defined under section A11 of the Apprenticeships, Skills, Children and Learning Act 2009, a qualifying young person for the purposes of child benefit; and
 - (b) extending the Higher Education Bursary provided for by section 23C(5A) of the Children Act 1989 to a person who is a former relevant child undertaking a statutory apprenticeship, as defined under section A11 of the Apprenticeships, Skills, Children and Learning Act 2009.
- (2) Statutory instruments under subsection (1) are subject to the affirmative resolution procedure.”

2★

Insert the following new Clause—

“Report on quality outcomes of completed apprenticeships

- (1) The Institute for Apprenticeships and Technical Education must report on an annual basis to the Secretary of State on quality outcomes of completed apprenticeships.
- (2) A report under subsection (1) must include information on—
 - (a) job outcomes of persons who have completed an apprenticeship;
 - (b) average annualised earnings of persons one year after completing an apprenticeship;

After Clause 1 - continued

- (c) numbers of persons who have completed an apprenticeship who progress to higher stages of education;
 - (d) satisfaction rates of persons who complete an apprenticeship with the quality of that apprenticeship; and
 - (e) satisfaction rates of employers which hire persons who have completed an apprenticeship, with the outcome of that apprenticeship.
- (3) The Secretary of State must lay a copy of any report under subsection (1) before each House of Parliament.”

3★ Insert the following new Clause –

“Social mobility reporting by the Institute

- (1) In carrying out its duties, the Institute for Apprenticeships and Technical Education must request from the Department for Education, data on –
- (a) the proportion of technical education qualifications and apprenticeships that are taken up;
 - (b) the level of the technical education qualifications and apprenticeships that are taken up;
 - (c) the rate of completion of technical education qualifications and apprenticeships; and
 - (d) the rate of progression from technical education qualifications and apprenticeships into further education or employment,
- by young people who were in receipt of Pupil Premium at any point in the last six years of their education up to the age of 16 compared with young people who were not in receipt of Pupil Premium at any point in the last six years of their education up to the age of 16.
- (2) The Institute must request data from the Department for Education annually and, after receiving the data each year, must publish –
- (a) the figures outlined in subsection (1);
 - (b) a comparison on all points in subsection (1) between young people who were in receipt of Pupil Premium at any point in the last 6 years of their education up to the age of 16, and their peers who were not; and
 - (c) its plans to address any gap in take-up, level (taking into account prior attainment), completion or progression between young people who were in receipt of Pupil Premium at any point in the last 6 years of their education up to the age of 16, and those who were not.”

LORD YOUNG OF NORWOOD GREEN
LORD WATSON OF INVERGOWRIE

4★ Insert the following new Clause –

“Establishment of an apprenticeship helpline

- (1) Within six months of the coming into force of this Act, the Secretary of State must bring forward proposals for the establishment of a dedicated apprenticeship helpline to be overseen by the Institute.

After Clause 1 - continued

- (2) The apprenticeship helpline in subsection (1) is to provide advice to persons who are undertaking, and persons who are interested in undertaking, an apprenticeship, on—
- (a) the technical routes operated by the Institute;
 - (b) the courses available within these technical routes;
 - (c) how to apply for the courses accredited by the Institute;
 - (d) how to apply for any relevant financial support; and
 - (e) how to complain about the quality of teaching or training.”

5★ Insert the following new Clause—

“Transition from existing qualifications to the new technical routes

Within six months of the day on which this Act comes into force, the Secretary of State must publish detailed proposals for the transition from existing technical and further education qualifications, to the awarding of new qualifications approved by the Institute.”

BARONESS GARDEN OF FROGNAL
LORD STOREY

6★ Insert the following new Clause—

“Technical Education Qualifications

In this Part “technical education qualifications” means the full range of work-based qualifications, whether technical, craft, creative, personal services, or professional.”

LORD YOUNG OF NORWOOD GREEN

7★ Insert the following new Clause—

“Monitoring of apprenticeships

Having regard to the importance of encouraging small and medium-sized enterprises to employ apprentices, the Institute must—

- (a) monitor the performance of local enterprise partnerships, local authorities and training providers in terms of both the quality and quantity of apprenticeships provided;
- (b) identify best practice; and
- (c) lay a report annually before each House of Parliament setting out its findings under paragraphs (a) and (b).”

Clause 2

LORD LUCAS

8 Page 2, line 14, after “providers” insert “, or persons acting on behalf of a number of such providers,”

9 Page 2, line 27, after “providers” insert “, or persons acting on their behalf,”

Clause 24

LORD STEVENSON OF BALMACARA
LORD WATSON OF INVERGOWRIE

- 10★ Page 12, line 19, leave out “(if possible)”
- 11★ Page 12, line 26, leave out “as a whole”
- 12★ Page 12, line 30, leave out “as a whole”
- 13★ Page 12, line 31, leave out “as a whole”

After Clause 35

LORD STOREY
BARONESS GARDEN OF FROGNAL
LORD WATSON OF INVERGOWRIE

- 14 Insert the following new Clause—

“Further education bodies: contingency fund

- (1) Any further education body, which charges fees to students for tuition, must set up a contingency fund.
- (2) The contingency fund must contain sufficient funds to reimburse students, where a further education body closes, for the proportion of the fee charged for the remaining period of tuition.
- (3) The further education body must not use the contingency fund for purposes other than those outlined in subsection (2).”

LORD WATSON OF INVERGOWRIE
As an amendment to Amendment 14

- 15★ In subsections (1) to (3) leave out “body” and insert “college or private training provider”

BARONESS WOLF OF DULWICH
BARONESS WATKINS OF TAVISTOCK
LORD WATSON OF INVERGOWRIE

- 16 Insert the following new Clause—

“Providers of technical education: guarantee to students

- (1) Any providers of technical education who are not covered by the insolvency regime created by this Act must provide a guarantee from a reputable financial institution to each Government supported student that, if the provider is made insolvent, the financial institution will cover the cost of operating that student's course until a suitable end point.
- (2) In subsection (1), a “suitable end point” means the completion of the course or the successful transfer of the student to an alternative institution.
- (3) In subsection (1), a “Government supported student” means any student whose education is funded directly by the Government through grants to the providers or student loans.

After Clause 35 - continued

- (4) The cost of providing the guarantee under subsection (1) must be met by the relevant provider under subsection (1).”

After Clause 40

LORD STOREY
LORD WATSON OF INVERGOWRIE
BARONESS GARDEN OF FROGNAL

17 Insert the following new Clause—

“Further education colleges: careers advice

- (1) In carrying out inspections of further education colleges, and giving a rating to colleges, Ofsted has a duty to take into account the careers advice made available to students by colleges.
- (2) For the purpose of subsection (1), “careers advice” means a combination of face-to-face careers advice and careers advice that is provided remotely.”

Before Clause 41

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

18★ Insert the following new Clause—

“Constitution of further education corporations

- (1) Section 20 of the Further and Higher Education Act 1992 (constitution of corporation and conduct of the institution) 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 YOUNG OF NORWOOD GREEN

19★ Page 24, line 6, at end insert—

- “() After subsection (1) insert—
- “(1A) For the purposes of ensuring the quality and status of apprenticeships, the Institute must ensure that apprenticeship agreements—
- (a) include the rights and responsibilities of the person or employer providing the apprenticeship; and
 - (b) include the rights and responsibilities of the apprentice; and
 - (c) are signed by the person or employer providing the apprenticeship and the apprentice; and

Schedule 1 - continued

(d) where appropriate, signed by the parents of the apprentice.””

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

20★ Page 24, line 13, at end insert –

“ After section ZA2 (general duties) insert –

“ZA2A Expenditure on apprenticeships

In the discharge of its duties and functions under this Chapter, the Institute must cooperate with other relevant bodies to ensure that, in any one year, a sum no less than the sum projected to be raised under the Apprenticeship Levy in that year is spent on the provision of apprenticeships.””

BARONESS GARDEN OF FROGNAL
LORD STOREY
LORD LUCAS

21★ Page 25, line 6, at end insert –

“ (1) Section ZA6 (annual and other reports) is amended as follows.

(2) After subsection (2)(a) insert –

“(aa) an overview of, and advice on, the performance of apprenticeships and technical education during the year,”.

(3) In subsection (4), after “Parliament” insert “, and (as soon as reasonably practicable) lay before Parliament a response to the report containing any actions to be taken as a result”.”

LORD LUCAS
LORD WATSON OF INVERGOWRIE

22 Page 26, line 4, at end insert –

“() The group of persons that prepared a standard must have considered, including within the standard, a qualification widely recognised by employers for that occupation or for an aspect of it.”

BARONESS GARDEN OF FROGNAL
LORD STOREY

23★ Page 27, line 14, at end insert “using an appropriate form of continuous assessment.”

BARONESS GARDEN OF FROGNAL
LORD LUCAS
LORD WATSON OF INVERGOWRIE
LORD STOREY

24 Page 28, line 37, leave out “the qualification to which it considers section A2IA” and insert “relevant standards or common qualification criteria which”

Schedule 1 - continued

LORD LUCAS

25 Page 28, line 40, after “thinks” insert “, having made due enquiry,”

BARONESS GARDEN OF FROGNAL
LORD LUCAS
LORD WATSON OF INVERGOWRIE
LORD STOREY

26 Page 28, line 42, leave out “transferred” and insert “assigned”

LORD LUCAS

27 Page 29, line 21, at end insert –

“() The Institute may not approve more than four qualifications in respect of any one occupation at any one time.”

BARONESS GARDEN OF FROGNAL
LORD LUCAS
LORD WATSON OF INVERGOWRIE
LORD STOREY

28 Page 30, line 29, at end insert “which are to replace the Ofqual Regulated Qualifications Framework”

29 Page 31, line 6, leave out “a relevant course document” and insert “relevant standards or common qualification criteria”

30 Page 31, line 7, leave out “transferred from the person to” and insert “retained by”

31 Page 31, line 9, leave out “another person” and insert “other persons”

32 Page 31, line 10, leave out “another person” and insert “other persons”

33 Page 31, leave out lines 12 to 14

34 Page 31, line 26, at end insert –

“() about permission for the use of the DfE logo and standard wording on technical education certificates;”

35 Page 31, leave out lines 27 to 32

Schedule 2

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

36★ Page 34, line 13, at end insert –

“(c) a proposal relating to the scheme has been subject to public consultation.”

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23 March 2017
