

Cyflwynwyd yr ymateb hwn i ymchwiliad y [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) i egwyddorion cyffredinol y [Bil Addysg Drydyddol ac Ymchwil \(Cymru\)](#)

This response was submitted to the [Children, Young People and Education Committee](#) inquiry into the general principles of the [Tertiary Education and Research \(Wales\) Bill](#)

TER 33

Ymateb gan: Coleg Caerdydd a'r Fro

Response from: Cardiff and Vale College

Introduction

Cardiff and Vale College is one of the largest colleges in the UK, delivering high quality education and training within the Capital Region of Wales.

We have more than 30,000 learners each year across full-time and part-time college courses, university qualifications and apprenticeship programmes, along with dedicated training provision for employers.

Aim

The aim is to provide a formal response from Cardiff and Vale College Group by the deadline 17 December.

Summary of CAVC Response to the 'Technical' Consultation

Part 1: Strategic framework for tertiary education and research

CAVC generally supports the introduction of a new body to oversee PCET in Wales. We agree that the Welsh Government should set the strategic priorities for delivery by the Commission. Any provision to remove providers from this register should take account of the characteristics of the various providers within PCET.

The 'Commission' must truly be an 'arm's length body' if it is to succeed in undertaking its functions. The College believes that the existing powers held by Welsh Ministers must be transferred (without condition) to the new body, and that it (the body) should be accountable to the National Assembly for Wales. It should be for the new body to determine the detail on how it is to deliver its function, and that any future legislation must avoid being too prescriptive.

All forms of PCET MUST be included in the remit of the Bill and none should be outside the scope ie private WBL training providers must be included. The concept of the learner at the centre must be embedded fully to take account of ALL learners within PCET. The DWP Employability Programme, delivered in Wales by 2 or 3 WBL providers, (contract managed by Welsh Govt) should also be included in this remit, currently it is not included. The Commission must have the same influence in the Forms as it does in all PCET settings.

The Bill outlines, 'Requires the Welsh Ministers and the Commission to have regard to the importance of protecting the academic freedom of providers of higher education in Wales, and the freedom of speech of academic staff at these providers, when exercising their functions under the Bill.' It is our view that there is no reason for this to be limited solely to HE, especially as there is now a greater focus on research within the FE environment.

We still do not have (or have begun to discuss) an over-arching strategy or vision for the PCET sector in Wales, and believe that we are far too focused on organising a body to oversee its implementation once agreed – form should follow function.

Part 2: Registration and regulation of tertiary education providers

We agree with the consideration of a registry of providers but refer to the comment above; this should contain all providers within PCET. We agree the conditions of registration outlined in the Bill. We agree with the commitment to avoid excessive regulation of providers.

Equality condition – this focuses on increased participation and attainment for under-represented groups. While this is a worthwhile condition, any targets need to be proportionate to and reflect the community of each institution.

Similarly, all staff who deliver training within PCET need to be considered eg as well as lecturers this includes WBL Practitioners.

We support the implementation of one overarching quality assurance framework for the whole of post-16 provision in Wales; there should be no division of inspection provision between HE and FE, especially where providers deliver both. It is also welcomed that the Commission must consult with registered tertiary education providers on the quality assurance framework(s). Such a process will only be effective if ALL PCET education is covered by the Bill. Further clarification is needed on the difference between this process in HE and FE, specifically related to the role of Estyn and other bodies who assess the quality of education and training. We question the consideration to form a Welsh specific QAA which will add to the complexity of

inspection for those providers who offer HE in FE under franchise with Welsh and English universities.

There is no reference to the inspection of 14-16 who attend PCET instead of schools ie the Junior Apprenticeship provision.

Part 3: Securing and funding tertiary education and research

It is essential that providers remain independent in terms of funding.

'Enables the Commission to fund higher education and research and innovation activities undertaken by tertiary education providers in Wales, registered in categories specified by the Welsh Ministers in regulations' – does this refer to HE only? There is a growing body of research and considerable innovation in FE and WBL which has been supported by Welsh Government. Will this also be supported by the Commission?

Further clarification is needed for the definitions of 'proper', 'reasonable', 'eligible' and 'relevant' in relation to facilities and adults.

There also needs to be a method of consistency being achieved for the funding made available for apprentices v other post 16 routes. An example of this was in the initial approach to digital exclusion funding which was not initially available for apprentices, though this was changed after lobbying by NTFW/Colegau Cymru. Likewise, there are inconsistencies on the approach to ALN support funding which is limited for WBL post-16 compared to equivalent funding in FE. The swift decisions made about A 'Level grades and the protracted (and lacking in clarity) approach for vocational qualifications during the recent pandemic – is another example.

'The Welsh Ministers will also be able to make regulations to specify particular higher education courses which may be funded by the Commission, with the provider which is providing the course not needing to be registered. This will allow for the Welsh Ministers to specify that certain provision should be funded, where for example there is a specific skills shortage or a course of national importance not otherwise available in Wales and which would not otherwise be eligible for funding.' We consider it is important that FE providers remain the right to offer their own level 4 & 5 provision as they do already. Nevertheless the quality of this provision needs to be protected by the allocation of funding.

Part 4: Apprenticeships

We agree with the vision for apprenticeships outlined in the Bill.

The Commission needs to address the lack of parity of esteem presently in place between academic and vocational routes. A 'Levels and university are not always the best option but the guidance that children receive at school is not balanced. Schools that have 6th Forms want pupils to stay on in schools. Those providing careers guidance can have little knowledge of the "alternative route". Schools have open evenings to explain the process of applying to university but very few events will even touch upon applying for an apprenticeship.

Parents and guardians also need to have better information about the alternative route. For many it is perceived as the route to pursue if you are not "capable" of going to university.

These types of misconceptions need to be fundamental to the establishment of this new Commission for Tertiary Education and Research.

3.341 – 3.343 – This appears to add a separate layer to the certification and management of apprentices and CAVC would not support this. More detail is needed on the Commissions role in certification process.

Part 5: Learner protection, complaints procedures and learner engagement

We welcome the consideration to provide for learner protection arrangements to be set out in learner protection plans but note that some of the most vulnerable in society will sit outside the remit of the Commission if it does not include The DWP Employability Programme. We agree this needs to be proportionate to the size of the provider. We would like more detail on how this would work in practice and how the protection arrangements would ensure 'reasonableness'.

We agree it is useful to place a duty on the Commission to take steps to ensure that tertiary education providers have procedures in place to investigate learner complaints. We feel the Commission could go further and should put in place a body similar to OIA HE to adjudicate on complaints.

We agree there should be learner representation on the commission but consider that this should be extended to ensure that the views of different types of provision be represented ie HE, FE, WBL etc. further consideration should be given to how learners will be elected onto the commission, how long their service will be and how they engage with the wider body.

We support the proposal that the Commission develops, consults and publishes a Learner Engagement Code which is mandatory.

We agree with the plan for these conditions to apply to HE.

Part 6: Information, advice and guidance

It is recognised that an effective data and information system will be crucial in bringing together all elements of post-16 provision, especially if this data will be used to provide information, advice and guidance to potential learners about the different forms of provision. Any data system needs to consider the various providers within PCET.

The importance of information sharing with the schools sector is significant to support effective transition into PCET.

Part 7: Miscellaneous and general

We consider Option 6 is the preferred one but we consider that in practice opportunity is fair and equitable; there must be equity of opportunity for FE institutions who deliver HE outside of franchise arrangements.

We agree with the amendment that the Commission should have a clearly defined role in supporting careers information, advice and guidance for the post 16 sector, which should be impartial, consistent and collaborative and avoid duplication. The focus should be on IAG that reflects the importance of career routes across all parts of PCET, vocational and academic, pre-16.