

# Report

## Reports from External Groups

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## Introduction

- 1 This report updates the board on the work of the three groups to which *the information authority* secretariat provides support.
- 2 These are the:
  - FE Data Management Group
  - F05 Hard Close Sub-group
  - Bureaucracy Reduction Group.

## Purpose

- 3 The board is asked to make a decision required for the secretariat to commence formal consultation with the sector on the findings of the FE Data Management Group. The report informs the board on the risks identified from the F05 hard close sub-group and that the secretariat is administering the Bureaucracy Reduction Group pending review of sector groups.

## FE Data Management Group Update

### Background

- 4 The FE Data Management Group was formed in response to an investigation into college individualised learner record (ILR) data undertaken by the LSC and Ofsted, which discovered different data management practices in some colleges which could result in inconsistent reporting.
- 5 The purpose of the FE Data Management Group is to *advise the information authority* on developing guidance for the FE sector in addressing data issues thus giving assurance to learners, employers and government of the quality and reliability of information relating to further education.

- 6 The FE Data Management Group is a 'task and finish' group, with a limited remit and lifespan, and has a responsibility to report to *the information authority* board.
- 7 The board is asked to:
  - confirm it is content with the instructions and advice developed to answer three frequently asked questions that cannot be answered based on existing instructions and guidance
  - comment on progress to answer questions about how to record ESOL in the ILR
  - confirm it is content with the six ILR Data Management Principles
  - confirm it is content with the four ILR Principles for Funding Bodies.

### **Summary of group activity**

- 8 Since the last meeting of the board the group has met on one occasion on 21 May 2010. This meeting was to replace one postponed from the pre-election period.
- 9 The group:
  - received a report on progress from the secretariat
  - received a report on the responses to data management questions
  - reviewed principles for completing the ILR
  - reviewed proposed ILR principles for funding bodies.

### **Responses to Data Management Questions**

- 10 The secretariat has received questions from providers as a result of the letter sent by Geoff Russell on 23 September 2009. These have been distilled into 12 frequently asked questions (FAQs).
- 11 Nine of these 12 questions have been answered by the secretariat by referring to existing instructions and guidance. These answers have been published on *the information authority* web site at:  
<http://www.theia.org.uk/ilr/datamanagement/faq/> .

The nine questions are:

- Should colleges include every learner in the ILR?
- Should colleges include enrolments for learners that never attended?
- If a learner transfers from one course to another, what is the new course start date?
- How accurate does the start date need to be?
- What is the appropriate treatment for recording a learner who is enrolled on a National Diploma (2 year) but fails to reappear for year 2?
- What should colleges do if a learner's Individual Learning Plan is altered?
- How should Skills for Life spiky profiles be recorded for achievement?
- How should a learner be recorded if they transfer between funding streams?

- Should Guided Learning Hours be amended to reflect actual hours delivered?
- 12 There are currently three questions about data recording that are outstanding and are awaiting new instructions and guidance. These are:
- How should Key and Functional Skills be recorded for 16-18 year olds?
  - What should be recorded when a learning aim has not been approved for funding or published on the LAD?
  - How should ESOL and other Skills for Life Qualifications be recorded?
- 13 The group confirmed that it was content with this and the other new advice given below:

### Recording all learning aims except ESOL

- Providers are expected to agree and accurately record the learning aim being undertaken on the ILR by the end of the funding start period.
- The funding start period is defined as follows

Course Length	Funding Start Period
Less than 2 weeks	Enrolment and at least one course activity
Between 2 and 24 weeks	Enrolment and final attendance for at least the first two week period of the programme
24+ weeks	Learner attends for 6 weeks or more

- If the learner changes their learning aim during the funding start period then the learning aim details (including the planned end date) can be amended on the ILR record.
- If a learner changes their learning aim after the funding start period then this must be recorded as a transfer. The learning aim record will need to be closed and recorded as “not achieved – transferred” and a new learning aim added.
- Learning aims that are recorded as “not achieved – transferred” do not currently generate any funding and are excluded from the success rate calculations.

### Recording ESOL

- advice is still being developed, see below

### Recording Other Skills for Life Qualifications

- The standard rule of agreeing and accurately recording the learning aim within the funding start period should apply. Any changes to the learning aim after this time should be recorded as a transfer.

## Recording Key and Functional Skills for 16-18 year olds

- The standard rule of agreeing and accurately recording the learning aim within the funding start period should apply. Any changes to the learning aim after this time should be recorded as a transfer.

### What to do when a learning aim has not been approved for funding or published on the LAD

- Providers should record the nearest similar learning aim from the LAD but identify that this is being used as a proxy by recording a National learning aim monitoring code in field A46.
- 14 The group also suggested that the guidance on transfers needed to be looked at and made clearer where needed.
  - 15 The ILR provider support manuals have been re-written and re-published for 2009/10 in the last month and include more guidance on recording changes in the ILR including how to record transfers.
  - 16 The current guidance in the ER and LR provider support manuals for 2009/10 on transfers is as follows:

### A learner transfers to a different learning aim

If a learner transfers to another programme or learning aim at a later date (after the funding start period) then the learning aim record will need to be closed and a new learning aim added. Providers should not just amend the details on the original learning aims. Field A51a, Proportion of funding remaining does not need to be completed.

The original learning aim should be closed and recorded as not achieved – transferred. A new learning aim should be added to the learner record with the new learning aim reference and new start and planned end dates recorded. The start date of the new learning aim cannot be any earlier than the actual end date of the learning aim that the learner has transferred from or may be slightly later if there is a delay in the learner starting the new aim.

- 17 Further clarification is still needed in the guidance about transfers between funding streams to inform providers that once a learning aim is recorded as funded under one methodology it should be funded to completion under that methodology.

### **ACTION The board is asked to confirm it is content with the instructions and advice agreed by the group in paragraphs 13 to 17.**

If the board approves these instructions and advice the secretariat will publish answers to the FAQs based on it.

## Recording ESOL

- 18 This particular question has generated much discussion within the group. The fundamental issue is that the structure of ESOL qualifications and the

way it is delivered, funded and awarded cause considerable issues for providers.

- 19 Awarding bodies accredit separate ESOL qualifications for each level of achievement; entry levels 1, 2 and 3, level 1 and level 2. There are also separate qualifications for speaking and listening at each level. This differs from other Skills for Life qualifications where there is only one qualification which covers all entry levels and the level at which the learner achieves is determined when they sit the tests.
- 20 If ESOL qualifications were to follow the same rules as other learning aims, then a provider would need to identify and record the exact level of ESOL learning being undertaken within the funding start period and record any subsequent changes as a transfer. This can be difficult for a number of reasons:
  - Learners start with very different levels of prior education and experience of taking exams and it can be very difficult to estimate how far they will travel in an academic year.
  - Learners may already have taken some qualifications but it can be difficult and take time to determine what these are and at what level.
  - ESOL classes are often made up of learners at all entry levels and do not differentiate between EL1, EL2 and EL3. The tutors will decide during the course exactly which level qualification the learner is able to sit.
  - Colleges have worked on the practice of entering learners for a qualification when they are ready, carrying out ongoing assessments during the course, including mock exams before they decide what qualification learners should take (level and number of units at each level).
- 21 The above reasons mean that the number of transfers that might be recorded for ESOL learners is likely to be much higher than for other qualification types, particularly entry level ESOL.
- 22 There are also funding implications for a provider for transferring a learner between ESOL qualifications after the funding start period. ESOL qualifications are unlisted and are funded based on the number of guided learning hours that the provider plans to deliver as recorded on the ILR. If a provider transfers a learner from one learning aim to another then the current funding policy is to fully fund the aim that the learner has transferred to. The aim that the learner has transferred from does not generate any funding. Consequently, if a provider transfers a learner from one unlisted learning aim to another, for example, from ESOL EL2 to ESOL EL3, then the provider will not receive any funding for the guided learning hours delivered against the first aim.
- 23 This situation has been raised with the funding policy team in the Skills Funding Agency and a meeting to discuss this situation will take place in the next couple of weeks.

- 24 The group has asked that the Chair of *the information authority* board lobby awarding organisations and regulators to restructure the qualification. In the interim or if the lobbying was to fail the group proposed that three generic learning aims, one for each level of ESOL, would be added to the learning aim database and used to record ESOL in the ILR. The secretariat agreed to investigate this further with other stakeholders to ensure it met their needs.

**ACTION** The board is asked to comment on the progress towards answering the question about recording ESOL and to comment on the proposal. It is also asked to confirm it is content for the secretariat to publish any instructions and advice about recording ESOL once it has found a solution acceptable to all stakeholders.

## Nested Qualifications

- 25 Nested qualifications are ones that can be delivered step by step or delivered directly to a particular level. An example is the award, credit and national diploma. A provider can deliver a national diploma in steps by delivering an award, then the extra learning to deliver the certificate and further learning to deliver the diploma or simply deliver a programme to take the learner straight to the diploma.
- 26 The answers to some of the FAQs in paragraph 11 indicate that the way nested qualifications are delivered can significantly affect success rates. Step by step delivery would tend to increase success rates for all the elements of the nested qualification but may or may not be in the best interests of the learner.
- 27 This has led to much discussion at the group.
- 28 The secretariat is developing a statement based on advice from Ofsted that:
- the best interests of the learner must be at the heart of all decisions about curriculum
  - when it makes judgements based on success rates it takes into account the way the curriculum is structured.
- 29 Once a statement has been agreed with Ofsted it is proposed that it would be referenced in the FAQs.

**ACTION** The board is asked to confirm it is content for such a statement to be developed and when agreed with Ofsted and other stakeholders referenced from the FAQs.

## Principles for Completing the ILR

- 30 The group has developed six ILR Data Management Principles to inform providers completing the ILR. They are attached at appendix A to this paper.

**ACTION The board is asked to confirm it is content with the six ILR Data Management Principles.**

If the board approves these principles the secretariat will consult the sector on them so that any comments on them can be considered by the FE Data Management Group at its next meeting in September 2010.

## **ILR Principles for Funding Bodies**

- 31 The group has developed four draft ILR Principles for Funding Bodies to increase the clarity around the specification of the ILR and other communications designed to help providers make ILR returns. They are attached at appendix B to this paper. They have been shared initially with some staff responsible for information management within YPLA and the Skills Funding Agency.

**ACTION The board is asked to comment on the four ILR Principles for Funding Bodies and that it is content for the secretariat to consult further on them with the bodies to which they would apply to gain acceptance for them.**

Following this consultation the principles would be brought to the September 2010 board meeting for approval and subsequent distribution.

## **F05 Hard Close Group**

- 27 At its meeting on 10 June, *the information authority* board agreed to confirm the hard close date for the final ILR for 2008/09 learner responsive data as 15 January 2010 and set the hard close date for the final ILR for 2009/10 as the fourth Monday in November 2010 (22 November 2010) subject to:

- the board establishing a **sub-group** to monitor any issues arising during summer and autumn 2010;
- the board having the option, on advice of the sub-group, to agree a new later final close date in the light of experience.

- 28 The board agreed the Terms of Reference for the sub-group at its meeting in September 2009.

- 29 This sub-group met for the first time on Monday 24 May 2010. At that meeting it developed a risk register and asked that the board be made aware of it. The register is attached at Appendix C.

**ACTION The board is asked to note and comment on the risk register developed by the group.**

## Bureaucracy Reduction Group

- 30 In April 2010 BIS asked *the information authority* secretariat to take over responsibility for providing support to the department-sponsored Bureaucracy Reduction Group (previously provided by the LSC).
- 31 The BRG lobbies for a reduction of bureaucracy within FE and training resulting from new or existing policies and practises. Themes covered recently include Performance Management and QA systems, Qualification and Accreditation systems and the learner/bureaucracy interface.
- 32 This temporary support arrangement will be in place until July 2010, whilst a review of sector-led groups (including the Further Education Reputation Group and the Further Education Communications Group) is carried out by BIS.

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