Education, Children and Young People Committee

17th Meeting, 2022 (Session 6), Wednesday 8 June 2022

College regionalisation

Introduction

The Committee is undertaking an inquiry on college regionalisation. The Committee intends to look at what has been learned from regionalisation over the past decade and how this might inform future change within sector.

The Committee launched a call for views, which closed on 6 May, and began to take oral evidence at its meeting on 1 June.

Committee meeting

At this meeting, the Committee will take evidence from—

- Stuart Brown, National Officer, Educational Institute of Scotland (EIS);

- Eve Lewis, Director, Student Partnership in Quality Scotland (sparqs); and

- Chris Greenshields, Secretary, Further Education, UNISON.

Supporting Information

The EIS responded to the Committee's call for views and Unison has provided a submission. Both of these are provided at **Annexe A** to this paper.

A SPICe briefing on the issues being considered at this evidence session, is provided at **Annexe B**.

Education, Children and Young People Committee Clerking team
1 June 2022

The Educational Institute of Scotland

About your Organisation

The Educational Institute of Scotland (EIS) is the largest teaching trade union in Scotland. The EIS draws its membership from schools, colleges and Universities.

The EIS is the sole recognised trade union in the Scottish college sector and the EIS - Further Education Lecturers Association (EIS-FELA), is a self-governing association within the EIS. The EIS has members in all 26 colleges in the country.

The EIS initially represented college lecturers when colleges were part of local government. Colleges then moved to be non-public sector independent entities in 1993, and then re-joined the public sector following ONS reclassification. College regionalisation followed thereafter, albeit after the Griggs Report in 2012.

EIS-FELA branches function in colleges in order to support and represent members and, until the advent of national bargaining in the FE sector, negotiated pay and other terms and conditions (T&Cs) locally with college management. Following the establishing of the National Joint Negotiating Committee (NJNC) in 2015, the EIS-FELA has negotiated nationally with college employers on pay and core Terms and Conditions.

What has worked well in the college sector in the years following regionalisation?

Regionalisation of the Further Education sector led to both changes in college governance and a series of college mergers.

Commenting at the time, the then Cabinet Secretary for Education, Michael Russell, described regionalisation as "merely the means of restructuring the sector so that colleges work together to plan strategically while continuing to deliver locally; it does not mean "merger".

Regionalisation has resulted in a number of colleges becoming significantly larger entities, which has impacted the dynamic of the sector in a way that the quote above perhaps did not anticipate. Regionalisation did, in reality, result in college mergers and the creation of a number of significantly larger entities in the sector than had been seen previously. Questions remain on how far colleges have worked together to plan strategically, with it potentially being the case that the largest colleges carry the most weight both politically and strategically.

In the case of local delivery, regionalisation in some cases had the effect of regionalising the courses available to further education students. Where a larger regional college replaced what had once been a number of smaller, more localised,

institutions, courses may have been taken out of local communities. This has clear implications in terms of equity of access and can impact adversely on part-time students and those who may not have the means to afford the travel to a campus further away than the one most local to them.

During the regionalisation process, the Scottish Government allowed each region to develop in their own right, leaving the sector without a common governance model.

As part of the regionalisation process and the ONS reclassification, colleges were reclassified as 'Central Government Bodies', and brought in a greater level of scrutiny on college finances than had existed previously. This move should also have brought colleges under greater parliamentary accountability, however, the issues raised in other parts of this submission leave the EIS-FELA with questions as to how much increased scrutiny and accountability has actually occurred, in practice. To what extent college principals see colleges as a series of autonomous bodies or as a network of public sector regional bodies is unknown.

Following regionalisation and as was recommended in the Griggs Report (2012), the National Joint Negotiating Committees (NJNC) was established in 2015 in order to implement national collective bargaining for the college workforce.

The EIS-FELA views the establishment of national collective bargaining as a significant point of progress for the further education sector. Following such a long period where local colleges had negotiated with local branches regarding terms and conditions, the process of harmonising pay and setting the goal of harmonising conditions nationally has provided a pathway to equity of working conditions for lecturers in the sector.

The National Joint Negotiating Committee is a well designed bargaining machinery, however, there have been significant issues in ensuring that it operates effectively. College employers were initially not supportive of national bargaining, and it remains to be seen if they are indeed fully committed to its success. Over the lifetime of the NJNC, there has been a significant amount of industrial action engaged in by members of the EIS-FELA; on matters such as pay, replacement of lecturers by other roles and in defence of national bargaining itself.

Despite three 'lessons learned' exercises instigated by the Scottish Government, into collective bargaining in the sector, the EIS-FELA believes that a culture exists amongst college employers that defaults to confrontation with unions, as opposed to collaboration and collegiality. Despite a stated desire to subscribe to the Fair Work agenda of the Scottish Government, there is little evidence of this in existence in the sector.

The ongoing roll out of GTCS registration for lectures is a significant step forward for the sector, not only improving the status of lecturers but also their sense of professional worth. Work on this matter is ongoing and despite setbacks and challenges, is evidence that, when committed, college employers work

collaboratively with union representatives. GTCS registration was an agreed output from the NJNC.

Despite challenges, the further education sector in Scotland continues to provide educational opportunities to proportionally high numbers of students from working class backgrounds. The EIS-FELA believes passionately in the role of further education in providing such opportunities.

How might the sector further improve in the years ahead?

College governance remains a key concern of the EIS-FELA moving forward, indeed there have been a number of EIS-FELA branches that have, since regionalisation, instigated votes of no confidence in their boards. The relationship between college boards and principals, despite a Code of Good Governance, can often appear to lack the accountability that would be expected. It is apparent that, across the sector, college principals can and do exercise a disproportionate level of decision making power, without adequate levels of scrutiny or accountability from the boards of management in their college.

One example of such governance issues would be the decision of Forth Valley College, in 2020, to fire and rehire 27 lecturers under poorer terms and conditions, which was ultimately reversed following industrial action. This episode resulted in no financial or educational gain for the college and its ultimate reversal leaves questions as to the scrutiny of the decision, by the college board, before it was made.

A further example of would be the developing situation at South Lanarkshire College, where a vote of no confidence has been submitted by the local EIS-FELA branch, and media reports of issues relating to both board members and senior managers. Despite New College Lanarkshire acting as a regional strategic body for South Lanarkshire College, the current governance issues at the later draw into question the effectiveness of this governance arrangement.

The funding control of regional delivery of learning of further education colleges in the Highlands and Islands is exercised the Court of the University of the Highlands and Islands (UHI). This funding arrangement has slowly starved some further education colleges in the region and effectively replaced further education services with higher education provision ethos that is further removed from the specific needs of local communities.

Despite a public outcry leading to the dismissal of the entire Glasgow College Board of Management, by the then Cabinet Secretary for Education, Angela Constance, the Glasgow FE Region remains dysfunctional and problems remain with all the multi-college FE regions.

As mentioned previously in this submission, despite a strong framework, the NJNC has failed to halt a cycle of industrial action in the further education sector and a

culture of confrontation between management and unions. Since the advent of national bargaining, there has been only one occasion in which a pay award has been made without EIS-FELA members having to resort to industrial action. It is apparent that there is a management culture in the sector of resisting any improvements to terms and conditions of lecturers and those that exist currently cannot be credited to the employers, but to the willingness of lecturers to take action to both attain and defend appropriate working conditions.

It is worth noting that only one policy, on the menopause, out of an exhaustive list including sector wide disciplinary and grievance policies, has been successfully recently negotiated at NJNC - despite joint agreements being made to do so. More commitment to this end is required on the part of college employers. The mindset that sees national bargaining as having no role in the working conditions of local colleges, that exists within the employers' side, must be changed in order to see improvement in this area.

The EIS-FELA would welcome a further review, by parliament, into the governance of colleges, as a starting point to progressing the sector forward in the future.

How might colleges adapt in light of current challenges such as those resulting from COVID-19?

On a college by college basis, institutions generally coped well with the challenges and pressures of the COVID-19 pandemic, however, it must be made clear that it was the willingness, professionalism and adaptability of college lecturers that allowed this to be the case. College lectures adapted well to new methods of virtual learning, continuing to deliver outcomes for students.

Consultation with EIS-FELA locally in colleges was not consistent during the pandemic and there was very little progress made nationally on meaningful dialogue with college employers regarding the pandemic, despite consistent attempts from EIS-FELA to instigate discussion. Such issues are perhaps evident of the issues regarding commitment to collegiality with unions that are mentioned previously in this submission.

Positive lessons can be drawn on from the local colleges where consultation and collaboration was implemented effectively. Such lessons should be considered across colleges and at a national level, with a higher level of commitment from college management.

The EIS-FELA has made clear to employers its view that a sector wide reflection is required on the lessons from the pandemic, including flexible approaches to teaching and learning. However, college employers are yet to commit to such a review. The benefits of a sectoral overview such as this would be that positive improvements

could be made to learning consistently and avoid a situation where there is disparity between colleges and regions

What should be the priorities of the college sector in the years ahead?

The SFC Review into Coherence and Sustainability offers the potential for great change in both the funding and work of the FE sector, there are calls from some areas within the sector for greater collaboration between higher and further education, such as the views outlined in the Cumberford - Little report. The EIS-FELA has welcomed some aspects of the SFC Review but is concerned that some aspects of this report and of a general move towards 'tertiary education' could result in the dilution of further education as a distinct entity and leave behind the areas of the population that benefit most from college learning. Although greater university articulation is to be welcomed, it is not the only role of further education and in the post covid economic recovery, other aspects such as retraining and vocational learning will be of importance in the central role that the sector will rightly play.

A change in the culture of the sector is required to halt the cycle of industrial action experienced in recent years. A fair pay deal for lecturers now would signal a start towards this end. Lessons learned exercises, at NJNC, will count for nothing without employers matching the commitment of the EIS-FELA to work in a more collegiate and collaborative fashion towards shared goals.

College lecturers are the most important resource in the sector. They should be properly valued, invested in and supported in furthering their professionalism. Any further casualisation, through the use of spurious contracts, or deskilling, through their replacement by other roles, should be halted. Combined with this, a greater range of courses, delivery methods, part-time and non-award courses can ensure that those who access further education receive the widest amount of opportunities for success.

Unison Scotland

UNISON is Scotland's largest trade union with members across the public, private and voluntary sectors. UNISON members in further education deliver essential services including cleaning, advice, administration, libraries, technical and research support, IT, finance, learning and student support services, security, porter services and management. These employees are often the face of Further Education in Scotland and contribute a great deal to the overall student experience, providing the foundations for high quality learning for all. We welcome this opportunity to contribute to the committee's work.

The experience of regionalisation has been overwhelmingly negative. Many of the issues we raised as potential problems of regionalisation when it was proposed have come to pass. Nor has Regionalisation, which despite the rhetoric, was always more about saving money than delivering better education effected the promised transformation of further education. Instead we have a sector struggling financially, with service levels for students declining and staff morale at rock bottom.

We are concerned with improving the quality of student experience – and the quality of the services our members provides. Regionalisation has not been a driver of improvement for either of these.

We warned that in terms of the curriculum that courses offered would be centralised. This has been the case. Usually this has been justified on the grounds that it prevents duplication. What it means though is that local provision has been undermined. Students either have to accept a more limited local offer, or travel. This has significant equalities implications. Travel is less of an option for some groups. Disabled people or those with caring responsibilities for example. The reduction in nursery provision we are currently seeing will disproportionately effect women returners to learning for example.

Regionalisation has not for example stabilised college finances. Put simply colleges run up against funding difficulties which they try to resolve via voluntary severance – they then examine what impact this will have on service provision later. What this means is there is no consistency of student experience – or level of service that they might get. Students in some colleges will have fully staffed full time bursary offices but others will have at best access to a part time service. Our members have taken to describing this model of provision as "the Swiss Cheese approach".

The impact of this is not difficult to see. UNISON has at various points since regionalisation surveyed levels of stress experienced by College Staff. We presented these figures to college management in Jun 2019

- 37% of support staff reported having taken sick leave due to stress or partially due to stress (at least a 17% increase since 2016).
- 60% felt that workloads were high or extremely high, 62% were concerned about their own workload and stress & 56% have suffered stress specifically due to workloads.
- Over 60% of respondents were unaware of stress policies at work (almost double figure from 2016).

- 97% said Managers hadn't spoken to them about Group Stress Risk Assessments and 73% said Managers had never discussed work levels and stress with them.
- After returning from stress related sickness 85% of respondents were not advised by Colleges to complete an Individual Risk Assessment form and 90% did not do so (This is consistent with information obtained through Freedom Of Information requests).
- Almost 69% of respondents felt that their stress issues were not dealt with by the Colleges in a satisfactory way.

Here is a picture – over time – of conditions worsening for the staff, who are in many different settings, meant to be supporting students. This is hardly the recipe for an improving educational environment.

Post Covid – there are issues for the provision of direct front facing services - as colleges attempt to replace face to face services with telephone or online provision. There may well be a role for diversity of service provision but these moves put quality of service behind the desire to reduce costs.

Privatisation is still used as a lever for cost savings in further education (catering, cleaning) to the detriment of quality, and the loss of work experience opportunities for students (e.g. hospitality catering). This privatisation of services, often to companies notorious for their poor work practices, has been indicative of a failure on the part of college employers to adopt a fair work approach

Catering in particular was badly hit during the pandemic and the sector has been slow (putting things charitably) to restore services to the level students could expect pre pandemic. There are examples of colleges replacing cooked food with vending machines. This also shows up an inequality of status Why for example are students in some colleges denied access to hot food through the course of the day – while others have access to kitchens? This also points to a lack of status for college students. Is anyone aware of Universities where students have to go all day without access to a hot meal?

Regionalisation has also in some cases encouraged an unhealthy ambition for growth in some college managements. In recent years chasing of overseas markets by some colleges delivers little financial return for the investment.

One development that has delivered some, which although not part of regionalisation was perhaps helped into being by it has been a national bargaining structure. Far from perfect and still not fully realised this has helped provide a more level playing field and equitable treatment for college staff across Scotland.

In conclusion, many of the predictions that UNISON made at the time of Regionalisation; of centralisation, withdrawal of local services and the prioritisation of cash savings over quality, have materialised. Not all of the problems in the sector can be put down to regionalisation, but there are few instances where it hasn't been more a part of the problem than the solution.

One of the reasons the Further Education sector struggles because those who use it,

and those who provide it are seen as less worthwhile than those in the Higher Education sector. A sharp improvement in the status with which Further Education is held won't undo all of the difficulties caused by regionalisation – by significant progress will be impossible without it.

Annexe B

Education, Children and Young People Committee

College regionalisation

8 June 2022

Introduction

This is the second meeting of the Committee's inquiry into the College sector and the impacts of regionalisation.

Last week the Committee took evidence on the policy progress overall. This week the Committee will take evidence from trade unions and sparqs.

The focus of this session is how the range of changes in the past decade have impacted on the workforce and students.

Purpose of Colleges Regionalisation and wider policy trends

Regionalisation and mergers

In September 2011, the Scottish Government launched a consultation on the reform of Post-16 education. The Putting Learners at the Centre: Delivering our ambitions for Post-16 Education paper set out plans to make the college sector more learner centred, as well as being focused on jobs and economic growth. It also signalled a move toward a more interconnected tertiary education sector; since the collaboration between the further and higher education sectors continues to develop.

Aims of the reforms around college regionalisation included:

- An ambition for all young people over the age of 16 to stay in learning and achieve qualifications, improving their job prospects and earnings in the long term.

- Remove course duplication and unnecessary competition for students between colleges and universities.

- Reform the college landscape to ensure it can meet current education, employment and skills challenges and respond rapidly to emerging scenarios.

- Deliver a more efficient system of colleges at a regional level, rather than individual institutions with individual overheads serving overlapping areas. The consultation stated that regionalisation could still support local delivery, taking into account transport needs and economic, cultural and social factors.

- Carry out mergers to create "colleges of scale" to secure "coherent, relevant provision on a sustainable basis, including access-level and advanced and specialist provision".

- In the case of the colleges serving the land-based industries, merging these on the basis of specialism rather than region.

The consultation also stated that all regional groupings of colleges should be able to offer:

- a range of courses to the communities they serve;

- provision responsive to the demography and social and economic needs of the area they serve;

- capacity to deliver on the Scottish Government's commitment to provide education, employment or training for all 16-19 year olds;

- wide availability of access courses; and

- scope to achieve cost-efficiencies through reducing back office and management costs and reduction in course duplication and provision.

In February 2012, Scottish Ministers announced their intention to introduce structural change to the college sector as part of wider reforms to Post-16 education. The Post-16 Education (Scotland) Act 2013 underpinned college regionalisation, which saw the formation of 13 college regions. These are: Highlands and Islands; Glasgow; Lanarkshire; Aberdeen and Aberdeenshire; Ayrshire; Borders; Forth Valley; Dumfries and Galloway; Edinburgh and Lothians; Fife; Tayside; West; and West Lothian. Subsequently, college mergers reduced the number of colleges down from 41 in 2011 to 26 currently. Most of these colleges sit within the 13 regions established by the 2013 Act.

ONS Reclassification

The Office for National Statistics (ONS) announced prior to regionalisation that incorporated colleges throughout the UK would be considered public sector bodies from April 2014. This decision meant colleges are now treated as part of central government for budgeting purposes.

[Audit Scotland's 2013 report on Scotland's Colleges](#) stated that this change meant colleges had to operate within an annual budget reflecting their income and expenditure and "avoid creating a surplus or deficit within Scottish Government budget control limits". This put restrictions on colleges' scope to build up financial reserves and led to the creation of arm's-length, independent foundations to protect college financial reserves.

Cost pressures

The sector has experienced a number of cost pressures over the course of the past decade; both in terms of, at times, reduced funding and increased costs. An example of the increased costs is pay harmonisation. The SFC's [Review of Coherent Provision and Sustainability](#) said—

> "Since college reorganisation in 2014 up to this latest funding settlement for AY 2021-22, Scottish Government revenue funding for colleges has increased in real terms year on year, and by £185m in total cash terms over this period. This increase is mainly due to the Scottish Government funding the costs of national bargaining – the harmonization of staff terms and conditions. This means that although funding increased by 20.8% overall from 2016-17, 16.4% of that total was for pay harmonisation or pensions, leaving a smaller increase of 4.4% for other cost pressures." (p114)
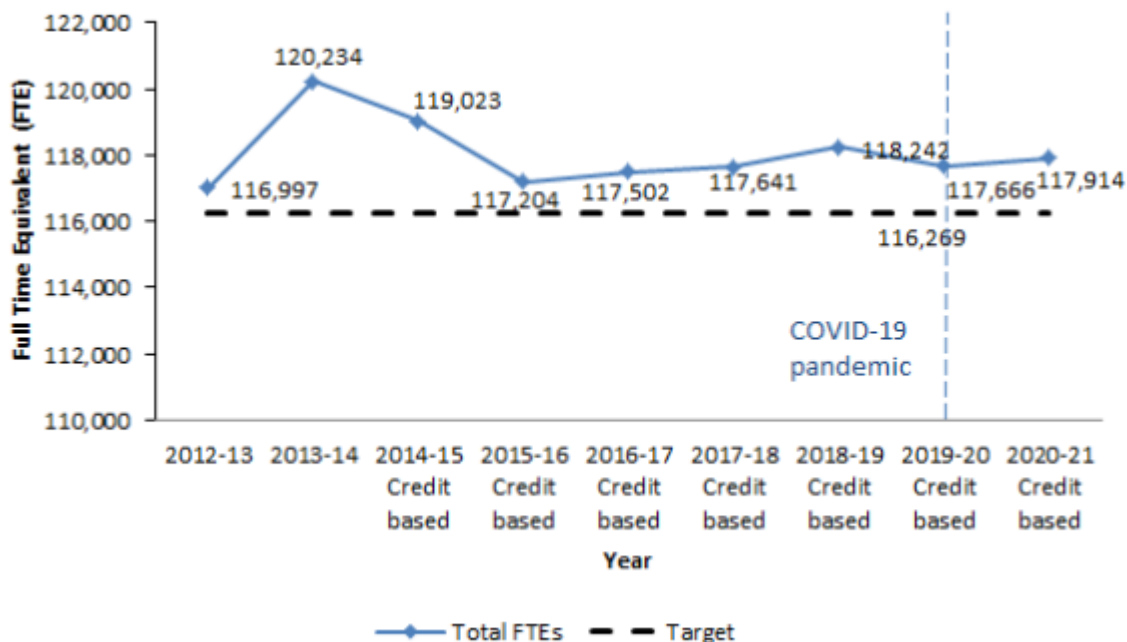
Students

Changes since 2011-12

[SFC's College Statistics 2020-21 publication](#) provides an overview of college sector statistics from 2011-12 to 2020-21.

Since 2012-13, the Scottish Government has set a national target for the college sector to deliver 116,269 Full Time Equivalent (FTE) student places per year.

FTEs are used as an indicator of learning activity, with one FTE equal to 600 hours of learning. A student may enrol on one course at one FTE, two courses at 0.5 FTE each or a part time course at 0.25 FTE. Student headcounts do not give an indication of learning hours, so FTE is often used for this purpose.

The chart below is from the SFC report and gives an overview of college delivery of this target. The figures include Foundation Apprenticeships.

FTEs delivered against the Scottish Government target 2012-12 to 2020-21

**Source:** SFC College Statistics 2020-21

The next chart is also from the SFC College Sector Statistics 2020-21 report and shows how the number of students, enrollments and FTEs have changed in the last ten years.

Number of students, enrollments and FTEs (all funding sources) between 2011-12 and 2020-21
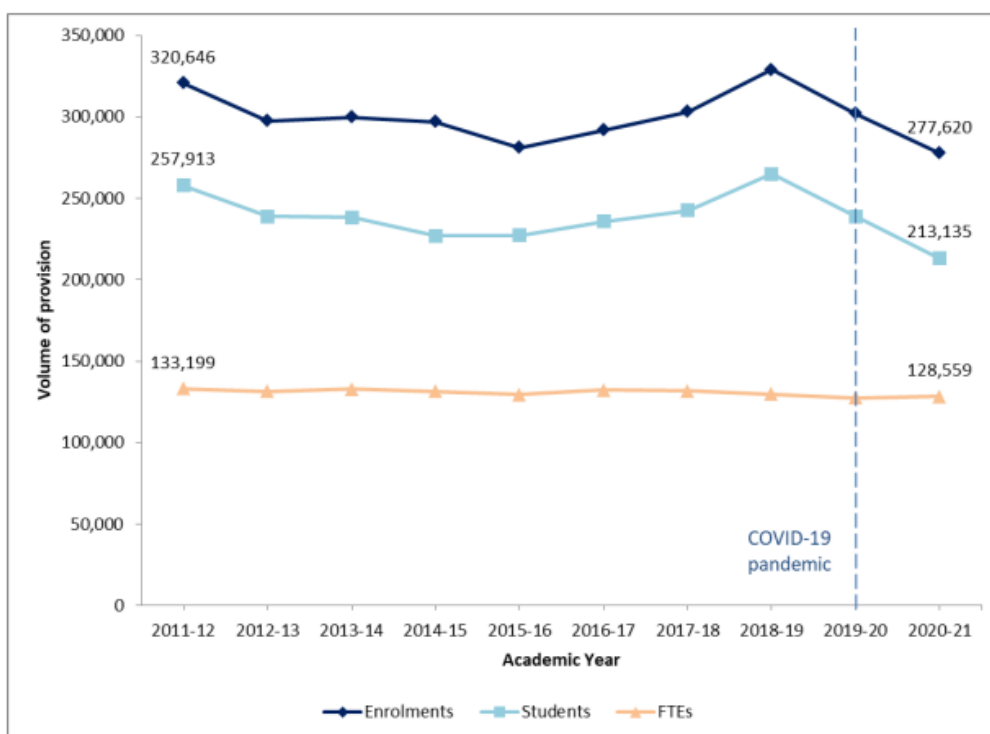
The following chart shows how the number of FTEs by mode and level of study has changed over the last 10 years.

Number of FTEs by mode and level of study, 2011-12 to 2020-21
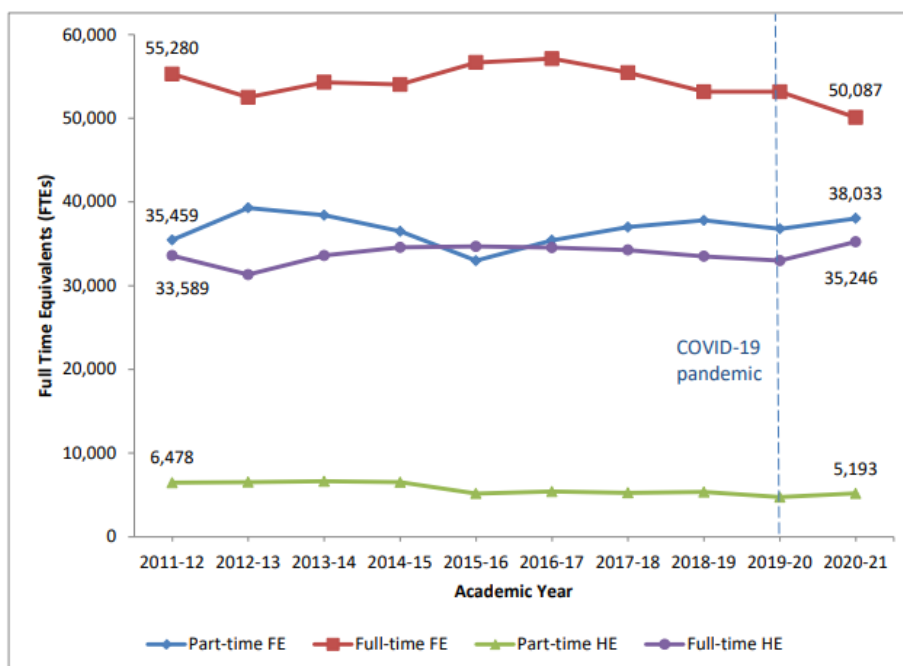
The chart below shows college the percentage of college leavers going on to positive destinations or otherwise between 2015-16 and 2019-20. The figures are taken from the SFC College Leaver Destination report published in October 2021.

The SFC's submission highlighted, "notable increases in the proportions of adult returners (those aged 30 or over), disabled students, and black and minority ethnic learners. In addition, colleges have made a significant impact in increasing the intake of students from the most deprived communities into higher education and in the intake of care experienced students". It also noted that outcomes had improved for these groups. The SFC illustrated this point with the following table.

| Provision	Learner group	Increase in proportion of learners (2013-14 to 2019-20)	Increase in number of successful learners (2013-14 to 2018-19)*
Full-time further education	Adult returners (aged 30 or over)	12.2% to 17.2% (4.9%, 1,535 enrolments)	4,651 to 5,849 (25.8%)
	Disabled†	17.5% to 26.6% (9.1%, 3,070 enrolments)	5,958 to 7,692 29.1%)

	Black and minority ethnic	4.3% to 7.4% (3.0%, 1,090 enrolments)	1,526 to 2,141 (40.3%)
	Care experienced	0.4% to 8.7% (8.3%, 3,510 enrolments)	107 to 1,452 (1,257%)‡
Full-time higher education	Adult returners (aged 30 or over)	13.7% to 18.3% (4.6%, 910 enrolments)	3,132 to 4,156 (32.7%)
	Disabled†	10.2% to 18.4% (8.2%, 1,685 enrolments)	2,252 to 3,694 (64.0%)
	Black and minority ethnic	5.3% to 7.6% (2.3%, 450 enrolments)	1,389 to 1,709 (23.0%)
	Care experienced	0.1% to 3.5% (3.4%, 710 enrolments)	18 to 381 (2,016%)‡

* Successful learners are those who achieve the qualification for which they are studying.

†For disabled learners, those that have seen the highest growth since the start of regionalisation are learners with two or more medical conditions, and those with mental health conditions.

‡ For care-experienced learners, these numbers were likely under-reported in 2013-14 and so part of this increase arises from SFC's extensive work with colleges to facilitate improved declaration of care-experienced status, which also ensured these learners could access appropriate support.

College leaver destinations 2015-16 to 2019-20
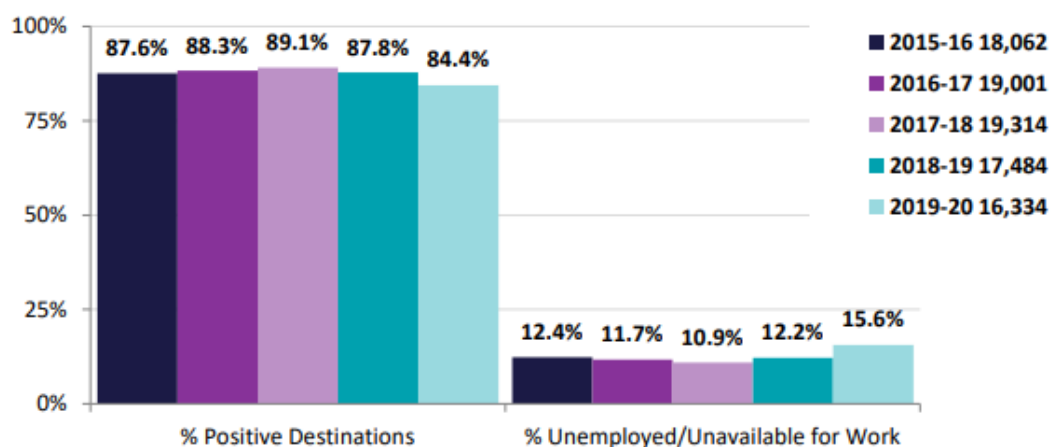
The report states the impact of the pandemic can be seen in the reduction in leavers going into positive destinations in 2019-20:

> "The impact of the pandemic lockdowns on opportunities for sector leavers is evident, with a decrease in positive destinations to 84.4%, a 3.4 percentage point (pp) reduction compared with last year." – SFC College Leaver Destinations 2019-20, p8

Student engagement and involvement

The Scottish Government's 2011 Putting Learners at the Centre: Delivering our ambitions for Post-16 Education paper, as members might expect, stressed the importance of the learners within the reformed post-16 system. This said "funding systems and provision should be designed around the needs of learners and should be simple, transparent and accessible." (p12)

Students ought to be involved in the evaluation and impovement planning of individual colleges, and student participation and engagement in their educational experience will form part of colleges' outcome agreements with the Scottish Further and Higher Education Funding Council ("SFC") and the Code of Good Governance. Education Scotland and the SFC's joint publication, Arrangements for assuring and improving the quality of provision and services in Scotland's colleges, states—

> "Learner engagement is fundamental to the college's ability to identify areas for development. Colleges should view students as partners in supporting improvement and should have effective processes for engaging students in contributing to the development of the [Evaluative Report and Enhancement Plan]."

This also references Sparqs' Student Engagement Framework which was developed in 2011. The Framework sets out five "key elements of student engagement". These are—

1. Students feeling part of a supportive institution

2. Students engaging in their own learning

3. Students working with their institution in shaping the direction of learning

4. Formal mechanisms for quality and governance

5. Influencing the student experience at national level

The framework also lists six "features of effective student engagement". These are—

1. A culture of engagement

2. Students as partners

3. Responding to diversity

4. Valuing the student contribution

5. Focus on enhancement and change

6. Appropriate resources and support

The recent SFC's Review of Coherent Provision and Sustainability reflected that there is a need for the "SFC itself to ensure it has a more appropriate balance of focus, that seeds and protects student interests, and their lived experience, across our work and through our developing accountability frameworks." The review recommended that there should be "clearer articulation of expectations of institutions in a new National Impact Framework which would "define the outcomes we expect for students from colleges and universities and a more detailed set of expectations". The Government supported that recommendation. The SFC indentified a number of draft outcomes under a future National Impact Framework, one of which was, "Students find it easy to participate, have their voice heard and valued, and influence their educational and student experience."

The SFC review also identified the attributes that students are looking for in an educational experience. These were a mix of—

- A sense of belonging and place.

- Value for money.

- Benefit from the reputation and standing of the institution they attend.

- A deeper understanding of a particular subject or the pursuit of talent for itself alone.

- Enhanced online and blended learning, alongside greater consistency in the quality of that offer.

- The ability to progress to further study.

- Good jobs and career progression.

Section 6 of the Post-16 Education (Scotland) Act 2013 provides that Colleges' boards of management must include "two persons appointed by being nominated by the students' association of the college from among the students of the college".

The submission from the NUS stated—

> "The role of college students' associations was greatly enhanced by the Post-16 Education (Scotland) Act 2013, embedding a requirement on colleges to ensure students are represented through students' associations. There is no doubt that college students' associations in Scotland have made remarkable developmental progress over the past 10 years, particularly through NUS Scotland's Developing College Students' Associations Project (funded by the Scottish Government). Nonetheless, we still have a long way to go to achieve the strong sustainable, autonomous and appropriately funded students'

associations that are needed in our colleges. Indeed, cuts to college budgets put all of the progress already made at risk."

The SFC's submission to this inquiry stated—

"At the same time as college regionalisation was being implemented, SFC also supported the development of College Student Associations (CSAs). This enables students to represent themselves in partnership with the college's Senior Management Team, working to develop the student experience for all learners. The five principles guiding the approach to the development of CSAs are that they should be autonomous, partnered, accountable, representative and sustainable. CSAs have been a success story of college regionalisation."

Understanding choices and next steps

Putting Learners at the Centre set out the Government's ambition to ensure "efficient, flexible learner journeys". The paper explained—

"This means ensuring all learners – irrespective of their needs and circumstances – can easily access and 'navigate' post-16 learning, and do so on the basis of informed decisions about the opportunities that exist across the labour market and the steps needed to access them. Equally, we need a range of vocational qualifications delivered by colleges and learning providers that are easily understood and valued by learners, learning providers and employers alike. This demands a strong employer voice within this part of the post-16 system, where employers understand the contribution they can make, are involved in the design of qualifications, and the bodies charged with representing their needs have high levels of employer recognition and support." (p13)

In 2018, the Scottish Government published its 15-24 Learner Journey Review. In his foreword to this review, the then Cabinet Secretary for Education and Skills foregrounded three priorities of the five included in the review. These were—

- The need for better advice and guidance on course choice and career options.

- More opportunities for work-based learning

- Shorter and better alignment of learner journeys, ie alignment and articulation between schools, colleges and universities.

As part of the Young Person's Guarantee, Skills Development Scotland undertook and reported on a review of careers services in December 2021. This covered the whole range of careers' services (not only in schools and colleges) and found—

"Disadvantaged young people, those who are not considered high achievers and those not pursuing an academic pathway report finding it more difficult to access services. … The high demand for career support amongst young people often goes unmet."

Articulation between colleges and universities is the progression of learners from a Higher National (HN) qualification at college level into second or third year of university in certain subjects where agreements are in place. Full credit articulation with a Higher National Certificate (HNC) sees learners move into second year university, while a Higher National Diploma (HND) enables progression straight into third year.

It is important to state that college HNCs and HNDs are respected qualifications in their own right. But, for many learners, they are also important building blocks opening up opportunities for further study.

An important challenge to articulation is how subjects and courses align between colleges and universities. The SQA is undertaking a process of developing new Higher National Qualifications. The focus on this is to "give learners the skills they need to thrive in the 21st century workplace", better articulation and progression is part of this work.

The SFC's submission noted that articulation could be considered in two ways: from schools to college; and from colleges to university. In terms of the former, the SFC argued that regionalisation had allowed colleges to take a strategic role as part of the local DYW [Developing the Young Workforce] Boards, and that "there is an opportunity for further improvement in this area, particularly in relation to the Senior Phase of school and SCQF levels 6-8 in terms of duplication, connections, transitions, and funding overlaps."

The SFC's recent report on widening access said—

> "Of the 7,665 students entering university first-degree courses in 2020-21 with an HNC/D qualification in the last three years, 4,470 (58.3%) received full credit for their prior learning. That means that those with an HNC entered university straight into year 2, and those with an HND entered in year 3. This is known as Articulation with Advanced Standing (AS). It is not a mandatory pathway – some students can still choose to start in an earlier year of university despite having the option to Articulate with Advanced Standing. Some may not have covered the required syllabus at college or their HN qualification may not relate to the degree subject of study, and in these cases first year entry at university would be a necessity, although they would not benefit from having to claim less SAAS funding for tuition fees as those entering in years 2 or 3 would."

The SFC's review also referenced articulation between colleges and universities. It stated that the SFC would work "with students and institutions to develop a refreshed set of institutional expectations on fair access pathways". The SFC's submission described this as a "a strategic priority to drive improvement in access in the future."

Student support

The landscape for living costs support is complex and often will depend on the individual's circumstances. For example, the Education Maintenance Allowance provides financial support for under 18's and there is a maintenance allowance for

older students of up to up to £108.55 depending on circumstances. Other bursaries are available for a variety of reasons, e.g. for students with ASN, childcare, hardship.

Students in Higher Education (HNCs and HNDs) may be able to apply for a student loans or bursaries from the Student Awards Agency Scotland (SAAS).

In the previous parliamentary session, the Scottish Government established an independent review of student support. The main task of the review was to identify the most effective ways to support students in both further and higher education, with a focus on providing "fair and fit-for-purpose support for the most vulnerable students in Scotland."

The Review published its report in November 2017. It recognised that, given the time available, its approach was holistic and high-level, with the aim being to get the core offer to students right.

The final report: A New Social Contract for Students: fairness, parity and clarity included recommendations around the themes of fairness, parity and clarity as well as options for ways to cost the recommended changes.

Underpinning the theme of fair funding was a view that the *New Social Contract* should be framed by entitlement to a Minimum Student Income (MSI) based on the Scottish Government's Living Wage. For most students this amounted to £8,100 per academic year in 2017. In response to the report's recommendations, the Government committed to over £21 million invested per year in improving student support by the end of the last Parliamentary session. More recently, the 2021-22 Programme for Government stated—

> "We will start work now to introduce a range of substantial reforms to student support, including a commitment that the total student support package reaches the equivalent of the Living Wage over the next three years, including for estranged students. We will also introduce a special support payment so that students on benefits do not lose out because they are in receipt of, or entitled to, student support."

In February 2022, the NUS published findings on a survey of college and university students in Scotland. This publication, Broke: How Scotland is failing its students found—

- 12% of all students have experienced homelessness since starting their studies, rising to an incidence of one in three amongst estranged and care-experienced students

- A third of students (35%) have considered dropping out of their course due to financial difficulties and a quarter of students (25%) had been unable to pay their rent in full on one or more occasion

- Around two thirds (64%) have experienced mental ill-health as a result of financial pressures and 60% of students worry or stress about their finances "frequently" or "all the time"

- More than half (56%) of respondents said it was hard to cope financially over the summer

- Nearly one in three (31%) students have relied on commercial debt such as credit cards, Klarna or payday loans, with a quarter reliant on bank overdrafts and 8% of respondents depend on foodbanks

- 65% of respondents who applied for discretionary funding either received no support or not enough support

Staffing

National bargaining

The Further and Higher Education Scotland Act 1992 gives Ministers the powers to require colleges to undertake national bargaining. This Act was amended by the Post-16 Education (Scotland) Act 2013 to make it explicit that regulations can be made for collective bargaining. These powers have not been used, rather voluntary collective bargaining arrangements were agreed between colleges, as the employers, with the recognised trade unions.

The National Recognition and Procedure Agreement (NRPA) was agreed by the [National Joint Negotiating Committee](#) (NJNC) and endorsed by the Board of Colleges Scotland in January 2015. A meeting of all Chairs and Principals of Scotland's colleges was subsequently held on 2 March 2015 to discuss progression from local to national bargaining. Following the College Principals' Group (CPG) and Colleges Scotland Employment Relations Committee meeting held on 1 June 2015, members unanimously agreed that the sector should now proceed to sign up to the NRPA. The NRPA simply set out the terms under which negotiations between Colleges Scotland (representing the Principals and Chairs of colleges) and the Trade Unions (representing staff in colleges) would take place.

The National Joint Negotiating Committee's (NJNC) role is to lead on discussions around pay policy at national level, agree conditions of service for staff, consider equality issues affecting employees across the college sector and make decisions on a range of other matters such as research and information gathering. It can also issue advice on the interpretation of National Collective Agreements reached on request by anyone represented by those involved in NRPA.

EIS-FELA's submission stated—

> "The National Joint Negotiating Committee is a well designed bargaining machinery, however, there have been significant issues in ensuring that it operates effectively. College employers were initially not supportive of national bargaining, and it remains to be seen if they are indeed fully committed to its success. Over the lifetime of the NJNC, there has been a significant amount of industrial action engaged in by members of the EIS-FELA; on matters such as pay, replacement of lecturers by other roles and in defence of national bargaining itself.

"Despite three 'lessons learned' exercises instigated by the Scottish Government, into collective bargaining in the sector, the EIS-FELA believes that a culture exists amongst college employers that defaults to confrontation with unions, as opposed to collaboration and collegiality. Despite a stated desire to subscribe to the Fair Work agenda of the Scottish Government, there is little evidence of this in existence in the sector."

Staff engagement and involvement

Widening access to higher education has been a key policy in the past decade. The [recent SFC report on the progress of this objective](#) said—

"Scotland's colleges made a substantive contribution to the tertiary sector's delivery with 25.3% of their Scottish-domiciled entrants to HE courses being from the 20% most deprived areas."

And—

"In 2020-21, 40.9% of Scottish-domiciled full-time first-degree entrants from the 20% most deprived areas progressed from a college course."

Similar to students, the staff body is expected to be engaged in colleges' evaluation and impovement planning of individual colleges. However, Education Scotland and the SFC's joint publication, [Arrangements for assuring and improving the quality of provision and services in Scotland's colleges](#), is not as explicit as it is with students. It states—

"The arrangements [for assuring and improving the quality of provision and services in Scotland's colleges] are predicated on colleges continuously improving the quality of their provision and services through a cycle of evaluation and enhancement planning. They are founded on colleges engaging staff, learners and key external stakeholders, including other educational providers and employers, in contributing meaningfully and productively to continuous improvement."

There is not a specific section covering staff-engagement, as there is for learners, employers, and partner agencies (i.e. schools, universities, and community partners). Engaging with staff does form part of [Education Scotland's How Good Is Our College self-assessment framework](#).

Section 6 of the Post-16 Education (Scotland) Act 2013 provides that Colleges' boards of management must include a representative of the teaching staff, and a representative of non-teaching staff.

EIS-FELA's submission stated—

"College governance remains a key concern of the EIS-FELA moving forward, indeed there have been a number of EIS-FELA branches that have, since regionalisation, instigated votes of no confidence in their boards. The relationship between college boards and principals, despite a Code of Good Governance, can often appear to lack the accountability that would be

expected. It is apparent that, across the sector, college principals can and do exercise a disproportionate level of decision making power, without adequate levels of scrutiny or accountability from the boards of management in their college."

The SFC's submission highlighted the diversity of the workforce as an issue where more work is required. It noted that in 2020-21 shows that:

- Black and minority ethnic staff made up 2.3% (318) of all headcounts.

- Those with declared disability made up 6.7% (950) of all headcounts.

Covid-19

As with other Education sectors, colleges moved to online learning during the periods of the pandemic. As with schools, colleges were also affected by cancelling examinations in 2020 and modifications in 2021. While SQA qualifications are offered in colleges (e.g. Nationals and HNC/Ds), there is much more diversity in the awarding bodies in the college sector compared to schools.

The Scottish Government asked the SFC to carry out its Review of Coherent Provision and Sustainability in June 2020 in the context of the effects of the pandemic on the teritiary education sector. In his foreword to the Review, Dr Mike Cantlay, Chair of SFC, said—

> "We are living through unprecedented times. Colleges and universities were already facing financial sustainability pressures, but COVID-19 sent shock waves through the sector here and across the globe. We simply do not know what changes it will lead to internationally in terms of research priorities and collaborations, or student travel and study patterns."

The review also stated—

> "People across the sector led a fantastic response to get campuses COVID-19 safe, while lecturers, teachers and support staff went online rapidly, and researchers continued to write papers from home, win grants and do research. We learned to connect across different time zones and different corners of the world. There will be digital and environmental silver linings if we capitalise on the learnings and opportunities and build from them - for all of us. For students, the pandemic experience could transform quality blended learning. Our collective challenge for the future is how we hold onto that ability to coalesce collaboratively around significant issues and demonstrate continued leadership for the future." (p28)

The Review explored the wellbeing impact on students and staff. This is recognised by Scottish Government; its response to the Review stated—

> "Within the Scottish Government we have continued to prioritise education in the balance of Covid-19 related harms, consulting closely with clinicians and the sector. We will continue that collaborative work and keep our guidance and approach under constant review throughout the course of the pandemic.

> We share the sentiments expressed in the Review report that there are real lessons to be learned from the pandemic – in particular, the resilience and adaptability of the sector; and the accelerated innovation and creativity. These are characteristics we are keen to draw from as we respond to these recommendations and as the system adapts for the longer-term. We also recognise the issues that have profoundly affected the student experience and the mental health and wellbeing of students and staff alike. We have provided additional funding to institutions and students' associations, alongside increases in student support to run alongside the responsibility of institutions to respond effectively to the difficulties facing students and staff. We will keep the situation under review."

The EIS sought a sector wide review to reflect on the lessons of the pandemic, "including flexible approaches to teaching and learning". The RSE's submission echoed the view that the pandemic could create opportunities to improve colleges; it stated—

> "In terms of teaching and delivery, lessons learned by both individual regions and the system as a whole in response to COVID-19 should be retained and mainstreamed. There is opportunity to incorporate new teaching and assessment methods developed during the pandemic into permanent practice, in order to enhance delivery and outcomes and provide for a more flexible learning environment. Sharing of good practice across colleges and also in collaboration with universities is likely to further enhance these approaches. Students have highlighted that in some cases the pandemic has permitted them access to study which their geographical location would have otherwise prevented. Cross-institutional online courses should be considered to allow students a college education regardless of their location; however, current models of funding do not lend themselves to such collaborations. In addition, time and space needs to be made to enable staff to develop and engage with new methodologies."

Audit Scotland's submission said that there is wide recognition that "responding to the longer-term impacts of Covid-19, within an increasingly challenging financial environment, will be difficult and will require change in the college sector."

The SFC's submission set out its view on the impact of the pandemic. It said—

> "Covid is impacting all of us, including staff at all levels of colleges and learners. As the long-term impact of this emerges, colleges will need to develop strategies and approaches for managing the impact within their own context in a way that works for their staff and learners. This will include further development of blended learning approaches and new forms of learning, where appropriate to meet learners' needs, and addressing the sense of belonging that is important to learners. Digital developments should be used to enhance learners' experience and their outcomes (as discussed below), but colleges will also need to be mindful of addressing digital poverty to ensure learners are not disadvantaged by the post-Covid world that is emerging.

"With regard to mental health, Scottish Government, through SFC, has provided additional funding for counsellors to support learners through the pandemic period (£1.9m in 2019-20 and in 2020-21)[1]. In a tight fiscal environment, colleges will need to determine what aspects of this they wish to retain and how they can continue to support their students."

Ned Sharratt, Senior Researcher (Education, Culture), SPICe Research

1 June 2022

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[1] https://www.sfc.ac.uk/publications-statistics/announcements/2020/SFCAN162020.aspx