

Corporation of Plumpton College
Response to Single Voice Consultation

Introduction

The Governors of Plumpton College are pleased to have the opportunity of responding to the October 2008 Consultation Document issued by the Single Voice. We have taken a close interest in the developing proposals for self-regulation, and responded fully to the initial Consultation Document in April 2007.

Plumpton is a medium-sized (around 1000 FTE students) land-based college on the boundaries between East and West Sussex and Brighton & Hove. Nearly a third of our income now comes from HE provision, a strongly growing area where we are in partnership with the University of Brighton. But we also offer a full range of FE land-based provision: 14-16 (in partnership with schools); 16-18; apprenticeships; and 19+. Our 14 –19 business is also growing strongly. Earlier this year the College was awarded leadership across most of Sussex in the provision of the new environmental and land-based diploma from September 2009. To cater for this continuing growth, the College is mid-way through a large, complex, and urgent building programme. In 19+, we have in recent years been recognised successively as a Centre of Vocational Excellence in Rural Business Management, Horticulture, and Outdoor Sports. We have recently been accredited under The Quality Standard. We are amongst the most cost-efficient of land-based colleges.

Our Mission is simply: “to provide excellent education and training”. The College is totally committed from top to bottom to this goal. We are making good progress. Our FE success rates are consistently the highest of any Sussex College; and in the upper quartile of land-based colleges nationally. In their 2007 inspection Ofsted found the College Good Overall, but highlighted the scope for improvement in the quality of teaching and learning and the quality of work-based learning. We have agreed with management a programme of work to address these issues, and a challenging timetable for achieving an Outstanding Overall grade.

We have identified the continuing growth in external bureaucracy as one of the major threats to achieving our mission. “Bureaucracy” is a wide term. It includes an over-prescriptive statutory framework represented by the current Instrument and Articles; over-elaborate and over-protracted regulatory processes, most of which are imposed indiscriminately on high-achieving as well as low-achieving colleges; duplication of control processes (e.g. regularity audits/ internal audits of governance/ financial management and control evaluation returns); and excessive demands for information (e.g. Staff Individualised Records, e-mandate, etc). At best these distract an already pressured management from their proper focus on running the business; but they can also defer decision-taking within the College, and by introducing new performance measures may cut across the targets which Governors have set internally.

We are therefore, as we explained in our response to the April 2007 Consultation Document, looking for **less regulation, better (i.e. less prescriptive) regulation, and fewer regulators**. We believe that these goals are shared by Government. We have seen little to suggest that the Government’s deregulation policy is conditional

upon the adoption of a collective self-regulation framework along the lines proposed in the Consultation Document.

We welcome proposals for greater self-regulation at the individual College level. However in our April 2007 response we concluded that a larger number of the proposals for collective self-regulation were unlikely to be in the best interests of this College, and that we would therefore be unable to subscribe to them. This remains our view.

It is against this background that we respond below to the detailed questions set out in the Consultation Document.

Executive Summary

We question several points and assumptions made here.

First, the argument for collective self-regulation is based on the concept of a single, well-defined and generally homogenous “FE sector”. But that concept is fading fast. The commissioning arrangements for 6th form colleges, general FE colleges, and land-based colleges are moving apart. Colleges are forming different types of partnerships –with schools, with HE institutions, and with business – with the likelihood that delivery will increasingly be assessed as excellent or otherwise in terms of the partnership rather than simply in terms of the individual partners. We, like many land-based colleges, regard ourselves as part of the HE as well as the FE sector. Some colleges are being considered for Academy status. The collective self-regulation proposals put forward here seem to us to be addressing the problems of the past rather than the much more fluid geometry that we see ahead.

Likewise with the suggestion on page 5 that “there will be one voice speaking on the sector’s behalf on regulatory matters”. We question whether there can be a “Single Voice” which can effectively represent to Government and regulators at all levels the increasingly diverse interests of colleges and other providers. We are worried that very important minority views may get smothered. Land-based colleges will have angles which differ from those of the majority of General FE colleges from which they differ considerably. It is right that Government hears a full range of views. We would certainly support greater co-ordination between representative bodies in the views they put forward. But we are looking for a “harmony of voices” rather than a single voice, and want clearer public reassurance on this point. There will be considerable difficulty in having a one size fits all single voice

We do not agree there is a need for the collective self-regulation machinery proposed at the bottom of page 5, for the following reasons:

- Colleges are statutory bodies. If Government have concerns about college performance it is open to them to impose new statutory duties on Governors. They have already introduced new statutory responsibilities on Governors in respect of quality and taken powers to intervene to appoint additional Governors in failing colleges. We have no real problems with these aspects of the statutory framework (as distinct from the stiflingly over-prescriptive requirements of the Instrument and Articles).
- We are broadly happy with the regulatory role that Ofsted currently performs, and particularly its periodic inspection of individual colleges. We do not

believe that collective self-regulation machinery managed by a body which has a parallel remit to represent colleges and which is not publicly accountable would be seen as independent or would command the same degree of public confidence. We also note that the cost of the collective self-regulation machinery envisaged in this paper is likely to be a very significant burden on colleges. Ofsted comes free.

- So long as most college provision and capital investment is funded by the public sector, the public sector funders are bound to ensure that they get value for money for what they purchase and for what they contribute towards college investment, and that the quality of both will deliver the Government's policy goals. Alongside the statutory framework we believe the funding bodies will inevitably need to maintain a their own strong regulatory framework to ensure that individual colleges comply with the conditions attached to their funding.
- LSC and its successor will presumably continue to exercise regulatory powers over the non-FE aspects of colleges under the Charity Act framework . We do not believe these can be devolved.
- So we believe that proposals for collective self-regulation machinery involving a "licence to operate" and a "further education authority" would simply impose yet another framework and another layer of bureaucracy, and add to the existing complexity and muddle. The Consultation Document offers little indication of what existing bureaucracy will be removed as a result and little evidence that its removal is conditional upon adoption of a collective self-regulation model set out in the Consultation Document. We do not believe that our goals of less regulation, better regulation, and fewer regulators should require creating new machinery. Most of it should be attainable through simple deregulation, working in a more vigorous and focussed way with the thrust of the Government's Deregulation initiative.
- Where additional self-regulation is necessary, it should be achieved through a strengthening of the duties on individual colleges within the existing statutory framework. That provides a clear legal basis, and a degree of stability. (In contrast under the collective self-regulation model it is unclear who are the parties to the Accords and Frameworks referred to on page 5 , and how enduring they will prove to be in practice). For example, instead of collective frameworks for performance management/improvement and for accountability, we would much prefer to see statutory duties placed on College Corporations to improve the quality of their college's provision and to account more fully to stakeholders (not just LSC) for their college's performance. We would want these duties would be couched in general terms, supported by more detailed non-binding guidance by DIUS (and perhaps further amplified by good practice examples collated by the single voice bodies): that provides the flexibility for colleges to innovate in response to changing circumstances and to fulfil the duty in the most efficient way.
- It seems to us particularly inappropriate to establish a non-statutory "further education authority" and a "licence to operate" to regulate statutory Corporations. We see a real risk of litigation where Corporations believe that the non-statutory body is taking actions which cut across the duties and powers assigned by law to them. Moreover it is unclear who will stand behind it financially in the event that it is successfully sued for damages by a college

whose business has been affected by the loss of a licence to operate. (As a member college of AOC and Landex, we would be concerned if legal liabilities of this sort fell on the membership of the Single Voice bodies). There is a suggestion in the Consultation Document that the further education authority might take on regulatory responsibilities currently vested in DIUS, Ofsted, or LSC. We wonder whether such devolution of responsibilities might expose these statutory bodies to a challenge under administrative law. We have raised these doubts about the legal risks of collective self-regulation in our responses to previous Consultation Documents; we are disappointed that they have still not been properly addressed.

- It is also unclear from the Consultation Document to whom the Further Education Authority will be accountable, and particularly what accountability to Government and/or to the public. Without public accountability we question whether collective self-regulation would be publicly credible.

We question the statement (page 7) that the sector's reputation is only ever as good as its worst provider. In our experience this is not the case at local and the South east regional level. And we see very little evidence that the national perception of FE has much impact on the ability of good colleges (or colleges perceived locally as "Good") to recruit students and staff or to win the goodwill of the community they serve. (At the national level it may well be true going back to the 1990s that a lot of blanket regulation was introduced in response to a small number of failing colleges or those where there was financial or other regulatory impropriety. However we sense that this has lessened in recent years, perhaps because of the general improvement in FE success rates. It is not in any case a policy which accords with good risk-based regulation, and we would hope that the Single Voice would challenge it more forcefully in future.) When they considered the question of reputation last summer the Governors at Plumpton concluded that their primary concern was the reputation of our own College, and that although we had a secondary interest in the reputation of land-based colleges we should be prepared to distance ourselves from the reputation of the wider FE sector (however the sector is defined). We certainly do not see the reputation of FE nationally as justifiable grounds for saddling all colleges with new collective self-regulation machinery.

We strongly disagree with the statement on page 10 that LSC has reduced its audit, planning, and reporting requirements from providers. While in the early years of the LSC there was some marginal trimming, this has been far more than offset by new demands in recent months. These include the new Financial Management and Control Evaluation questionnaire, a major expansion in the e-matrix reporting arrangements in respect of College estates, and a much more onerous Quality Standard for Business provision than the accreditation it replaces. (Interestingly none of these appear to be prompted by concern about failing colleges or FE's general reputation.) We are worried that the Single Voice bodies might have taken their eye off the ball in recent months.

Q1 Are the values and beliefs set out on page 11 those that you want to see embodied in a self-regulating sector?

We have expressed above our doubts about a self-regulating sector. If the question was expressed in terms of a self-regulating college, our response would be, "Generally yes, but we have some reservations, and the values listed are not necessarily the most important ones." (The links with partner universities and schools, for example, would appear in our top ten values, together with our

commitment to be Outstanding relative to other providers, not just Good). Our comments on the individual values and beliefs listed are as follows:

- (i) “Self –regulation and self-improvement frees providers to deliver high quality provision which better meets the needs of learners, employers, communities, and the nation”? In our view, **deregulation, better regulation, and fewer regulators** are the ways to free up this college to deliver its quality improvement goals, not collective self-regulation.
- (ii) “The sector owns the self-regulatory framework within which it works.”? We believe that individual Corporations should take sole ownership of, and be solely accountable for, regulating their own colleges. Single Voice bodies should support colleges by providing a forum for the sharing of good practice as Landex currently does. They should not act as a collective, non-statutory, self-regulation body.
- (iii) “Providers act together and learn from each other when it is in their strategic interests to do so”? We agree that providers should learn from each other, and should collaborate to put in place a forum for sharing best practice. We very much endorse the proposal that it should be for each individual college to decide how far they participate in this, based on their own individual best interests.
- (iv) “The sector is best-placed to tackle under-performance”? Ofsted is best placed to identify under-performance, and has the statutory authority and the public credibility to ensure that it is properly publicised. We see no reason to change Ofsted’s long-term role along the lines proposed in the Consultation Document. Individual Corporations are best placed to put in place the control frameworks for ensuring the improvements required to address under-performance at their own college. The role of Single Voice bodies should be to provide a forum for sharing best practice: we do not support the idea that they should have powers of intervention in under-performing colleges. Public sector purchasers will inevitably have a role to play through the quality conditions they attach to their commissioning.
- (v) “The sector’s commitment to professional development helps build trust and confidence.”? We support professional development, but it is perhaps less important in building public trust and confidence in individual colleges than a clear strategic direction set from the top of each institution and a strengthening of the public accountability of individual colleges. In addition, as emphasised above, we believe that Ofsted’s inspections of individual colleges have a credibility with Government and the public that the Single Voice – with a parallel remit to represent colleges – can never expect to achieve.
- (vi) “The sector directs and manages key sources of information about what it does”? Sector bodies should limit their requests for information to what is required to allow them to lobby effectively, and for essential benchmarking purposes. They should facilitate bilateral contacts between colleges and other measures for sharing best practice, but should not expect to hold large data banks.
- (vii) “Learners, employers and communities are closely involved in planning, reviewing, and developing provision”? This is a matter of degree. A lot of colleges have very close contact with learners, employers and the

communities they serve. We believe that learners and businesses have a right to choose the provision and the provider that best meets their needs. We would also wish to be considered well-informed about, and pro active in responding to, their needs, although that does not necessarily mean they are closely involved in our planning. As indicated above we would be happy to see a statutory duty on colleges to account more fully for their performance to all their stakeholders (not just the LSC); and we ourselves seek to do so through an Annual Report that goes well beyond the Casterbridge model. But that falls short of “close involvement” in reviewing college performance.

- (viii) “The sector is a respected partner of government”? We agree, but believe that for most colleges the relationship that matters most is that with local and to a lesser extent regional Government. At the national level we believe that respect depends on sector bodies reflecting accurately to Government the diversity of views and emphases within the sector. We believe Government are not looking for a single voice; they do however expect co-ordination between the bodies that represent colleges.
- (ix) “The sector is committed to its statutory responsibilities, to the effective delivery of policy and for the efficient use of public money”? We believe it is important that those responsible for colleges have clear statutory responsibilities, couched in terms that allow for differences between colleges and encourage innovation. The current Instrument and Articles are in our view too prescriptive. There is also a muddle about the respective responsibilities of the Governing Body and the Principal. We will work with the Single Voice and DIUS to resolve these issues. We will naturally also work with Government at national and local level to deliver its policies effectively and efficiently wherever we can do so sustainably.
- (x) “The sector is responsible for enhancing its own reputation”? We do not see it quite in these terms. Each College should first and foremost work to enhance its own reputation. We look to Landex to articulate the values that land-based colleges share. The reputation of the wider FE sector has only a relatively small bearing on the successful achievement of our Objectives, and in the more fluid sector geometry now emerging we are prepared to distance ourselves from it if it appears to be in our best interests to do so.

Q2 Do you agree that the benefits of self-regulation are as set out on pages 12/13? Do you envisage any other benefits?

Not totally. The Consultation Document does not explain how self-regulation will generate any significant benefits to learners, employers and communities, or to providers and their staff, over and above those which would come from straightforward deregulation and an aggressive rationalisation of bureaucracy. We believe these are attainable without the collective self-regulation proposed.

Likewise we believe that the opportunities for benchmarking, sharing of best practice and more coherent lobbying of Government – all of which we support- are not dependent upon collective self-regulation. They can and do happen currently.

We also doubt that any FE Code of practice would be sufficient for public sector funders. Their concern is unlikely to be simply fitness to receive public funds, but

whether they will get value for money – a much tougher test. As noted earlier we think it unlikely that public sector funders will reduce the conditionality and oversight attached to either their revenue or capital funding simply because of a “licence to operate.”

Q3 Are there other things you think we should be doing in addition to those set out on pages 14-17?

We welcome the collaboration with the Information Authority and the FE Bureaucracy Reduction Group. We are however disappointed at the small amount of bureaucracy reduction actually achieved in recent years, and at the acceleration of new LSC bureaucracy in recent months. We would like the Single Voice bodies to re-focus their efforts away from self-regulation onto pursuing with much greater urgency the task of achieving less regulation, less prescriptive regulation and fewer regulators.

Q4 Does our Framework for Performance Management and Improvement do what it needs to do as part of a self-regulating sector? Is there anything we should change or add to the Framework?

Under the Accountability heading our preference would be a new statutory duty on colleges to account more fully to all their stakeholders (not just LSC) for their performance (see page 3 above).

We agree in general terms with the responsibilities of individual providers in respect of reviewing their own organisation [(ii) on page 18]. We believe College Corporations have the primary responsibility for the training of their management and staff [(i) on page 18]. We agree that providers should take steps to keep abreast of good practice. Sharing ideas and experiences with other providers is one means of achieving this. Colleges should, however, be free to do so on a bilateral basis rather than a multilateral basis if they choose. And colleges must have the right to require data thus shared to be treated as commercially confidential and not used for any other purpose. Other approaches might include review by consultants and importing ideas from schools, universities, and overseas.

We have reservations about the concept of peer development as distinct from peer review. In our view responsibility for introducing best practice at a college must lie wholly with that individual college. We do not subscribe to proposals for joint planning/action on underperformance, except where the provision is being delivered jointly under partnership arrangements (in practice in our case that means working jointly with schools or with our partner university rather than with other FE institutions).

We are not persuaded that providers should have a collective responsibility for the sector as a whole. The Independent land-based colleges have many characteristics that differ them considerably from general F E colleges and even more so from Sixth Form colleges. Governors at Plumpton have made clear in response to previous consultation documents that they wish to remain focused on this college rather than having a collective responsibility, even for other land-based colleges with whom we have the closest affinity We do, however, strongly support the continuing role of Landex as a very important Single Voice body in its role as a forum for the sharing of best practice and for research into matters of common interest. They should in our view be a source of help to colleges who want it. They should not be a source of direction, regulation, or intervention.

Q5 Have we got the responsibilities right for governors/directors/trustees within a self-regulating sector? Are there other implications for their responsibilities?

We do not believe there should be a binding commitment to engage in collaborative activities with other FE providers. We have no particular objections to the substance of the other provider responsibilities on pages 21 of the Consultation Document. They are things that any Governing Body would expect to be doing and that Ofsted would surely identify if they were not being done. Several e.g. setting goals, risk management, monitoring performance, are governed by existing codes such as the Combined Code. Our objection is to the idea that what is listed here needs to be enshrined in an FE Code against which performance will be collectively monitored. We regard this as further unnecessary bureaucracy, which duplicates what Ofsted is already doing, or what is covered in the Combined Code, and which will add little if anything to our efforts to improve quality at Plumpton.

As discussed earlier if Government believes that it should be a duty on governors to ensure continuing improvement in the quality of provision, we believe this should be established as a statutory duty on Corporations. We would also be happy to see a new statutory obligation on Corporations to account publicly for their performance in improving quality. Page 21 proposes that an FE code should include a requirement for the organisation's mission to take account of the views of learners, employers and communities. This represents a public obligation which creates rights for learners, employers and communities; if it is really felt to be necessary we believe it should be established as a statutory duty. .

Q6 Are the responsibilities on professionals rigorous enough to support the aims of self-regulation?

We have very strong reservations about imposing professional codes of conduct upon the sector which require collaboration with staff in other FE providers. As Governors we are concerned about protecting the confidentiality of college data; this needs to be explicitly safeguarded. Above all, we subscribe to the principles of Investors in People which lay down that it is for the Board of an organisation to determine the training and development priorities required to deliver the organisation's objectives. We seek confirmation that any code which applies to professional training will recognise this principle.

Q7 Are the provider responsibilities for organisational review and development set out on page 23 the right ones? Are there any others you could suggest?

We welcome the statement that "the primary responsibility for regulating and improving (quality) performance will rest with individual providers". In general we agree with the list of individual provider responsibilities set out on page 23, except that we do not agree that "sharing and learning from other providers" should be a responsibility in its own right. And the responsibility for acting on the needs of learners, employers, and communities has to be conditional upon Governors' other responsibilities, particularly for finance. .

We believe that individual providers also have a responsibility to be more transparent to their stakeholders about their quality performance and about the steps they mean

to take to improve performance in future. We have argued earlier that this should perhaps be a statutory duty on colleges. In our view the Corporation's Annual Report should provide a much fuller treatment of this than envisaged under the Casterbridge model.

Q8 Do you consider collaborative action to improve provider and sector performance to be an essential element of a self-regulating self-improving sector?

Peer review has a useful role to play in improving a college's performance, alongside review by customer panels, Ofsted, importing ideas from other sectors (especially HE), and use of consultants. We actively work informally with other colleges in this area as part of our own self-improvement process. We also value access to key benchmarking data. However the nature of external review required will vary from college to college; the need for peer review may not be universally essential.

We do not believe collaborative action to follow up on a peer review (peer review and development) is essential. It is for the reviewed college, and the Governors and management of that college alone, to decide what follow-up action is required and how it should be delivered. We therefore welcome the assurance that participation in peer review and development is not mandatory.

Q9 Do you agree with the Sector-wide responsibilities set out in the Consultation Document?

No. We do not agree that colleges, and Corporations in particular, have "responsibilities" towards the wider sector, for the reasons set out on page 7. We have explained on page 2 our difficulties with the concept of an "FE sector", and on page 3 why we cannot support collective self-regulation. Our response to the April 2007 Consultation Document made clear that we could not agree to collective self-regulation unless there was an arrangement for colleges – and particularly high-performing colleges – to opt out without damage to their business opportunities. There is really nothing in this Consultation Document which leads us to change our view that collective self-regulation would not be in the interests of this college. We are disappointed that mechanisms for an opt out are not discussed in the document. We have reservations in any event about the practicability of some of the proposals set out here. For example, it is envisaged that the Further Education Authority will deal with underperformance before action is initiated by funding bodies. We wonder whether this is realistic. At present where a college fails an Ofsted inspection, an improvement plan is developed with LSC quite quickly, within a matter of months, because LSC holds the purse-strings. Without this leverage, we see a risk that negotiations between an under-performing college and the Further Education Authority will take longer, perhaps years if the College appeals through the independent appeals process and tribunal referred to on page 30. In our view funding bodies are unlikely to have this degree of patience. Nor is it necessarily in the interests of learners that they should. We judge that the threat of withdrawal of funding is the biggest possible spur to Colleges to act to improve poor quality, and they should not be shielded from it.

Since the original consultation on collective self-regulation last year, the LSC has defined the processes it will follow in exercising its statutory powers to intervene in the governance and management of failing colleges. We believe intervention of this sort should be a statutory process, given the legal risks that would otherwise arise.

We are comfortable with the procedures that LSC intend to follow, and we would question any proposal to replicate them through a non-statutory body.

Q10 Is collaborative working an important aspect of self-regulation? Do you share our judgement of the sector's capacity for collaborative working to tackle under-performance and share best practice and innovation?

It is important to distinguish between collaboration which is driven by local business and education needs and the sort of intervention by a sectoral self-regulator that is envisaged in this Condoc. As mentioned earlier, this college has many partnerships through which it delivers provision. This includes all our HE provision in partnership with the University of Brighton, and all our 14-16 partnerships with schools. The new land-based diploma which we shall be leading from next September involves over 40 schools and colleges across most of Sussex. We also have successful partnerships in the 19+ market with charities and community bodies.

In such partnerships, the quality of what is delivered is indeed a joint matter for the partners concerned. However this sort of local collaboration is quite different from the scope of a national self-regulator with a remit to intervene on the supply-side of college performance. In any event our local partners are largely outside the FE sector, and not covered by the Single voice.

Plumpton does a lot of informal collaborative training and networking and we have a lot of informal collaborative working with other bodies as part of our drive for self-improvement. Both our senior management team and individual governors play an active role in FE representative bodies - and in bodies which impact upon the land-based sector – at local, regional and national level. We do so because we are passionately committed to raising the quality of what Plumpton does to an Outstanding level. It is that same passionate commitment that drives us to reject the formalised and bureaucratic collective self-regulation proposals set out in this Condoc, which rightly notes that the proposals for collective self-regulation go well beyond the collaborative training and networking in place at present. Quality improvement cannot be imposed, as is envisaged here. And we do not believe that a 4% proportion of poorly performing colleges justifies such an onerous burden on everyone else.

Q11 Do you agree with the establishment of a “Further Education Authority” which has a majority of independent members?

No. As we have explained above, we believe there are simpler, and in our view much more acceptable, solutions to the problem. In summary these involve:

- Retaining Ofsted's present functions;
- New statutory duties on governors to improve quality of provision, and to be more accountable to all college stakeholders for their progress and plans in respect of quality improvement. The statutory duties to be couched in general terms, but supported by non-statutory and non-binding guidance from DIUS in conjunction with Ofsted and perhaps amplified by examples of good practice collated by FE representative bodies. The College's Annual Report would be the main vehicle through which Governors would discharge the new duty of accountability to all stakeholders;
- A much more single-minded approach by the Single Voice bodies towards lobbying for less regulation, better regulation and fewer regulators.

Q12 Do you agree with the FE Code?

No. As we have already argued, we believe that some of these requirements (e.g. reporting to stakeholders) should be enshrined as a statutory duty on Colleges. Others, e.g. internal control and risk management, and the role of Boards, just replicates other Codes such as the Combined Code and the terms of the Financial Memorandum. So we believe that an imposed uniform FE Code as envisaged is an unnecessary duplication with an unclear and ambiguous status. It should not be pursued. Colleges who wish to develop their own individual code setting out their particular values and beliefs should be helped to do so.

Q13 Do you agree there should be a new common performance assessment framework? Which KPIs would you wish to be used?

We agree that it would be helpful to rationalise the range of common assessment frameworks currently in place and to develop a handful of key indicators for use across all providers. This is worth doing even if, as we would wish, the ideas for collective self-regulation are shelved.

However we think it may be overambitious to aim at this stage for a single performance assessment framework. It would be better to reduce their number to more manageable levels, and to aim to harmonise parts of the framework where we can. This is because there will in some cases be good reasons for different frameworks. The worst outcome would be to introduce an over-simplified single framework which meets no-one's requirements and simply adds to the plethora.

We agree that KPIs are likely to be primarily output-based, although we would wish to retain the Ofsted criteria at the heart of the assessment process. The KPIs should certainly include retention and achievement, and maybe progression to employment/further study. We would like to see the development as a matter of urgency of a common added value indicator. We agree that individual providers will want to set additional KPIs which are relevant to their own particular business model. At this stage we should not jump to setting minimum levels of performance (beyond say an Ofsted grade 3). Low success rates are not necessarily unacceptable where they are associated with high added value. The definition of a "coasting college" is as much a qualitative judgement as a quantifiable one. Over mechanistic gradings, as in the case of the LSC's Framework for Excellence, undermine the value and credibility of an assessment framework.

Q14 Has the Framework for Accountability got the right elements and relationships to make it work?

No. As we explain in answer to Q10 , we think a framework with regulatory teeth is the wrong approach. It is likely to provoke challenges, or at the very least to alienate those colleges who most need help in lifting their performance. In our view quality cannot be imposed.

Q15 Do you agree with our proposals for risk management across the sector, including the removal of licences to operate from providers which do not meet minimum levels of performance?

We do not believe the proposals suggested for individual providers go far enough to provide proper transparent accountability to all stakeholders. We believe there should be a statutory duty on colleges to account for their quality performance, supported by DIUS guidance on how this duty might best be fulfilled. We expect most colleges would include the information in their Annual Reports.

For the reasons set out in our responses to earlier questions, we do not support the proposals for collective self-regulation, including the concept of a licence to operate and hence any sanction of withdrawing a licence to operate. The only sanctions we could support being imposed by a Single Voice body on a poorly performing member would be a membership subscription differential which reflects the extra costs of the help being provided by the Single Voice body and other colleges.

Q16 Should there be special designations for outstanding providers including Beacon providers?

No. There are too many special designations at present. The aim should be to reduce KPIs as discussed above, focussing particularly on the Ofsted gradings.