

The Single Voice for Self Regulation (for Further Education)

Single Voice response to *Raising Expectations* (the DCSF/DIUS consultation on implementing changes to the machinery of government)

1 Introductory

1.1 Single Voice claims the role laid out in the consultation paper (RE, summary, para 38 and chapter 11)¹ of a “new representative body” for the FE sector, jointly owned and managed by the main college and provider representative organisations, focusing on regulatory concerns.

1.2 Our remit as we see it relates to the extent and manner in which the autonomy of individual FE sector provider organisations, of whatever type, is curtailed or governed, whether for purposes of accountability for public money, securing high quality for users, and/or to preserve and where possible extend the good standing and public reputation of the sector as a whole.

1.3 The consultation paper sets out a series of overt roles and responsibilities for Single Voice, which are addressed in this response:

- a. representation of the collective view of the sector on regulatory matters with Government and its agencies
- b. having at its core the mission to build the sector’s reputation, based on excellence
- c. demonstrating the sector’s greater collective ownership for raising performance, through close working with the new FE improvement and development organisation² currently being set up by appointed Chair Dame Ruth Silver
- d. specifically, spurring sector-owned action to address provision which is either poor or satisfactory but not improving
- e. developing a strong and authoritative position, taking account of learners of all ages and employers
- f. engaging effectively with the Skills Funding Agency.

We readily accept all these responsibilities, insofar as they relate to sector self-regulation.

¹ References beginning RE are to section/paragraph numbers in *Raising Expectations*

² Elsewhere in this paper we refer to this organisation as FEI; we are however aware that the formal name of the FE improvement and development body will be announced on 10 June, after this consultation closes

1.4 Our reading of the consultation paper, and in particular the stated expectations “to minimise unnecessary costs and bureaucracy”, to develop “a light touch environment”, to apply “a clear framework of [performance management] measures common across providers” and to secure “excellent data collected in a low burden way” leads us to suggest, in this response, additional areas of activity that might be secured most effectively through Single Voice. These can be summarised as:

- a. being the lead organisation responsible for setting the environment for FE sector self regulation
- b. authorising access to Local Authority/SFA funding in 2010/2011 and beyond, by seeking provider agreement to a developed Code of Conduct, and by working with DIUS, LSC (pro tem), SFA and Local Authorities to set and enforce minimum levels of provider performance and commissioning standards
- c. developing and maintaining a performance management framework for self regulation through which providers will, individually and collectively, develop and demonstrate their capacity for self regulation and self improvement
- d. acting as a key contributor to arrangements for the external regulation of provider performance, including the further development of a common performance assessment framework for FE and the development of an evidence base necessary to identify underperformance
- e. contributing to the development of a national improvement strategy and associated development activities that are responsive to provider needs, and which reflect sector priorities
- f. recommending to the SFA, as external regulator, on when and where to exercise their statutory powers of intervention against a set of predetermined criteria understood and accepted by the sector
- g. co-ordinating and thus generating cost-effectiveness savings in the operation of a range of independent sector-led initiatives, including the Information Authority, the FE Bureaucracy Reduction Group, the Communications Gateway Panel and FE Reputation Strategy Group
- h. promoting the reputation and the wellbeing of the FE sector as a whole.

2 Principles

2.1 We envisage an FE sector where providers, national agencies and the frameworks within which they all operate:

- a. are focused on and promote the best interests of the sector's clientele – young people, adults, employers and the wider community
- b. are transparent and consistent
- c. promote continuous improvement in both opportunity and standards
- d. act with impartiality and demonstrable fairness
- e. are mutually supporting
- f. draw on existing practice to make best use of proven experience and expertise
- g. are appropriate to context and circumstance.

2.2 We see the infrastructure envisaged, including our view of the positioning of Single Voice within the regulatory system, as one which is likely to achieve the desired outcomes of:

- a. clear, well-informed choice for users based on authoritative judgements about provider performance
- b. enhanced provider and sector-wide awareness of both successes and challenges
- c. earlier identification of potential poor performance, and earlier (scaled) support and/or intervention, resulting in a reduced number of supply-side failures
- d. an agreed set of values, performance standards and ways of working, accepted by all providers which in turn will result in more comprehensive endorsement of sector priorities and commitment to their achievement by its constituents
- e. a reduction in unnecessary bureaucracy, and an overall scaling down of regulatory mechanisms
- f. as a result, a more efficient and cost-effective FE infrastructure, with more funding released to the point of delivery.

2.3 Single Voice sees itself contributing to an FE sector which in coming years will be more streamlined, effective and adaptable. We envisage and will promote development of a sector which, as well as being committed to high quality provision and ever-more responsive to the needs of its clients, is confident and proactive. We see a self regulating FE sector characterised by a professionalism which both acknowledges and respects the autonomy of individual providers, a sector which simultaneously benefits from being open to rigorous internal and external scrutiny, and one which adopts best demonstrated practice amongst the community of providers as a whole.

A note on Independent Specialist Colleges and on Sixth Form Colleges

2.4 The main thrust of this response to *Raising Expectations* focuses on relations between Single Voice and FE sector providers, and on our relations with those agencies having a direct impact on FE sector provider autonomy. We thus tend to focus our comments on DIUS, as sponsoring Department for FE, and on the Skills Funding Agency as the body which will “maintain oversight of the pattern and range of institutions, their performance and viability, covering their work with both young people and adults” (RE, Chapter 9 summary). We are however aware that *Raising Expectations* proposals would (a) move Sixth Form Colleges “back within the local authority family” (RE, 3.33 -36) and (b) place Independent Specialist Colleges catering for learners with learning difficulties and/or disabilities in a direct relationship with local authorities (RE, 3.43-45). For both types of institution, we assume, primary linkage at national level would thus be with the Young People’s Learning Agency and with DCSF.

2.5 We do not consider it within the Single Voice remit to comment on such moves, but do take the view that such institutions – currently part of the FE sector, and with their representative bodies in membership of the Single Voice – should be subject, as far as possible, to the same accountability and performance management regimes as other providers under FE self regulation.

2.6 There will clearly be much to work out in how the two Departments and the two Agencies work with each other, with local authorities (individually and collectively) and with other parties. We ask that, as those relationships are developed, specific attention is given to the regulatory arrangements applying to these two groups of provider, and to the opportunities afforded them by new arrangements. Single Voice would wish to make a contribution to relevant discussions.

3 Relationships

3.1 To play its part in developing the FE sector, Single Voice will need to develop and refine a range of relationships with key players.

3.2 We would expect Single Voice to:

- a. be in close, regular strategy-level dialogue on regulatory issues with Government, seeking to inform, advise on and influence policy on those issues at a formative stage
- b. work alongside DIUS, as the sponsoring Department for the FE sector, to progress implementation of agreed strategy on regulatory issues, and to monitor impact
- c. hold frequent meetings with other Departments of State, to promote and help design FE sector-wide involvement in other areas of strategic priority: this would be very much in line with the consultation paper’s expectation of the

future evolution of joined-up national commissioning, and the role of FE in developing national human capital (see 11.10ff)

- d. work with Government and other agencies to ensure that any arrangements for external regulation, including inspection and the common performance assessment framework, are developed in ways which meet the needs and capabilities of a self regulating sector
- e. work closely with national, regional and sub-regional agencies involved in FE system delivery, including:
 - i. agreeing and implementing a robust, sector-wide approach to accrediting providers as eligible for public investment for FE provision
 - ii. agreeing minimum commissioning standards
 - iii. receiving reports on provider performance and providing analysis and strategic advice to the sector on implications
 - iv. agreeing a sector-wide development and intervention strategy, and recommending final-stage intervention by SFA where this is necessary to ensure continuity of high quality provision for learners and employers
- f. have a particularly close, synchronised working relationship with the new sector-owned FE improvement and development organisation, thereby ensuring that the sector has greater control over how core improvement funds are spent. We see this relationship being set out in a working protocol which clearly explains the respective roles and responsibilities of Single Voice and FEI and which will result in :
 - i. co-production of a National Improvement/Development Strategy which identifies sector-wide priorities, and shaping national development initiatives
 - ii. evidence of best practice, and ways of disseminating this effectively as guidance to the sector as a whole
 - iii. wide adoption of effective peer review and development activity, as one of a range of tools available for the sector to achieve continuous improvement and innovation
 - iv. increased in-sector delivery of improvement and development services
 - v. identification of specific instances where support is needed to pre-empt a lack of performance improvement and/or to bolster any impending shortfall in high quality provision
- g. develop, over time, sponsorship of the Information Authority, the FE Bureaucracy Reduction Group, the Communications Gateway Panel and the FE Reputation Strategy Group as independently chaired sector-led agencies, with a view to securing efficiency gains – eg through pooling of back-office functions - which will allow for a release of resources to the point of delivery

- h. secure from other relevant system-wide organisations – including the envisaged FE Data Service and OFSTED – and other agencies fit-for-purpose performance management information and wider intelligence on the wellbeing and perceived standing of the sector
- i. engage with users of the FE sector, both to inform our own assessments of sector activity and to promote and disseminate key messages about the sector and its constituent providers.

3.3 Alongside these activities Single Voice will, through its member bodies and through the imminent development of an “FE Council”, maintain direct contact with individual FE sector providers. We envisage this fundamental relationship to be multi-dimensional, and evolving over time. The following table offers a set of examples which illustrate the range of relationships that Single Voice might have with colleges and other FE providers:

<i>Function(s)</i>	<i>Single Voice role</i>	<i>Relationship with provider(s)</i>
Promoting the sector to Government etc	Representative Advocate	Seeks to bring about a more conducive context for providers' organisational development
Developing and promoting sector-wide adoption of a Code of Conduct	Standards-bearer Protector of sector reputation and good-standing	Expects adoption of the Code and performance to (at least) minimum standards → provider granted “accredited” status, allowing access to public funds for FE activity
Agreeing minimum performance standards with government/SFA		
In tandem with and/or through FEI, offering advice and guidance (eg on effective self-assessment)	Supporter	Acts as a trusted and respected source of advice; thus secures optimal “buy-in” and adoption of advice → greater consistency of approach across the sector
Analysing and interpreting data and other evidence on performance	Direct contributor to performance management	Allocates “traffic light” assessment → determination of any need for support and/or intervention, and relative “lightness of touch” by external regulators
With/through FEI, setting the criteria and authorising support mechanisms for those with amber/red assessment	Improvement agent Intervention strategist	Secures appropriate expertise from within the FE sector, to catalyse performance improvement and to assist in organisational development
Through further impact monitoring, where necessary authorising final intervention	Protector of sector reputation	Recommends applications of sanctions by SFA under its powers of intervention NOTE: for a provider in this situation, the Single Voice may be experienced as a “policeman”
Sponsoring, for example, the work of the Information Authority	Co-ordinator Promoter	Articulates authoritative, sector-wide view and encourages adoption of agreed sector-led measures

3.4 This delineation of Single Voice functions, and how these might impact on providers, is only illustrative: the relationship will develop and mature over time. Critically, the nature of Single Voice interaction with providers will vary according to context and circumstances, in line with the deregulatory principle of proportional involvement depending on the success of autonomous institutions.

4 A “self-regulating sector” of mutually-supporting “accredited providers”

4.1 The proposal for self regulation commands the deep commitment of all the members of Single Voice, who see the development of a self-regulating sector as highly desirable – but no soft option. While the public sector reform model and Government-wide trends in devolution pass increasing degrees of responsibility to front-end services, and as a result secure cost savings in external accountability regimes, this does not remove necessary checks on the use of public money.

4.2 Self regulation should not be confused with a unilateral declaration of independence. Single Voice is clear that all public service provision - whether health, social services or education - operates within an ecology of partners with interdependent and connected roles and functions. The proposition for FE sector self regulation will only be effective if ownership of the new system runs deep, not only in colleges and other providers, but through government and the other national partners who fund, inspect, set national standards, safeguard professional standards and support improvement and strategic change. All dimensions of the regulatory system should be co-developed and co-owned by those with a stake in its success – such an approach would secure real coherence, trust and commitment.

4.3 Neither is self regulation the same as deregulation. While we would expect the move to a self-regulating FE sector to be accompanied by a simplification of the regulatory landscape and a lessening of external “command and control” functions (such as those already achieved, as identified in RE 11.2-11.3), Single Voice has consistently regarded new accountability relationships as necessary.

4.4 Our vision remains one of

a further education sector comprising respected, autonomous, demand-led organisations acting both individually and collectively to deliver high quality, responsive provision for the benefit of learners, employers, communities and the nation and operating as a respected and trusted partner of government. (*SV Second Proposition Paper, November 2007*)

4.5 We are conscious that the success of the proposals for self regulation will depend upon deep sector-ownership and commitment to the proposition currently being developed by the Single Voice. As a result, we are planning a series of high-level seminars to be delivered in partnership between the Single Voice and

FEI from the autumn. The seminars will bring together leaders and opinion-formers from across the FE sector to secure understanding of the thinking and buy-in to the model being proposed, and to shape the process of implementation and identify the capacity building required to secure smooth transition to the new system. Reports of the seminars will be publicly available and widely distributed for discussion to gain wide engagement from the breadth of the FE sector.

4.6 We recognise the need for a framework for self regulation, and regard *Raising Expectations* as moving us closer to securing this. We take the opportunity in this response to set out how we envisage the new relationship, and the “new provider representative body”, working.

4.7 The consultation paper clearly and properly establishes certain key responsibilities which might impact directly on institutions as FE providers:

- a) local authorities have responsibility for planning and commissioning 16-19 provision, and are accountable for performance in this; their commissioning decisions can impact on a provider’s future viability (RE 4.10ff)
- b) local authorities will also have power to re-organise 16-18 provision (RE 4.15ff)
- c) the Skills Funding Agency is responsible for ensuring funding for 19+ provision follows demand, and meets skills strategy priorities; in doing so, it will perforce undertake a performance management role, including overseeing shifts in the funding of individual providers (RE 9.9)
- d) the Skills Funding Agency will have the power to issue institutions with a Notice to Improve (RE 9.11), and options for more direct intervention (RE 9.13ff)
- e) the Skills Funding Agency will also have an overview of the overall institutional pattern, will assist in the development of new delivery models and may take delegated action in respect of mergers etc (RE 9.19ff).

4.8 Each of these responsibilities, to a greater or lesser extent, raises the question of what constitutes an FE provider regarded as worthy of public support – and who awards such recognition. The consultation paper makes two references to the concept of “accredited colleges and providers” (RE 7.2, 8.4) but does not identify how such “accreditation” is secured. Similarly, while there is recognition that local competitions may result in new providers entering the sector (see, eg, RE 4.11), and an indication that they will need to “meet the necessary quality threshold” (RE 8.8), there is no detail on how this gatekeeping function might be secured.

4.9 Single Voice suggests we are ourselves well placed, as the guardian of sector reputation and the vehicle for self regulation in FE, to advise on the basis of an organisation’s suitability for “accredited” status, and would expect to be involved in preparation of any proposals that are published. We envisage all providers within the FE system being asked to sign up to a Code of Conduct, and

are currently undertaking research into codes of conduct in other areas of public sector service delivery.

4.10 We also accept the rigour of recent application by LSC of “minimum levels of performance”, and note the positive impact this initiative has had on sector-wide standards. Single Voice thus also envisages working with relevant agencies to develop minimum performance standards which need to be met by all FE sector providers in/after 2010/2011.

4.11 We take the view that any potential “new” provider, identified either during commissioning and/or as a result of a competition, should initially be awarded “accredited” status on a provisional basis. It will be important, for the quality of service offered to users and for the wider reputation of the sector, that each provider should “prove their worth” against agreed minimum performance standards (see 4.10 above). We thus suggest that full accreditation as an FE sector provider is in part contingent on having successfully undergone a formal performance assessment by the relevant commissioning/funding body; and that Single Voice have direct input into such exercises where a provider is in its first year of FE sector operation.

4.12 We see the point of transfer to “new” arrangements – envisaged as September 2010 – as a stage where, in all likelihood, some existing providers are denoted as carrying a high level of risk, whether as a result of a Notice to Improve, or weak performance against Framework for Excellence ratings, or some other criterion. Single Voice suggests that providers so denoted should also be awarded provisional accreditation, and be subject to formal performance review including input from Single Voice.

4.13 Given that our expectation is of a self-regulating FE sector of mutually-supporting, improvement focused providers we would expect that all those granted provisional accreditation will be offered organisational development support, drawing on in-sector expertise and experience. The identification and allocation of support in such cases will be a central joint concern of Single Voice and FEI.

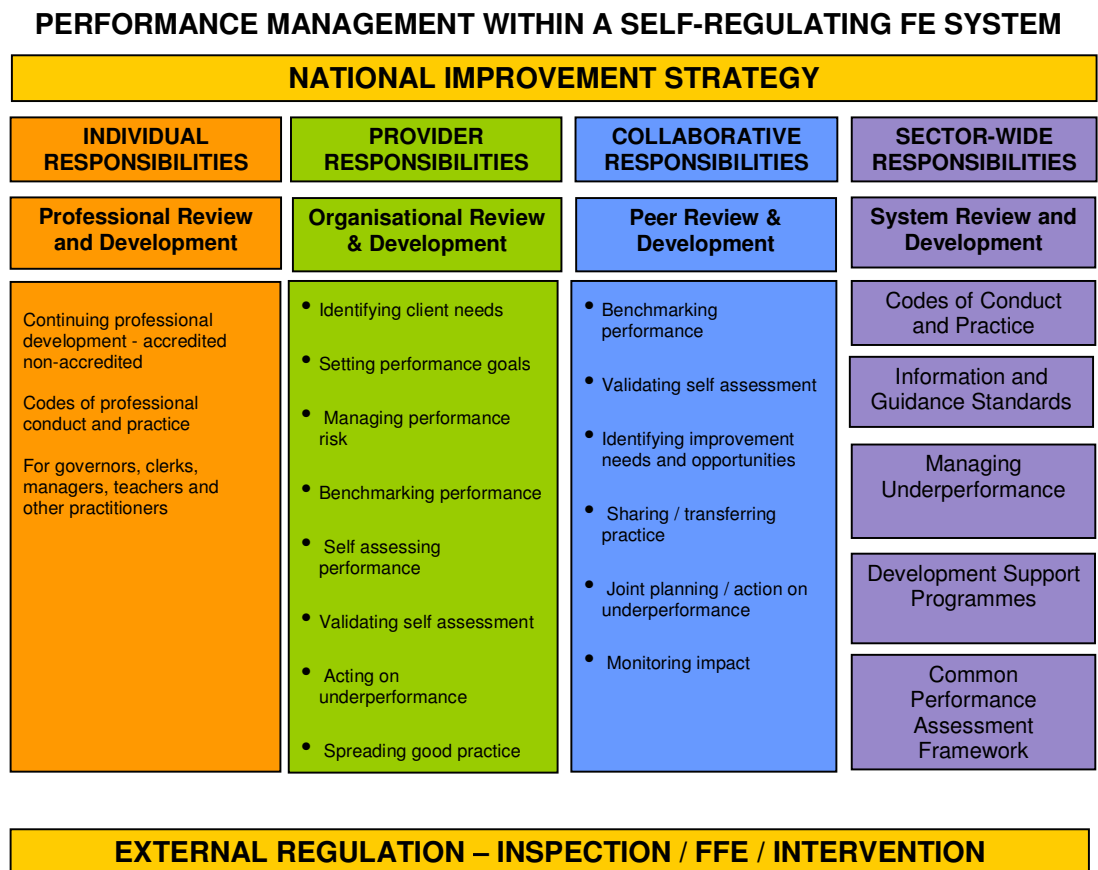
4.14 We would hope to see sector-wide consultation on proposals relating to “accredited provider” status in Autumn 2008, and would expect Single Voice to lead on that consultation.

5 Performance management

5.1 The consultation paper envisages an “annual performance assessment” (RE 3.40) which by implication will be undertaken by the relevant commissioning body: local authorities for 14-19 provision, and the Skills Funding Agency in respect of 19+ provision. Powers of intervention, to be applied in circumstances of serious underperformance or institutional failure, will be held by the SFA for all ages. These responsibilities are however set in the context of sector-wide self regulation, with “responsibility firmly in the hands of individual institutions for their

performance” and “a transparent system” for holding institutions to account (RE 4.3).

5.2 Thinking within Single Voice has brought us to the view that performance management in a self-regulating FE sector is best effected in line with the following framework which, we believe, addresses all the consultation paper’s propositions:



5.3 At an institutional (organisational) level providers will be expected to develop and demonstrate their capacity for self regulation and improvement through named processes of organisational review and development. Self-assessment is already an integral feature of FE provider activity, and providers are increasingly recognising the importance of securing external validation for their judgements. New guidance will be issued shortly to signpost how self assessment should be further developed to meet the needs of self regulation, as well as other policy drivers. Processes for ensuring the rigour of the self assessment judgments, for targeting underperformance and for managing risk will be highlighted within the guidance.

5.4 Single Voice, in its second proposition statement, asserted that providers have collective responsibilities for the performance and reputation of the sector. Whilst FEI will continue to develop the practice and capabilities of providers in this regard, it is the responsibility of the Single Voice to determine the basis on

which collaborative action will be used for regulatory purposes, and we will assert this through codes of practice and guidance standards.

We believe that current development work funded by QIA, and being progressed through the Support for Excellence initiative, is successfully involving an increasing number of providers in so-called “peer review and development” groups. To date, however, only a bare majority of adult learning providers, and a small proportion of independent providers, are so engaged, and few of the groups are constructed to allow for cross-fertilisation between different types of provider. Single Voice looks to the new FE improvement and development organisation to consolidate on lessons learned to date; to distil, refine and disseminate a common understanding of effective practice; and to prioritise early enhancement of peer review and development capacity across all parts of the FE sector.

5.5 We encourage these actions because we believe all providers should be competent at working effectively with others by no later than the end of 2009/2010 teaching year. They should by that stage be confident, mature and rigorous in their approach, assuring and improving their performance through systems that facilitate the benchmarking of performance, the validation of self-assessment judgements, the sharing and transfer of good practice and joint planning/action on underperformance. While accepting that other models may be equally effective and acceptable in each of these activity spheres, our working assumption is that the Support for Excellence programme will generate evidence on how these functions might be secured through “peer review and development.”

5.6 Sector-wide elements in this framework will be secured through the input of a range of agencies, including the new FE improvement and development organisation, funding bodies and the inspectorate as well as Single Voice itself. Single Voice has a key role in sponsoring the codes of conduct /practice and guidance standards through which performance management activities will be carried out. Our aim in this will be to ensure that what results is fit-for-purpose, designed to take account of existing practice, and promotes continuous quality improvement and innovation within the sector. The Single Voice contribution to this model will include:

- a) offering advice and guidance, based on best demonstrated sector practice
- b) working with and through FEI to enhance institutional and sector-wide capacity for joint working, so that proven peer review and development practices are available as one of a range of means by which institutional SARs are validated
- c) drawing together available evidence on institutional and sector-wide performance, with particular attention being paid to data generated from the application of common output measures, SAR validation, inspection findings and user feedback, and establishing appropriate benchmarks
- d) using this evidence to:

- i advise individual institutions in cases of concern about performance
- ii alert FEI on the need for organisational support and development
- iii inform local authorities/SFA, as appropriate, of findings from our collation of the evidence so as to inform their commissioning decisions and/or to advise envisaged “case conferences” (9.13ff)
- iv monitor the impact of peer support and development
- v recommend, where necessary, on the need for direct statutory intervention by SFA.

5.7 We believe that by taking responsibility for these sequential actions, Single Voice can secure the sought-for progressive devolution of power and authority that characterises a self-regulating sector; will effect significant streamlining of otherwise dispersed functions, and so reduce unnecessary bureaucracy; will thus generate system-wide savings, both in time (earlier identification of concerns) and resource (cost-effective co-ordination of performance information); and can secure necessary institutional stability through enhancing focus on individual and collective provider responsibilities for performance.

5.8 We would of course also expect this approach to lead to internally driven institutional and sector-wide raising of performance, while at the same time positioning Single Voice with the information needed to promote and enhance the reputation of the FE sector and its constituent colleges and other providers. We thus suggest that the SFA should exercise its powers of direct intervention – such as where performance does not meet nationally agreed minimum standards - only where prior action sponsored by the Single Voice in dealing with the causes of under-performance has not been successful.

6 The Common Performance Assessment Framework

6.1 Single Voice fully endorses the consultation paper’s proposition that “a clear framework for assessing performance” should be adopted which is “common across all providers” (RE 4.7) We welcome moves to establish a single set of high level ‘output’ measures for assessing provider and sector performance, and also support the proposed coverage of this framework – standards and quality, users’ views, value for money – as set out in *Raising Expectations* paragraph 4.8. We are however less convinced that data from the framework should “provide the single ... basis for making commissioning decisions”.

6.2 The consultation paper acknowledges that individual institutions are responsible for their performance. It is only at the point of delivery that change can be effected, and it is now established practice – in schools, as well as in FE – for providers to self-assess or self-evaluate. Such activity both identifies relative strengths and weaknesses, and leads to the setting of organisational development priorities. We believe that findings from institutional self-assessment, appropriately validated, should be considered alongside performance data as a key component of performance management in a self-regulating sector.

6.3 Alongside these two indicators of performance, we would also not wish to underplay the usefulness of inspection judgements on providers, and while welcoming the “lighter-touch” approach being adopted in the current OFSTED inspection cycle, believe headline inspection findings and the outcomes of Comprehensive Area Assessments should continue to influence the future commissioning of FE provision. Single Voice also takes the view that, in a demand-led system, user feedback should be seen to carry considerable weight: although client views are included in the proposed coverage of the current Framework for Excellence, we believe more general feedback such as that provided through effective learner involvement processes should form part of the evidence for commissioning decisions.

6.4 Single Voice also has reservations about the efficacy of the LSC’s current Framework for Excellence being the basis for a sector-wide approach. Piloting to date has been limited to a minority of colleges and a small proportion of work-based learning providers, and other parts of the sector – notably adult learning providers, specialist colleges and offender learning – will not be fully engaged until 2009/2010. We have yet to be convinced that the application of the Framework for Excellence (as piloted) allows sufficient flexibility to reflect mission-specific provider performance; and believe that opportunities are being missed to draw out evidence which would help highlight the sector’s contribution to wider social agendas, such as community cohesion. We are concerned that, in respect of some of its detail, FfE fails to provide a cost-effective way of generating much-needed benchmarking data; and we are uneasy about the extent to which the current approach – seemingly driven by accountability requirements – fits with wider, industry-standard approaches to organisational development and improvement models such as EFQM, which are becoming well-established in parts of the FE sector. We suggest an early review of the future fitness for purpose of the Framework for Excellence as developed to date, and also urge early work in aligning the measures to those used in inspection.

6.5 Notwithstanding these caveats, Single Voice repeats its view that a common framework is a necessary underpinning tool for performance management in a self-regulating FE sector. We would wish to be involved, more directly than has been the case to date, in developing a set of core measures which can effectively illuminate the performance of individual providers, and the sector as a whole. We would also expect the nascent FEI to seek involvement in this project, and look to their input to ensure that any resultant Common Performance Assessment Framework has a diagnostic application which will support improvement as well as accountability.

7 Joint commissioning

7.1 Paragraph 8.25 of *Raising Expectations* points to the ongoing development of joint commissioning arrangements with DWP to underpin the integration of employment and skills, while paragraphs 11.10ff raise the possibility of wider “joining-up” of commissioning nationally. As the commitment to a shared objective of sustained employment and progression is realised, so colleges and other providers are likely to be increasingly engaged in the delivery

of DWP funded provision. We of course welcome these moves, but take this opportunity to warn against the risk that bilateral arrangements might undermine the sector-wide approach to self regulation that we envisage for FE. The performance management of any jointly-commissioned provision will need to be explored to maximise the alignment of systems and efficiency of operations.

7.2 The principle that is being established in the current programme of work on self regulation - that external intervention should only be used after self-regulatory approaches have been tried – could provide a common starting point for developing alignment across the different performance frameworks. Substantial work will be needed to maximise commonality and to minimise bureaucracy associated with working across boundaries. Single Voice looks to DIUS to act as facilitator for our own involvement in any discussions about future joint commissioning, so that we can be assured that systems are not adding burden to FE providers.

8 National Improvement Strategy

8.1 We note that one of the roles of the new FEI will be to “oversee the delivery of the National Improvement Strategy”, (RE 9.4) and Single Voice has already had brief discussion with FEI Chair Ruth Silver on development of the Strategy, responsibility for which currently rests with the National Improvement Partnership Board, chaired by a member of the Single Voice. Given that a self-regulating FE sector sets the context for an agreed National Improvement Strategy, we feel it is important that Government is clear on where responsibility for development of the Strategy lies.

8.2 Single Voice members’ experience to date suggests there is much to be done to secure greater sector “buy-in” to any future refresh and/or review of the National Improvement Strategy. While accepting that elements of the Strategy need to reflect centrally-determined initiatives, we take the view that future approaches to Strategy development need to be much more inclusive, including direct (and where necessary facilitated) contribution from system users, providers, their representative bodies and Single Voice itself. In essence, we envisage a process of co-production, and believe this will secure greater sector-wide ownership of future Strategies.

8.3 We also believe that the simultaneous creation/further development of an FE system marketplace, and the move to FE sector self regulation, will have implications for “national partners”(currently CEL, QIA, LLUK and BECTA are in membership of NIPB alongside provider representatives, the Departments and Ofsted). We expect such agencies – and, indeed, others who offer support and development to a self regulating FE sector - to be more targeted in future on responding to needs identified by providers, by representative bodies and by Single Voice. We also anticipate the operation of such agencies to become more contestable in future, which has implications for the way they present themselves to market; the way their performance is monitored; the way they themselves seek to improve the quality and effectiveness of their service offer; and their value for money.

9 Sector-led initiatives

9.1 Paragraph 11.3 of *Raising Expectations* highlights a range of recent and impending moves which are designed to give providers in a self-regulating environment greater freedoms to operate; we would also identify lighter-touch audit and inspection as helpful moves in this direction, and look to further reductions in centralised arrangements to release funding for use at the point of delivery. The paragraph also draws attention to the recent transfer of other functions previously undertaken by Government or its agencies into independent, sector-led agencies; and at 11.16 overtly references the FE Information Authority as being in time sponsored by Single Voice. We readily accept such responsibilities.

9.2 Members of the self regulation project team have already been in close negotiation with relevant bodies, and are currently agreeing terms for sponsorship and co-ordination. Single Voice looks forward to positive joint working relations of this type with a range of independent sector-led bodies. We will use our authority within the FE sector to promote their further activity; to facilitate the ways in which they work in partnership with government; and to ensure that they positively influence ways of working within and across the sector as a whole. We envisage the Code of Conduct – to be adopted by all publicly funded FE providers – placing an expectation on individual providers to act in line with the recommendations and decisions of these sector-led bodies.

9.3 It is also appropriate, here, to reiterate the importance Single Voice places on user feedback, and to confirm Single Voice's clear commitment to working closely with FEI to ensure learner input (eg via the National Learner Panel) and findings from the National Learner Satisfaction Survey appropriately and properly influence future actions.

10 Single Voice

10.1 As indicated at the outset of this response, Single Voice claims the role of the “new representative body” on regulatory matters; preceding comments have sought to illuminate our thinking to date on what that will involve. We are perhaps understandably concerned to secure full legitimacy with the FE sector, so that we can speak with the authority expected of us by *Raising Expectations*.

10.2 With that aim in mind, we are currently taking legal advice on the creation, composition and remit of an envisaged FE Council – including prompt execution of our agreed responsibilities regarding the governance arrangements proposed for the new FE improvement and development organisation. We are looking to secure, direct from provider organisations, a body of personnel who will reflect the breadth, experience and talent of the sector and who will act concertedly to promote FE and its interests, and help bring about a self-regulating environment which promotes continuous improvement and innovation. We are likely to make necessary Single Voice decisions on this by the end of June, and expect to have

an FE Council in place by September 2008; it is likely that the representative bodies in membership of Single Voice will expedite this important strand of our current workplan.

10.3 As to the organisation of Single Voice itself, we are aware that there are risks that adoption of multiple and varied functions will give rise to creation of a multi-faceted bureaucracy, and are strongly committed to avoiding this at all costs. We see Single Voce as a small, focused and streamlined body with carefully delineated key strategic functions, many of which can and will be secured by working through, in partnership with, and/or by commissioning work from other bodies and agencies. Our current assessment is that we will need a single national infrastructure through which we will direct and manage:

- a) representative body functions, which will be both inwardly and outwardly facing, reflecting our work to further develop the performance and to promote the interests of providers
- b) envisaged regulatory and performance management functions, including direct liaison with funding/commissioning agencies and external regulators on commissioning standards, codes of conduct, powers of intervention etc; securing and analysing relevant evidence on institutional and sector-wide performance; and multi-agency work on developing and refining a set of measures for inclusion within the Common Performance Assessment Framework
- c) development and innovation activity, including as a key focus our relationship with the FE improvement and development organisation and actions to secure continuous improvement in provider and sector-wide performance
- d) a strategy/communications function, through which Single Voice work on reputation management and our evolving relationship with independent sector-led initiatives will also be co-ordinated.

10.4 Single Voice is of the view that, though challenging, it is realistic to expect these functions to be developed in time to match our own progress against the target dates set out in *Raising Expectations*. We believe we will by September 2009 have made sufficient progress to operate shadow processes, working alongside other nascent organisations to inform the FE commissioning round for 2010/2011, which is the point at which we see new regulatory arrangements formally coming into being.

June 2008