

Speech: Sir Gerry Berragan keynote speech: Ofqual Conference 2018

So I've titled my talk 'The Institute 10 Months On'. I have been in this job now three months almost to the day, but prior to taking up this post I was on the board for six months or so prior to that and it's really great to be able to join the Ofqual conference today and talk to so many awarding organisations all in one place. I want to cover three things in the next 20 minutes or so. Firstly, a bit of background, because I am constantly surprised when I talk to audiences who are engaged in further education and skills training as to how few really recognise, if you like, the government's position on this and understand what's going on in terms of transformation and I want to talk about the Institute's place in that. Secondly, I want to talk about a view on how it's going from the Institute's perspective and then to look ahead at what's coming next.

So the policy background first of all, the Government reforms that have been pursued since about 2011 in the skills domain aim to reboot training provision in England. The core diagnosis was that we suffered from low productivity, partly due to low or inappropriate skill levels, despite around £3 billion of government money being spent in this area each year. The main reason was that the system had developed as provider-led, leading to the dominance of provision in about 10-20 occupations, most of which were convenient and profitable to deliver rather than because they met the varied needs of employers, learners and the economy. Other problems included the fact that although participation is quite strong with around half a million apprentices starting their apprenticeships each year, only just over half of them went on to complete them. Few of those apprentices progressed beyond the level that they initially took, with only around 15% genuinely progressing higher up to the higher skills levels. More than 15% of all apprentices received no training at all and around 20% didn't know they were on apprenticeship, so despite all of that large-scale effort and cost to the taxpayer, employers continued to complain of skills shortages – indeed as Mark has just done so – skills shortages particularly at levels 3, 4, and 5.

So two main reforms have been implemented. The first one was to move purchasing power more directly to the end user, in this case the employer, and secondly employers being given direct control over the curriculum by removing intermediaries such as sector skills councils, and tying awarding more closely to industry defined output standards.

At a programme level, you can see these strategies playing out in the decisions to test employer ownership, the Wolf and Richard reviews, the abolition of the qualifications and credit framework, the defunding of sector skills councils, and the abolition of the UCES.

On a more positive note, the creation of further education loans, implementation of trailblazing, and the creation of the Institute, and the establishment of the employer's levy and with it the employer account

structure. So the role of the Institute within these reforms is to secure quality through two mechanisms. Firstly through direct employer contribution to apprenticeships design; instead of having standards bodies operating in a separate bubble, work is owned by one organisation on a consistent basis with the employer design and challenge locked in. The subsequent standards are then open and available for all to use, and cannot be monetised. Secondly, restricting the free market in awarding and there are two approaches here, two separate approaches. On technical education, moving to a single awarding organisation for pathways, so the awarding organisations themselves compete for the market rather than within it, and on the apprenticeships, by securing a robust, independent endpoint assessment, this generally takes away the need for separate qualifications, except where legislation, regulation, or professional status is required. So the Institute's mission, and this is a mission I've developed myself taking on the job, is to improve access to high quality apprenticeships and technical education in order to transform the skills landscape. That remit is both enabling and regulatory. Enabling because it's helping employer groups to develop quality apprenticeship standards and assessment plans, and regulatory because it ensures that those standards and assessment plans meet the agreed quality criteria to be funded. If you look at the words in the mission, improving access is about not just improving access for potential apprentices and for employers, but also for all of those minority groups or those from socially disadvantaged groups being able to access the opportunities that apprenticeships offer.

The Institute also provides oversight on the provision of quality assurance for the delivery of apprenticeship endpoint assessments and it provides that quality assurance itself where employer groups have been unable to identify any other arrangements and it manages the potential conflict of interest between those two roles by contracting out the latter role, the quality assurance role itself. This remit will expand later this year to include responsibilities for technical and professional education in England and the first element of that transition, which was responsibility for the occupational maps, that grouped those skilled occupations together with similar knowledge skills and behaviours, and that transition took place in November last year and we've just run a public consultation on that on those maps, which concluded in early February.

So that's the policy background. How is it going? Well, in January last year, the IfA didn't exist and according to the Cabinet Office External Assurance Review it was six months behind schedule with three months to go – no Board was in place, the organisation had a handful of staff, and questions were being asked during the passage of the technical education bill as to whether the IfA would be ready on time. By the end of February, a month later, the Institute had secured office space, ICT services, and was on-boarding staff. The size of the organisation was around 40 at launch, rising to a full complement of 86 by October, and by October the Institute was fully operational, had a digital management system, its own website, and a set of values. The Civil Service People Survey for last year yielded a staff engagement score of 70%, putting it in the top 10% of Civil Service organisations alongside Treasury and the FC0. The IfA also had a new Board, which went through its induction process in March last year, 13 days ahead of

launch, and that Board, as you probably all know, is largely consisting of employers of a mixed background, private/public sector, finance, manufacturing and engineering, and some from the FE sector too. 10 months on since our creation, there are now 228 standards approved for delivery and 300 more at some stage in their development. This is already considerably more than 133 of the old framework apprenticeships that are still funded by ESFA and will continue to be funded until 2020.

In terms of apprenticeship starts, I know there was a wobble, people got worried in the autumn that the numbers starting apprenticeships this last year were down from previous years, particularly given the government's manifesto commitment to have 3 million apprenticeship starts by 2020.

When you drill into the data, it becomes clear that there was a rush of starts on level 2 and level 3 framework apprenticeships, the old apprenticeships, in the first four months of 2017 before the Institute came into being, particularly by non-levy paying employers, i.e. the SMEs. And this was clearly an attempt to get ahead of the 10% co-investment contribution requirement and the 20% off-the-job requirement that would come into force from April. I think there was also a concern that some of those frameworks might stop being funded and they wanted to go onto them before that happened.

But then since April, there has been a stark reduction of around 50% in the numbers starting those low level framework apprenticeships, but an exponential growth in the numbers starting on standards-based apprenticeships, the new apprenticeships, particularly in the scope of them and the range of them, and instead of starts being on around 10 or 20 frameworks, they are now on a much wider basis, and increasingly at levels 3, 4, 5 and 6 and indeed 7. Around 40% of all starts are now on standards, that figure a year ago was around 10%, so you can see the exponential growth in starts on standards, the breadth of apprenticeships being taken up and, indeed, the growth in the higher level apprenticeships, which is indeed where employers have been telling us for a number of years, the real skills gap sits. This all suggests that levy payers are keen to use their levy on what they regard as higher quality apprenticeships, that yield better outcomes in terms of upskilling for apprentices and for the wider workforce. And as the official statistics are updated month on month, it seems that the overall fall in starts last year was not nearly as great as was initially reported.

Given that this was always the aim to transition away from frameworks and seamlessly to standards over time, we shouldn't be surprised or disappointed by this outcome. This actually is a manifestation of the plan working. My sense is the government needs to hold its nerve and see this through. This is probably year three of a six-year transition programme, by the end of which, there will be well over 500 standards-based apprenticeships, the levy will have kicked in, the accounts for SMEs will be open and we will be in a whole new, different world by the time those last frameworks are turned off.

I also know that there was a sense of frustration out there, particularly amongst some of the employers at the pace of the shift from frameworks to standards, and with some employer groups criticising the Institute for being

slow and bureaucratic in approving new standards. And let me be clear, some of this criticism was fair, given that the Institute, as I have said, was trying to perform this role while still building its own capability, I describe it as building the aircraft while it is in flight. And it was using processes inherited from when the department previously performed this function using officials to moderate standards and with ministers providing sign-off. So that is why we launched the 'Better, Faster' initiative just before Christmas, aimed at streamlining the approvals process. But you should also understand that some of this criticism is also a convenient proxy used by those who resent paying a levy and wouldn't want to be seen as being reluctant taxpayers, and also by some of those delivery organisations who will stand to lose out from these reforms and have no interest in branching into standards. There is no shortage of vested interests here, so when you hear such criticisms, be just a little bit sceptical.

So what is next? Well, for the Institute, the period between now and the summer is critical. The service improvement work that I talked about, the better and faster work is being rolled out and trailblazers, I am sure, will see a higher quality and more consistent service enabling new standards to be approved much more quickly. What we found when we looked into this work and we did the lean workshops was around 70% of the time involved in developing a new standard was with the trailblazer group, 30% with the Institute, so as much as we could do within the Institute to improve our processes, the real gains were to be made in helping trailblazers get it right first time, so a lot of the effort in the better, faster work is in helping employers do that. I attended last week one of these new intensive workshops with the advertising trailblazer group where they developed, from scratch, their assessment plan in two days helped by Institute staff with all their key players in the room, so this can be done and it can be done much more quickly than we have done in the past. So that shows a vision of where we might get to.

By summer, our fully digital service will have been launched, both improving the user experience and generating substantial process improvements internally in the Institute. We have also recently had our first recognition event with the membership, this is the 100+ people, sector experts, who sit on our route panels and who act as our expert advisors on standards and assessment plans coming through. That is a distinctive feature of the IfA. Given that there is more than 100 of them and less than 86 of us, it shows you the proportion employer input into the Institute.

We will also need in this next period to conduct reviews into the stock of existing standards-based apprenticeships where some of them have been going now for nearly three years, and we know that there were some price and quality compromises made earlier on to get some momentum into the reforms and we have also been asked by ministers to review a selection of the funding bands for some of those early standards using the new funding methodology that we have developed, to ensure they remain appropriate, deliverable and good value for money.

This period is also critical for us because it should fire the first real shots for the Institute in the technical education arena. The department has

recently agreed to us to begin to hire a new dedicated team of staff, and we have started to do that, and we will see an increase in complexity as the Institute adds both procurement and contract management functions to the existing curricula and development work. We will also nearly double in size. And although technical education is still in its design phase, it is clear that by taking the similar approach to apprenticeships i.e. deriving the content and output standards for these qualifications using the same employer input that we used for apprenticeships, this will have a major impact on both employers' recognition of those qualifications, but also on the existing level 3 qualification landscape, which Sally showed on one of the earlier slides.

I know that Sally talked about this earlier, but I want to reaffirm that we're working really hard, hand in glove with Ofqual to ensure that the accreditation of these qualifications and the approval of their content is seamless from the perspective of the awarding organisations. I describe this arrangement as an alliance built around a common aim.

We also share Ofqual's concerns, that Sally mentioned in her response to the consultation exercise, about the need to clearly articulate the need for these qualifications, how they fit into the new qualifications landscape, what they offer prospective students and their parents, and also to deliver them in a way that ensures the success of their wider rollout. The last thing we wish to do is start with the first three on the wrong footing and get them a bad reputation. We need to deliver them successfully from the outset, and I think the timeline for the delivery of the initial three pathways is worryingly tight in that regard.

I hope that gives you a flavour of what the Institute has been up to in its first 10 months and what it plans to achieve moving forward over the next year. There is certainly no shortage of change or challenge in this area, just as in the wider qualifications landscape, as Sally described earlier. This puts a premium on all elements of the training and education establishment remaining focused on the goal to transform the skills landscape, fill the skills shortages, provide transformational opportunities for people seeking to upskill themselves and, ultimately, improve the productivity of this country, and that is probably enough from me now.

[News story: Grayling: progress on Transpennine route upgrade and Crossrail 2 to advance in lockstep](#)

Transport Secretary Chris Grayling has announced today (2 March 2018) that he expects a £3 billion programme of upgrades to the Transpennine route to begin

from spring 2019, as an Independent Affordability Review is established to ensure the affordability of Crossrail 2.

Speaking in Leeds, Mr Grayling said that whilst work is underway on the key route between Manchester, Leeds and York, he expects Network Rail to begin investing the £3 billion into an ambitious rolling programme of works as soon as possible.

[Transpennine upgrade film](#)

Mr Grayling also reaffirmed the government's commitment to ensuring transport improvements across the country advances in lockstep, announcing that an Independent Affordability Review, commissioned jointly by the Department for Transport and Transport for London, has been established to ensure that Crossrail 2 demonstrates affordability and value for money to the taxpayer.

The Transport Secretary also said he will work with local authorities along the Transpennine route to discuss how to maximise the benefits of the £3 billion investment, such as creating new stations to increase access to the railway and finding opportunities for housing development.

Transport Secretary Chris Grayling with Andrew Percy, MP for Brigg and Goole, and Siemens staff at the site of the planned train factory in Goole.

At the Transport for the Northern Powerhouse conference, Mr Grayling said:

I want to realise passenger benefits from the £3 billion we have ring-fenced for the Pennine route as fast as possible.

Network Rail has already begun detailed designs, and provided us with options for the Transpennine Route Upgrade to meet the objectives we've set out – for journey times, capacity and reliability.

That – in turn – has given us an opportunity to undertake the work in phases starting as soon as spring next year.

This is not just about meeting rising demand for train travel. It's about transforming journeys too.

The Transport Secretary also said he will work with local authorities along the Transpennine route to discuss how to maximise the benefits of the £3 billion investment, such as creating new stations to increase access to the railway and finding opportunities for housing development.

The Independent Affordability Review into Crossrail 2, commissioned jointly by the Department for Transport and Transport for London, is an important step in developing the project.

It will focus on the affordability of the project, ensuring the project learns from the best practice exhibited by projects like Crossrail, and that

those who stand to benefit from new infrastructure contribute to funding it. Mike Gerrard, former managing director of Thames Tideway Tunnel, has agreed to lead the review, ensuring the public gets an affordable scheme that is fair to the UK taxpayer.

Chair of the Independent Affordability Review, Mike Gerrard said:

Crossrail 2 has the potential to relieve congestion and unlock housing, jobs and development to support future growth in London, but it is imperative that it can be delivered in an affordable way that is fair to both the London public and the wider UK taxpayer.

Major projects work best when independent reviews, drawing on a wealth of experience, help move them from plans to spades in the ground. I am delighted to chair this crucial review and I look forward to working with the Department for Transport and Transport for London to ensure that Crossrail 2 is the best project it can be.

Mike Brown, London's Transport Commissioner, said:

We welcome the government's backing for infrastructure projects of national importance such as Crossrail 2 and are pleased to be working with the Department for Transport on the Independent Affordability Review led by Mike Gerrard. This is an important step forward for a project that is vital for London, as reflected in the Mayor's Transport Strategy, and for the whole of the south-east region.

The Review is expected to conclude in summer 2018.

[Press release: New charity investigation: Lantern of Knowledge Educational Trust](#)

The Charity Commission has today confirmed that it has opened a statutory inquiry into the Lantern of Knowledge Educational Trust (1111331). The inquiry was opened on 17 February 2018.

The Commission's inquiry is examining the charity's general administration, governance and management by the trustees, including the management and supervision of staff at the school with access to children or young people.

It will also examine the charity's policies and procedures, including those relating to safeguarding.

In a report into the school published by Ofsted in January 2018, the inspectorate concludes that "governors have not held school leaders to account for the decline in standards", and "have too readily accepted information from school leaders without insisting that it is rigorously analysed".

The opening of the inquiry follows engagement with the trustees and a compliance visit to the school's premises in November 2017.

The Commission has exercised its powers, under sections 47 and 52 of the Charities Act 2011, to compel the provision of information and records.

It is the Commission's intention, in accordance with its policy, to publish a report after it has concluded the inquiries, detailing what issues the inquiries looked at, what actions were undertaken and what the outcomes were. [Reports of previous inquiries](#) by the Commission are available on GOV.UK.

If there has been misconduct or mismanagement in a charity or the charity's beneficiaries, staff, property or assets are at risk, the Commission will take robust action to both protect these and deal with the failings either of its own motion and/or in collaboration with other agencies.

The charity's details can be viewed on the Commission's [online charity search tool](#).

Ends

Notes to editors

1. Charity Commission is the independent regulator of charities in England and Wales. To find out more about our work, see our [annual report](#).
 2. Search for charities on our [online register](#).
 3. The Commission's role is as charity regulator to oversee charity trustees' compliance with charity law duties and responsibilities.
 4. Section 46 of the Charities Act 2011 gives the Commission the power to institute inquiries. The opening of an inquiry gives the Commission access to a range of investigative, protective and remedial legal powers.
 5. The Commission does not investigate matters relating to education standards in schools; this is a matter for the DfE, Ofsted and/or other authorities.
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[News story: Industry roundtable on aviation security](#)

Alongside the Department of Homeland Security's Secretary Nielsen, the Home Secretary and Aviation Minister heard from key aviation representatives including from Heathrow and Manchester airports, and Virgin Atlantic Airways and British Airways.

The meeting is part of an ongoing collaboration between the UK government and the civil aviation industry.

Home Secretary Amber Rudd said:

The global aviation system continues to be a target for terrorists who seek to destroy our way of life. This is an issue that is not isolated to either one country or one airline.

The UK is a global leader on aviation security and today was a chance to continue our strong collaboration with international partners, such as the US, as well as industry.

We agreed how important it is to continue sharing information and capabilities when it came to combating the terrorist threat and I heard about the good work already being implemented by airlines and airports to protect the travelling public.

I look forward to continuing this close engagement as we all work together on the safety and the security of our air travel.

[Press release: Charity Commission confirms statutory inquiry following convictions for "horrendous" terrorist abuse](#)

The Charity Commission has today confirmed that a statutory inquiry into the Essex Islamic Academy (also known as Ripple Road Mosque) (1131755) is underway, having started in October 2017. The announcement, which confirms the Commission has been in regulatory engagement with the charity since 2017, follows the conclusion of the criminal trial today of Umar Ahmed Haque, a

former religious teacher at the charity.

The Commission did not previously make the opening of the inquiry or its prior regulatory engagement with the charity public to avoid prejudicing the police investigation and subsequent criminal trial.

At the start of the trial, Mr Haque pleaded guilty to disseminating terrorist material to children at the Essex Islamic Academy. Following a 6 week trial at the London Central Criminal Court, Mr Haque has today been convicted of further offences, including the preparation of terrorist acts also relating to the Essex Islamic Academy.

Now the criminal proceedings are over, the regulator will resume its investigation in full. Once the Commission has completed its investigatory enquiries, it will deal with any failings or evidence of misconduct or mismanagement by taking appropriate regulatory action.

As part of the inquiry into the Essex Islamic Academy, the Commission will consider how Mr Haque was able to attempt to radicalise children, and what the trustees and others at the charity knew about this. The regulator will examine the level of supervision, due diligence and oversight the charity had over Mr Haque, and its adherence to safeguarding policies and procedures.

The Commission has liaised closely with multiple agencies including the police, educational regulators and the local authority on this matter since information was shared with the regulator by the Metropolitan Police's Counter Terrorism Command about Mr Haque in 2017.

Michelle Russell, Director of Investigations, Monitoring, and Enforcement at the Charity Commission said:

The crimes that Mr Haque has been convicted of today are horrendous, and are likely to have a devastating effect on many of the young people exposed to this harm.

This is one of the worst cases we have seen with children, as young as 11, being exposed to harm through attempted radicalisation and terrorist material by this man. The welfare of these children is of utmost importance to all agencies involved. Mr Haque's abhorrent actions don't just affect these children, but their families and the community as a whole. It is important that those affected have the appropriate support made available to them, and the Commission will continue to do all it can to support the statutory agencies to ensure that this is the case.

The vast majority of mosques and supplementary schools including madrassahs do good work and are an important resource in local communities. What happened clearly damages the trust and confidence the children's parents had in the charity he was employed at, as well as wider public confidence. We and the public expect charities, particularly those working with children and young people, to be safe places, free from abuse or harm. This was not

the case here, where Mr Haque grossly abused the trust placed in him because of his position and teaching role.

Today's conviction will reassure the public that such abuse is not tolerated, and that those responsible will be held accountable for their actions. We will continue to work closely with the police and other authorities to tackle the threat terrorism and extremism poses to charities, their beneficiaries and their work.

Essex Islamic Academy

The Commission opened a statutory inquiry into the Essex Islamic Academy on 2 October 2017 to investigate serious regulatory concerns relating to Mr Haque's time at the charity and the charity's safeguarding practices. The inquiry is examining the administration, governance and management of the charity, including the management and supervision of staff with access to children or young people and the charity's adherence to its policies and procedures including its Child Protection Policies. The inquiry is also examining the charity's financial controls. The regulator's engagement with the Essex Islamic Academy prior to opening the inquiry included corresponding with the trustees and conducting a compliance visit to the charity's premises in September 2017.

In January 2018, as part of the inquiry, the Commission exercised its temporary and protective powers and issued an order under section 84A of the Charities Act 2011 to direct the trustees of the Essex Islamic Academy not to provide educational classes or any recreational activities which involved regulated activity with those under the age of 18. This restriction and order will apply until the trustees are able to demonstrate that they have complied with a number of urgent actions required by the regulator.

The trustees gave assurances that they had voluntarily stopped regulated activity at the charity. However, given the seriousness of what happened, the regulator exercised its powers and issue an order in any event especially in light of its role to act in the public interest and the need to protect the charity's beneficiaries.

Further information

The Commission has also exercised its powers, under sections 47 and 52 of the Charities Act 2011, to compel the provision of information and records relating to Mr Haque, and the general governance of the charity more generally.

No complaints were previously raised with the Commission regarding Mr Haque or his roles or employment at any charity.

The Commission is not a prosecuting authority. The investigation of criminal offences is a matter for the police and/or other authorities.

The lead on protecting children at risk are Children's Services and law enforcement agencies. The Commission is encouraging anyone who may be

affected by this case to contact Children's Services for further advice on 020 8227 3811 in Barking and Dagenham. Social services, supported by the police, are delivering a comprehensive and long-term safeguarding plan to protect and support them.

It is the Commission's intention, in accordance with its policy, to publish a report after it has concluded the inquiry, detailing what issues the inquiry looked at, what actions were undertaken and what the outcome was. [Reports of previous inquiries](#) by the Commission are available on GOV.UK.

If there has been misconduct or mismanagement in a charity or the charity's beneficiaries, staff, property or assets are at risk, the Commission will take robust action to both protect these and deal with the failings either of its own motion and/or in collaboration with other agencies.

The charity's details can be viewed on the Commission's online charity search tool: [Essex Islamic Academy](#).

Ends

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1. The Charity Commission is the independent regulator of charities in England and Wales. To find out more about our work, see our [annual report](#).
2. Search for charities on our [online register](#).
3. The Commission's role is as charity regulator to oversee charity trustees' compliance with charity law duties and responsibilities. Regulation of the standards of education in supplementary schools is not within the Commission's legal remit. In 2015, the Department for Education ran [a consultation on registration and inspection of out-of-school educational settings](#) providing intensive tuition, training or instruction to children outside of school.
4. Section 46 of the Charities Act 2011 gives the Commission the power to institute inquiries. The opening of an inquiry gives the Commission access to a range of investigative, protective and remedial legal powers.
5. Mr Haque was employed at the Essex Islamic Academy from 2014 to the date of his arrest (May 2017).
6. The Commission issued the order under section 84A of the Charities Act 2011 on 19 January 2018.
7. Regulated activity is work which involves close and unsupervised contact with vulnerable groups including children. The full legal definition of regulated activity is set out in [Schedule 4 of the Safeguarding Vulnerable Groups Act 2006](#) as amended by the [Protection of Freedoms Act 2012](#).