



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Friday 25 November 2016

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

Amendments tabled since the last publication: 28-33, NC5

PUBLIC BILL COMMITTEE

TECHNICAL AND FURTHER EDUCATION BILL

NOTE

This document includes all amendments remaining before the Committee and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the Committee [22 November 2016].

Gordon Marsden
Mike Kane

12

Schedule 1, page 23, line 6, at end insert—

“(4A) The Institute must, in approving the group of persons specified in subsection (3), have regard to the desirability of the group’s members between them having experience of—

- (a) representing or promoting the interests of individual students and apprentices, or students and apprentices generally;
- (b) providing technical and further education;
- (c) providing apprenticeships;
- (d) at least one relevant trade union official;
- (e) employing those who have completed technical and further education courses or apprenticeships; and

Technical and Further Education Bill, *continued*

- (f) any additional knowledge or profession that the Institute considers relevant.”

Member’s explanatory statement

This amendment would ensure that the groups formed to set standards for the “routes” in technical and further education have relevant experience and include students in the process.

Gordon Marsden
Mike Kane

28

- ★ Schedule 1, page 23, line 6, at end insert—

“(6) The Institute, in carrying out its functions under this section, must show due regard for broad representation and diversity amongst the group of persons preparing each standard, including—

- (a) gender and
- (b) the representation of both large and small employers.”

Gordon Marsden
Mike Kane

13

- Schedule 1, page 23, line 20, at end insert—

“(c) information about matters that it takes into account when deciding whether or not to convene a group of persons to prepare a standard for the purposes of subsection (6).”

Member’s explanatory statement

This amendment would require the Institute to publish information about its reasons for convening, or choosing not to convene, a group of persons to prepare a standard for an occupation.

Gordon Marsden
Mike Kane

14

- Schedule 1, page 24, line 6, leave out “as it considers appropriate”

Member’s explanatory statement

This amendment would require the Institute to publish apprenticeship assessment plans for all standards.

Gordon Marsden
Mike Kane

15

- Schedule 1, page 24, line 20, at end insert “and must include the following representatives—

- (a) a number of employers which, taken together, comprise a broad range of employer within the given occupation;
- (b) at least one relevant trade union official;
- (c) at least one person engaged in delivering relevant education at the level of the standard being assessed; and
- (d) at least one person who can represent or promote the interests of students.”

Member’s explanatory statement

This amendment would ensure that groups developing apprenticeship assessment plans include adequate representation of all relevant stakeholders.

Technical and Further Education Bill, continued

Gordon Marsden
Mike Kane

16

Schedule 1, page 24, line 37, at end insert—

“(c) information about matters that it takes into account when deciding whether or not to convene a group of persons to prepare an apprenticeship assessment plan for the purposes of subsection (9)”

Member’s explanatory statement

This amendment ensures the Institute must publish information about its reasons for convening, or choosing not to convene, a group of persons to prepare an apprenticeship assessment plan in respect of a standard.

Gordon Marsden
Mike Kane

29

★ Schedule 1, page 25, line 17, at end insert—

“(5) Regulations under subsection (4) shall be laid before Parliament and shall be subject to the affirmative resolution procedure.”

Gordon Marsden
Mike Kane

30

★ Schedule 1, page 27, line 3, at end insert—

“A2DD Directions: consultation

Directions given to the Institute by the Secretary of State under this Act shall be subject to—

- (a) periodic review, and
- (b) consultation by the Institute with—
 - (i) organisations representing the teaching professions,
 - (ii) further education bodies and provider organisations,
 - (iii) employers and employers’ organisations,
 - (iv) awarding bodies, and
 - (v) organisations representing students and apprentices.”

Gordon Marsden
Mike Kane

31

★ Schedule 1, page 28, line 32, at end insert—

“(3) Regulations under this section shall be laid before Parliament and shall be subject to the affirmative resolution procedure.”

Gordon Marsden
Mike Kane

17

Schedule 1, page 29, line 34, at end insert—

“(1A) In paragraph 2(1) of (membership of the Institute), after subparagraph (c) insert—

“(d) but at least one of the members appointed under paragraph 2(1)(c) must have recent experience of undertaking an apprenticeship, or of representing or promoting the interests of apprentices; and

Technical and Further Education Bill, *continued*

- (e) at least one of the members appointed under paragraph 2(1)(c) must have recent experience of undertaking a technical and further education course, or of representing or promoting the interests of students undertaking a technical and further education course.””

Member’s explanatory statement

This amendment would ensure that apprentices and learners are represented on the board of the Institute for Apprenticeships and Technical Education.

Gordon Marsden
Mike Kane

32

- ★ Schedule 1, page 29, line 34, at end add—

“(1A) In paragraph 2, after subsection (2) insert—

- “(3) The appointment of the Chair and Chief Executive shall be subject to a confirmation hearing by the appropriate select committees of the House of Commons.””

Gordon Marsden
Mike Kane

33

- ★ Schedule 1, page 30, line 17, leave out “negative” and insert “affirmative”

Gordon Marsden
Mike Kane

1

- Clause 14, page 8, line 4, at end insert—

“(3) Before an education administrator may perform functions specified in subsection (2), they must ensure an appropriate assessment is made and published of the impact of performing such functions, including, but not restricted, to—

- (a) the impact on the quality of education provided to existing students of the further education body;
- (b) the capacity of another body or institution to undertake any additional functions or provide education to additional students;
- (c) the infrastructure of the local area, in particular transport;
- (d) any impact on the travel arrangements of students to another body or institution; and,
- (e) any financial impact on those students or any such impact on their travel arrangements, and what measures need to be taken to mitigate them.

- (4) The Secretary of State shall make regulations to specify suitable bodies for making the assessments at subsection (3).”

Member’s explanatory statement

This amendment would ensure that an appropriate assessment is made of any potential impacts on students and their education, if an education administrator puts a further education body into “special administration” and takes action such as transferring students to another institution or keeps an insolvent institution open for existing students. This amendment would also require the Secretary of State to specify suitable bodies to perform such assessments.

Technical and Further Education Bill, *continued*

Gordon Marsden
Mike Kane

2

Clause 14, page 8, line 4, at end insert—

- “(3) The education administrator shall not make any decisions required by subsection (2) without consulting—
- (a) existing students of the further education body;
 - (b) existing staff of the further education body
 - (c) all recognised trade unions at the further education body.”

Member’s explanatory statement

This amendment would ensure that all relevant stakeholders are fully consulted about decisions taken by the education administrator in respect of the future of the further education institution.

Gordon Marsden
Mike Kane

3

Clause 22, page 10, line 6, leave out “for the” and insert “with the primary”

Member’s explanatory statement

This amendment would ensure that the primary concern of the education administrator is the special education administration objective, that is minimising disruption to learners.

Gordon Marsden
Mike Kane

4

Clause 22, page 10, line 7, leave out “(if possible)”

Member’s explanatory statement

This amendment would ensure that the primary concern of the education administrator is the special education administration objective, that is minimising disruption to learners.

Gordon Marsden
Mike Kane

5

Clause 22, page 10, line 7, at end insert—

- “(2A) The education administrator may, in performing his or her functions for the purpose of achieving the objective of the education administration, request information, advice or guidance from practitioners with an understanding of education regarding the management of a further education body.”

Member’s explanatory statement

This amendment would allow an education administrator who, under the eligibility outlined in clause 15, might not necessarily be an education specialist to supplement his or her knowledge.

Technical and Further Education Bill, *continued*

Gordon Marsden
Mike Kane

Clause 22, page 10, line 10, leave out “have special educational needs” and insert— 6

- “(a) have special educational needs;
- (b) are care leavers;
- (c) are parents;
- (d) are carers, carers of children, or young carers, as defined by the Care Act 2014; and,
- (e) have other particular needs that may be determined by the appropriate national authority.”

Member’s explanatory statement

This amendment would make provisions for the particular needs of additional groups of existing students to be considered by an education administrator in pursuing the objective of an education administration.

Gordon Marsden
Mike Kane

Clause 23, page 10, line 31, at end insert— 7

- “(2) The education administrator may not transfer assets of any further education body to a private company where he or she considers that more than half of the funding of the acquisition of the asset came from public funds.”

Member’s explanatory statement

This amendment would ensure further education bodies with a track record of accruing assets publicly, could not be transferred to a private company.

Robert Halfon

☆ Schedule 3, page 33, line 4, leave out “and” 20

Member’s explanatory statement

This amendment and amendment 21 are intended to make it clear that, where the context requires, a reference to the director of a company in the insolvency legislation applied by Schedule 3 can be read as a reference to a person who is a member of the further education body or the principal of the relevant institution rather than both. The purpose of amendments 22 and 23, which relate to references to an officer of a company, is similar.

Robert Halfon

☆ Schedule 3, page 33, line 6, at end insert “, or 21

(c) if the context requires,
both of the above.”

Member’s explanatory statement

See Member’s explanatory statement to amendment 20.

Technical and Further Education Bill, continued

- Robert Halfon 22
- ☆ Schedule 3, page 33, line 14, leave out “and”
Member’s explanatory statement
See Member’s explanatory statement to amendment 20.
- Robert Halfon 23
- ☆ Schedule 3, page 33, line 17, at end insert “, or
- (e) if the context requires,
all of the above.”
- Member’s explanatory statement*
See Member’s explanatory statement to amendment 20.
- Robert Halfon 24
- ☆ Schedule 3, page 36, line 10, leave out “(3)” and “insert “(4)”
Member’s explanatory statement
This amendment corrects a cross-reference.
- Robert Halfon 25
- ☆ Schedule 3, page 36, line 34, leave out “(3)” and “insert “(4)”
Member’s explanatory statement
This amendment corrects a cross-reference.
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- Robert Halfon 26
- ☆ Schedule 4, page 44, line 6, leave out “(4)” and “insert “(5)”
Member’s explanatory statement
This amendment corrects a cross-reference.
- Robert Halfon 27
- ☆ Schedule 4, page 44, line 32, leave out “(3)” and “insert “(5)”
Member’s explanatory statement
This amendment corrects a cross-reference.
-

Technical and Further Education Bill, *continued*

Gordon Marsden
Mike Kane

8

Clause 37, page 18, line 14, at end insert—

“(1A) The Secretary of State must ensure the list of disqualified officers is made publicly available.”

Member’s explanatory statement

This amendment would ensure that a list of disqualified officers was publicly available.

Robert Halfon

18

☆ Clause 38, page 18, line 38, leave out subsection (2)

Member’s explanatory statement

This amendment removes the restriction on the Secretary of State obtaining information for purposes connected with the education of certain people aged under 25. The way that section 54 of the Further and Higher Education Act 1992 is currently framed allows that information to be obtained so the amendment preserves this aspect of the current law.

Robert Halfon

19

☆ Clause 38, page 19, line 9, leave out “(4)” and insert “(3)”

Member’s explanatory statement

This amendment is consequential on amendment 18.

NEW CLAUSES

Kelvin Hopkins

NC1

To move the following Clause—

“Further education bodies: senior management

A further education body shall be required to include in its senior management team a person or persons with professional financial qualifications having specific responsibility for oversight of financial management in the body.”

Technical and Further Education Bill, *continued*

Kelvin Hopkins

NC2

To move the following Clause—

“Further education bodies: governing bodies

A further education body shall seek to ensure that its governing body includes a minimum of two members with professional financial qualifications.”

Gordon Marsden

NC3

To move the following Clause—

“Report on quality outcomes of completed apprenticeships

- (1) The Institute for Apprenticeships and Technical Education shall report on an annual basis to the Secretary of State on quality outcomes of completed apprenticeships.
- (2) The report under subsection (1) shall include information on—
 - (a) job outcomes of individuals who have completed an apprenticeship,
 - (b) average annualised earnings of individuals one year after completing an apprenticeship,
 - (c) numbers of individuals who have completed an apprenticeship who progress to higher stages of education,
 - (d) satisfaction rates of individuals who complete an apprenticeship on the quality of that apprenticeship, and
 - (e) satisfaction rates of employers who hire individuals who complete an apprenticeship with the outcome of that apprenticeship.
- (3) The Secretary of State shall lay a copy of the report before Parliament.”

Member’s explanatory statement

This new clause would require the Secretary of State to report to Parliament annually on specified quality outcomes of completed apprenticeships.

Tracy Brabin

NC4

To move the following Clause—

“Institute for Apprenticeships and Technical Education: duty to promote awareness

- (1) It shall be a duty of the Institute to promote awareness of—
 - (a) occupations, and
 - (b) steps by which people may become competent to work in occupations.

Technical and Further Education Bill, *continued*

- (2) In promoting awareness under subsection (1)(b), the Institute shall give due weight to—
- (a) apprenticeships, and
 - (b) technical education qualifications.”
-

Gordon Marsden
Mike Kane

NC5

- ★ To move the following Clause—

“The Institute: duty to consult

- (1) The Institute shall consult on a regular basis on—
 - (a) the development and progress of standards and assessment plans, and
 - (b) the delivery of apprentice end point assessments.
 - (2) Consultation under subsection (1) shall be carried out with—
 - (a) further education bodies and provider organisations
 - (b) awarding bodies
 - (c) organisations representing employers, and
 - (d) organisations representing students and apprentices.”
-

ORDER OF THE HOUSE [14 NOVEMBER 2016]

That the following provisions shall apply to the Technical and Further Education Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 6 December 2016.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and the proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Technical and Further Education Bill, *continued*
Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.
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ORDER OF THE COMMITTEE [22 NOVEMBER 2016]

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 22 November) meet—
- (a) at 2.00 pm on Tuesday 22 November;
 - (b) at 11.30 am and 2.00 pm on Thursday 24 November;
 - (c) at 9.25 am and 2.00 pm on Tuesday 29 November;
 - (d) at 11.30 am and 2.00 pm on Thursday 1 December;
 - (e) at 9.25 am and 2.00 pm on Tuesday 6 December;
- (2) the Committee shall hear oral evidence on Tuesday 22 November in accordance with the following Table:

TABLE

<i>Time</i>	<i>Witness</i>
Until no later than 10.10 am	Lord Sainsbury of Turville; Shadow Chief Executive for the Institute for Apprenticeships
Until no later than 11.25 am	Association of Colleges; Further Education Commissioner; Sixth Form Colleges' Association; Collab Group (formerly 157 Group); University College London
Until no later than 3.00 pm	Ernst & Young; Lloyd's Banking Group; Santander; Barclays
Until no later than 4.00 pm	National Union of Students; Learning and Work Institute; Blackpool and The Fylde College

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clause 1; Schedule 1; Clauses 2 to 23; Schedule 2; Clause 24; Schedule 3; Schedule 4; Clauses 25 to 45; and remaining proceedings on the Bill; and
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 6 December.
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