

# UCU evidence to Education select Committee on the OFSTED Annual Report

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## 1. Introduction

UCU welcomes this opportunity to submit its views on the recent OFSTED Chief Inspector's Report. UCU represents academic staff working in FE colleges and in prison and community learning services.

- UCU has been concerned for some time about OFSTED and its work in the FE and Skills Sector. Whilst we quite naturally share the ambition for excellence in the sector, the 2011/12 Chief Inspector's report has adopted a distinctly over-critical and indeed inaccurate position which fails to recognise the wider and imposed conditions in which the further education sector operates. We address each of our concerns below.

## In Summary

### Inspection Regime

UCU is concerned that:

- The annual report has presented an overview of the quality of the sector that is biased by the "proportionate" and risk based selection of providers for inspection.
- Lack of clarity in the Common Inspection Framework (CIF) did not allow providers a fair opportunity to be assessed against understood criteria.
- The current OFSTED inspection methodology is more suited to the narrower focus of school provision and does not allow for an accurate reflection of the greater variety and often more wide ranging nature of provision offered by colleges.
- The effect of moving from a five grade to a four grade system has led to cruder judgements which have condemned provision that requires a more nuanced approach.

### FE Sector Achievements

UCU is deeply concerned:

- At the derogatory tone and language used to describe the achievements of FE which we also believe to be inaccurate when correctly understood.
- That the achievements of the sector have not been set in or understood in an accurate context acknowledging fully the diversity and disadvantage suffered in society by the learners that come to our institutions to change their lives.
- That the report doesn't adequately reflect the unending effort, commitment, passion and good will of the teaching staff that the FE and Skills sector rely.

### Self-Monitoring and Internal Lesson Observation Schemes

UCU is deeply concerned:

- That the annual report has signalled a green light to those who want to “get tough” on teachers while not doing enough to explain that increasingly punitive internal lesson observations and grading’s do not ensure real or sustained improvements to teaching and learning.
- Following changes to the inspection framework and the annual report unilateral changes to increasingly draconian internal college lesson observation schemes has become the single largest industrial issue leading to local disputes.
- And worried at the reckless damage being done to the professional esteem, morale and good will of teaching staff in the FE Sector due to the tone of OFSTED’s report.
- The report fails to acknowledge the funding implications of the prescribed ingredients for the provision of real and sustained outstanding teaching and learning and rather imply failure on the teaching staff that remain after funding cuts and redundancies.
- There is no acknowledgement that less than outstanding teaching and learning is not always down to teaching staff but a function of not enough funding, not enough people doing the job and not enough time to do it.

### **More detail supporting our concerns**

#### **3. Inspection Regime**

4. UCU is concerned that the annual report has presented a biased overview of quality in the sector. The move to ‘proportionate’ and risk based inspection, clearly means that providers who have been judged ‘outstanding’ or ‘good’ were not inspected proportionately. As such, given that just over a third of providers inspected over the last year were selected on the basis of risk assessment, this inevitably slues the overall picture towards the negative.
5. Since 2007 there has been a constant stream of adjustments to the Common Inspection Framework (CIF) to which the learning and skills sector has responded to each time. From September 2012 a new CIF was introduced, yet, the language employed in earlier inspections suggests that on occasion providers were being judged against forthcoming criteria which the sector was not yet due to be assessed against.
6. We also question the inspection methodology employed by OFSTED. Colleges typically have a wide-range of provision and with the deliberate ambition of ensuring that provision is relevant and specific to the locality, the nature of provision varies widely therefore from institution to institution. Any judgements on a college must be in the light of the particular mission of the provider. Given that OFSTED inspected just 40% of provision and that last year this inspection took place across just three or four subject areas, it is difficult to see how inspectors were able to build up a genuine picture of the nature and quality of provision based upon this methodology.
7. UCU has for long considered that the change of OFSTED grading from 5 grades to 4 was mistaken. Under a four-grade scale Grade 3, now covers situations where a provider might be ‘satisfactory but improving’ or ‘satisfactory with quality declining’. A five-grade scale meant that overall judgement could be more nuanced. The position has become far worse with the decision this year by the Chief Inspector, to change the description of Grade 3 to ‘requiring improvement’. We consider this a far more crude judgement whose effect was to condemn provision without reference to more nuanced and for the provider, more helpful judgements.

8. Although UCU welcomed the move back to 2 days of notice before an OFSTED inspection from no notice given, this still poses difficulties for colleges in collecting all the necessary data for inspection and informing staff not on college sites of the inspection. This can paint an unfavourable and negative picture of colleges.

#### 9. FE Sector Achievements

10. We are deeply concerned by the use of derogatory language used in the report to denote the significant success rates that colleges have achieved. In 2005/06 the overall success rate for long qualifications was 70%. This rose in each succeeding year to 80% in 2010/11. These changes are as a result of the dedication and additional commitment of teachers and lecturers who are working in the context of reduced funding, increased workloads due to mass redundancies and new freedoms and flexibilities which are seeing wide-scale organisational change. In addition the sector has delivered against the very measures against which it was funded to achieve. The questioning of the moral determination of the sector to provide high quality and relevant provision is therefore quite difficult to comprehend. We feel that this casual derision of these professional feats goes as far as being insulting.

11. Although there is a different Common Inspection Framework for schools and for FE and skills providers, UCU believes that individual inspectors do not always appreciate the difference between schools and colleges. FE providers, especially colleges cater to a much more diverse student population than schools and FE colleges are often on more than one site. They may be delivering on employer sites and in community settings. As an example, here are some examples of the different nature of the college cohort<sup>1</sup>:

- ethnic minority students make up 21% of students in colleges, compared with 13% of the general population;
- 14% of 16 to 18-year-olds in colleges were eligible for, and claiming, free school meals at age 15, compared with 8% in maintained school sixth forms and academies;
- 130,000 college students are aged over 60;
- 80% of English for Speakers of Other Languages (ESOL) students study at a college; and
- 220,000 unemployed people undertake education and training in Colleges; 98% of Colleges recruit via Jobcentre Plus.

12. We feel it remiss that while there is a strong focus on progression to employment, the report has not addressed the sector's successes in progressing learners into higher education. 170,000 FE students progress into higher education each year and in addition, further education colleges also compare favourably to higher education institutions with respect to widening participation for young full-time first degree entrants. Nearly a quarter (22.9 per cent) of all such entrants registered at FECs were from neighbourhoods with low rates of participation in HE: this is more than double the rate (10.5 per cent) for all such entrants registered at English HEIs.<sup>1</sup>

13. We also note that when commenting on qualifications in English and maths, the Annual Report describes the colleges' success rate in Maths functional skills (55%) as among "the weakest areas" in the learning and skills sector. The schools success rate of only 59% achieving 5 A\*-C grades, however, is not criticised. Colleges can only provide English and maths functional skills to 16-18 year olds who have to achieve GCSE A\*-C.

14. Colleges respond quickly and flexibly to the many and changing demands and priorities of Government such as increasing the numbers of apprenticeships and enrolling full time pupils from the age of 14. In addition, one-third of A-level students aged 16 to 18 study at a College. No reference is made to this provision and we feel this further strengthens are

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<sup>1</sup> AoC College Key Facts 2012, available at: <http://www.aoc.co.uk/download.cfm?docid=2AD2516B-15E7-4941-BBC0EE16FF382CF6>

argument that the Chief Inspectors Annual Report for Learning and Skills is not representative of the sectors true performance and achievements.

#### 15. **Self- Monitoring and Internal Lesson Observation Schemes**

16. OFSTED's harsher and more critical approach towards FE has triggered a level of panicked and knee jerk unilateral changes to make many internal lesson observation schemes harsher and more punitive on lecturers.
17. This behaviour from colleges has increased following the release of the Annual Report as the language and tone of the report invokes a "get tougher" approach but does not adequately explain how real teaching and learning improvements are achieved.
18. OFSTED's "Features of good lessons include"
  - Good planning to meet all learner's needs especially in mixed level classes
  - Innovative and stimulating learning activities and resources
  - Appropriately gauged individual support"

However in the context of unprecedented redundancies, funding cuts and consequent increases in workloads it is little wonder that some of these features have started to suffer through no fault of teaching staff other than not enough hours in the day.

19. Numerous FE colleges response to the messages they understood from the annual report was to seek to introduce without notice inspections for which if you were internally graded a 3 Satisfactory you could trigger punitive capability procedures which could lead to dismissal. This is not a viable way of encouraging the spreading of best practice or honest professional reflection on practice.
20. UCU believes that internal lesson observations should be supportive of those being observed.; that it is an opportunity for teaching professionals to receive advice and guidance from fellow professional teachers on their strengths and weaknesses, to provide material for professional reflection, and to identify areas for CPD and further training and support.
21. Tone and nature of its recommendations fail to adequately make the direct connections between poor resourcing of the sector and the fact that the ingredients for outstanding teaching and learning require time and funding. Instead the report has been used by many in the sector as a green light to dump on already underpaid and overstretched teachers for failing to consistently deliver outstanding teaching and learning with inadequate time and resources to do so. It is a testament to the good will and commitment of teachers in FE that performance of has remained steady in the current environment. There is a very real danger that the annual report will destroy what remains of teacher's good will and morale when used to justify harsher and more critical lesson observation schemes without the time, resources or environment necessary to sustain improvement.
22. The report needs to do more to explain that mimicking their inspections internally 3 times a year is not a path to sustained improvement and needs to do more to encourage colleges to establish genuinely supportive and developmental internal observation schemes.

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<sup>i</sup> HEFCE, (2012), *Widening participation and non-continuation indicators for further education colleges: overview of trends*, available at:

<http://www.hefce.ac.uk/media/hefce/content/pubs/2012/201220/Widening%20participation%20and%20non-continuation%20indicators%20for%20FECS.pdf>