

# Natspec response to call for evidence

## Post-16 Level 2 and below study and qualifications in England

10 February 2021



### Introduction

Natspec is the membership association for organisations which offer specialist further education for students with learning difficulties and disabilities. We represent 99 colleges and approximately 6,000 students, all with high needs. The majority of our member colleges offer some form of accredited provision, the greater proportion focused on vocational qualifications, personal, social and/or employability qualifications, and English and maths qualifications, mostly at level 1 and below. Some of our members offer level 2 qualifications, including GCESs, BTECs and other vocational qualifications. A small number offer A levels and BTECs at level 3, sometimes in partnership with a general further education college. Member colleges also make considerable use of non-accredited provision.

The responses below are to the relevant questions in the Department for Education's call for evidence on post-16 level 2 and below study and qualifications in England.

### **Question 6: Would a new form of transition programme be the best way to support progression for 16 to 19 year olds who want to study at level 3 but are not quite ready to progress and do not plan to take a T Level? If not, please suggest an alternative approach.**

We would not support the use of a prescribed transition programme for learners wishing to progress to study at level 3. The small number of specialist colleges supporting learners to progress to level 3 qualifications take a highly personalised approach. They are often addressing failings in the young person's Key Stage 4 learning experience or 'picking up the pieces' after a previous failed post-16 placement. They will work to put in appropriate support, introduce new strategies that the learner can themselves apply, building confidence and self-belief, as well as addressing gaps in learning. They need to be free to work in this way.

### **Question 7: Do you have evidence of existing effective practice in the design of study programmes to support 16 to 19 year old students to progress to level 3? Please provide details.**

Specialist colleges offering these programmes combine appropriate level 2 qualifications (e.g. BTECs/GCSEs) with a wider wrap-around to address potential barriers to progress. They may also combine these with independence skills needed for future success in learning. For example, for a blind student whose goal is ultimately higher education, the level 2 programme might include a focus on mobility and household skills as well as English, maths and vocational or academic study.

**Question 8: Which elements should be included in a new form of transition programme to address barriers to progression to level 3?**

We are not supportive of a prescribed transition programme. However, guidance on developing programmes to support progress to level 3 might include the following:

Elements to address barriers to progression need to be personalised to the individual learner and their planned progression route. They may include some or all of: maths, English/communication or digital skills; activities to address confidence and self-esteem; employability or learning skills; personal or social skills; vocational/academic learning.

**Question 11: Where level 2 classroom-based study leads to employment, our starting point is that it should be aligned with employer-led standards. What further actions can we take to ensure that, as far as possible, classroom-based qualifications hold the same value in the labour market as apprenticeships and that they work alongside each other effectively?**

We would support the principle that sector-specific learning should be *consistent* with employer-led standards, where they exist. This would be a means of helping ensure currency. However, the qualifications should not be restricted to the content of employer-led standards or be mapped exclusively to a single standard. Learners may need to explore a range of different sectors at level 2 or to get a broad sense of the different routes within a single sector. For some students acquiring general employability skills may be just as – or even more important – than the sector-specific skills. Some learners with SEND may need more explicit teaching of these skills than their peers, particularly where they struggle with social interaction. Classroom-based study needs to cover these skills, too, rather than being too narrowly defined.

**Question 16: What are the main factors providers consider when deciding whether a student should start at entry level rather than level 1?**

Baseline assessment establishes the learner's starting point; a learning programme is then devised to stretch and challenge the individual, building on current strengths and addressing weaknesses. Different aspects of a programme might be pitched at different levels, reflecting a learner's 'spiky profile'. Learners will work towards the highest level of achievement possible for them within the time span of the programme and, where relevant, the constraints of their learning difficulty/disability, particularly where this affects their cognitive ability.

Occasionally, where a learner has had a very negative prior experience of education or has/is experiencing mental health issues resulting in a loss of confidence or difficulty in engaging with learning, a provider might decide to start at Entry level to re-engage the learner and build up their confidence, with a view to accelerating them quickly onto level 1 and beyond once those early barriers are addressed.

**Question 17: How do providers define good outcomes for 16 to 19 year olds studying at entry level? Which features are most effective in achieving these good outcomes? Please refer to the features listed in paragraph 56 in your response.**

Broadly speaking, good outcomes for learners studying at Entry level are those that support a learner to reach their potential and make a positive progression from their learning programme. For learners who have a well-written EHC Plan, these will be set out in Section E of their Plan. The outcomes in this section should have a direct relationship to the aspirations of the young person as set out in Section A of the Plan. For a learner with SEND, their Entry level programme should support them to achieve outcomes relating to each of the Preparing for Adulthood pathways: employment/further education; independent living; community inclusion; health. Outcomes, therefore, are personalised to the individual but they might include: paid employment (part or full-time; supported or open); voluntary work; progression to further learning, e.g. a higher level course, a more specialised course or one that broadens and consolidates their existing skills; independent or supported living; improved ability to communicate/self-advocate; increased agency in their own lives; ability to make and retain friendships and have a social life; ability to maintain and improve their own health or manage their own health condition.

The components listed in paragraph 56 will support achievement of good outcomes; the mix and balance of these will be different for different learners, depending on their learning goals. However, these are *components* rather than *features*. Features of effective Entry level programmes include: personalised learning; high aspirations; strong focus on communication skills; interdisciplinary working; use of motivational techniques; appropriate levels of support; programme content and design influenced by the individual's progression plans.

It is the combination of appropriate components and effective practice features, plus the skills of the staff involved, that help secure good outcomes for Entry level learners.

**Question 18: What are the main factors providers consider when deciding whether a student should begin study at level 1 rather than level 2?**

The same principles apply as for determining whether a learner should begin at Entry level rather than level 1. Baseline assessment establishes the learner's starting point; a learning programme is then devised to stretch and challenge the individual, building on current strengths and addressing weaknesses. Different aspects of a programme might be pitched at different levels, reflecting a learner's 'spiky profile'. Learners will work towards the highest level of achievement possible for them within the time span of the programme and, where relevant, the constraints of their learning difficulty/disability, particularly where this affects their cognitive ability.

Occasionally, where a learner has had a very negative prior experience of education or has/is experiencing mental health issues resulting in a loss of confidence or difficulty in engaging with learning, a provider might decide to start at level 1 to re-engage the learner and build up their

confidence, with a view to accelerating them quickly onto level 2 and beyond once those early barriers are addressed.

In addition, providers may consider whether a learner will be able to cope with the English and maths demands of level 2 and whether the assessment model for any associated qualification will present insurmountable barriers to achievement. External/written assessment can prevent a young person with SEND from being able to demonstrate their true level of vocational knowledge, understanding and particularly skills, despite the availability of special arrangements/reasonable adjustments.

**Question 19: How do providers define good outcomes for 16 to 19 year olds studying at level 1? Which features are most effective in achieving these good outcomes? Please refer to the features listed in paragraph 56 in your response.**

The components listed in paragraph 56 will support achievement of good outcomes; the mix and balance of these will be different for different learners, depending on their learning goals. However, these are components rather than features. Features of effective level 1 programmes include: addressing individuals' specific barriers to learning; active and project-based learning; strong focus on generic and transferable skills; use of motivational and confidence-building techniques; appropriate levels of support including to address previously undiagnosed learning difficulties such as dyslexia; access to high-quality CEIAG; opportunities to explore progression routes; programme content and design influenced by the individual's progression plans.

**Question 22: What are the benefits of having three sub-levels at entry level?**

The distinction between Entry 1, Entry 2 and Entry 3 may seem miniscule to those who are not familiar with working with learners with SEND. However, to professionals who work with these learners, the Entry sub-levels represent significant steps in a learner's progress. Many learners with SEND will make much slower progress than their non-disabled peers and these smaller steps allow for that progress to be observed, recognised and recorded. The sub-levels give teachers a framework within which to set achievable yet stretching goals for individual learners. For some learners they can provide a 'ladder' up to level 1.

For other learners, including some with more complex needs, the sub-levels serve a slightly different purpose. The nature of their learning disability may mean that they are not able to progress vertically up through the levels. In this case, the sub-levels allow their achievements to be recognised at a level appropriate to them. Were there only an Entry 3, they would be stuck for ever 'working towards' a level that would never be in their reach.

**Question 24: Which students are GCSEs and FSQs not appropriate for, and why? What are the most effective features of alternative English and maths qualifications?**

While many learners with SEND, with the right support, will be able to access GCSEs and Functional Skills, there are some whose SEN (in particular where they have difficulties with cognition) means that level 1 is an unachievable goal. This makes GCSEs inaccessible per se.

Some learners with SEND will be able to achieve parts of the Functional Skills Qualifications (FSQs) or GCSE content but not all. However, the assessment model for both types of qualifications requires learners to demonstrate competency across the full range of content, thus excluding learners who are not able to do this. In addition, learners must be able to achieve all aspects of these qualifications at the same level, making them unsuitable for learners with a spiky profile.

Many learners with SEND are capable of applying English and maths skills effectively within contexts relevant to them (e.g. on their work placement; in making their own meals or figuring out their journey to college). However, they are not always able to demonstrate this ability through the medium of an external assessment, as required for GCSEs and FSQs. Some learners with autism particularly struggle with scenario-based assessment. They find it difficult to engage with a situation which has no personal significance for them, e.g. booking a holiday to a place they don't want to go to.

Effective features of alternative English and maths qualifications include:

- Portfolio-based assessment which allows for a diverse range of evidence types to be submitted, (e.g. observation records, witness statements, videos, completed documents) enables learners to show that they are capable of applying maths and English skills for authentic purposes.
- 'Bite-sized' qualifications enable learners to focus in on specific aspects of English and maths that are relevant to their lives and progression routes, including intended job roles. These might be used to build on existing strengths and/or to address skills gaps.
- Rules of combination for larger qualifications that allow for units to be achieved at more than one level, particularly at more than one Entry sub-level, and therefore remove barriers to qualification achievement and enable learners' spiky profiles to be reflected.

**Question 25: Are the National Standards for Adult Literacy and Numeracy and the Adult English Literacy and Numeracy Core Curriculum still relevant for the English and maths qualifications that are available alongside GCSEs and FSQs?**

Much of the national standards for adult literacy and numeracy and corresponding core curricula remain largely relevant and should continue to be used to underpin alternative English and maths



qualifications. However, they need to be reviewed and refreshed and brought in line with Functional Skills standards. Following the revisions to FS, there is no longer a synergy between the two – particularly in terms of level of demand (which is significantly higher now in FS standards). We would also recommend that the Pre-Entry Curriculum Framework is revisited. This is a very useful tool for monitoring individual progress in pre-Entry learning but no longer sits entirely comfortably with the FS standards. It also needs updating particularly in relation to use of digital technology, including for assistive and augmentative communication.

**Question 32: What needs to be retained or improved in the current level 2 and below offer to ensure that providers can accommodate the needs of 16 to 19 year olds with SEND?**

To meet the needs of the wide range of learners with SEND working at level 2 and below (aged 16-19 and 19-25 with an EHC Plan), there needs to be a variety of lower-level qualifications available alongside high-quality non-accredited provision. Learners – and providers – should be able to make an informed choice about whether a learner’s programme should comprise qualifications, non-accredited learning or a blend of the two, based on what would most benefit the learner.

As well as supporting progression to further learning and to employment, qualifications can be useful in motivating learners and rewarding effort and achievement. They can be particularly beneficial where learners have never before gained external accreditation and/or have had negative prior experiences of education.

Non-accredited learning can be useful in situations where a learner’s programme is highly personalised and or/where its primary purpose is to develop independence, confidence, readiness to learn, and/or personal and social skills as they work towards individualised learning goals, based on their needs, interests and aspirations.

While many providers make effective use of lower-level qualifications with learners with SEND, use of qualifications is not always driven primarily by learners’ needs. Local authority commissioners of high needs provision sometimes require qualifications to be included in a learner’s programme, more on the basis that it is easier to objectively monitor and measure outcomes in this way than because the qualification directly benefits the learner. Similarly, a qualification may be included in the outcomes section of a learner’s EHC Plan because it is an objectively measurable outcome rather than because it is an explicit requirement for any next step.

Qualifications used for these reasons (rather than on the basis of learner need) often create an extra administrative burden and cost for the provider while adding little, if anything, to the learner’s experience. Some providers describe ‘adding in a qualification’ if that’s what they are asked to do, while regarding the personalised learning programme, and not the qualification, as the key means by which they actually meet learner need. In some cases, however, use of qualifications distorts the curriculum to the learner’s disadvantage, resulting in

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- content being included that is not relevant for or achievable by the learner
  - a disproportionate amount of curriculum time being spent on the qualification, when considered against the learner's needs, interests and aspirations
  - more valuable learning being omitted because there is no space within the programme.

For fear of falling foul of DfE guidance or ESFA funding conditions which do not make it explicitly clear that non-accredited provision is an acceptable route for some learners with SEND, some providers offer qualification-based programmes when non-accredited learning might be more beneficial to the learner. Some providers do not feel confident about developing non-accredited learning programmes or assuring their quality; they are uncertain how to guarantee that learners will be offered a high-quality, purposeful, and stretching programme without the underpinning structure of a qualification.

Some providers feel strongly that learners with SEND have a right to have their educational achievements recognised through the same means (i.e. qualifications) as their non-disabled peers. They see the availability of lower-level qualifications, including life skills qualifications, as an equal rights issue. They believe these qualifications allow learners with SEND to have achievements in those areas most significant for them to be recognised in the same way as GCSEs, A levels and higher-level vocational qualifications do for non-disabled learners.

In terms of qualifications:

Learners aged 16-25 with SEND who are working at level 2 and below need continuing access to:

- Alternative English and maths qualifications at Entry 1, Entry 2, Entry 3 and level 1, that enable them to demonstrate specific skills in context through portfolio-based assessment
- Vocationally-specific awards and certificates at Entry 3, level 1 and level 2 which give them relevant, up-to-date basic knowledge and skills to support progression either to qualifications at the next level or directly into work (supported or open)
- Employability skills awards and certificates at Entry 1, Entry 2, Entry 3 and level 1 and level 2, which recognise the generic skills that will support their progression into employment. These should be broader than described in the consultation document, covering skills such as time management, self-management, following instructions, working in a team, customer service, working to a brief, communication skills.
- Vocational taster qualifications which allow exploration of a number of sectors to support an informed decision before the learner specialises.

We would suggest that qualifications focused exclusively on personal and social development could be withdrawn but this should only be done if the steps set out below, relating to non-accredited provision, are fully implemented.



In terms of non-accredited provision:

- Providers need clear messages from DfE and from ESFA that non-accredited provision is an acceptable – and in some cases, desirable – offer for learners with SEND (currently this is not clearly stated in DfE study programme guidance or ESFA funding guidance)
- Non-accredited provision must be underpinned by RARPA and subject to robust quality assurance
- To grow provider confidence in use of RARPA, DfE should fund training in its implementation and to improve providers' application of the RARPA process. Training should specifically include how to develop a curriculum in the absence of a qualification specification/externally set content.
- DfE should support and fund peer review of RARPA to help secure the consistency and quality of non-accredited provision
- DfE should ensure that local authority commissioners understand the value and purpose of non-accredited provision and advise on the characteristics of effective practice (to prevent LAs commissioning qualification-based provision where this is not to the learner's benefit)
- DfE should ensure LA staff/contractors writing EHC Plans understand the value and purpose of non-accredited provision (to prevent EHC Plan writers including qualifications in the outcomes section of the Plan where this is not to the learner's benefit).