

## Post-16 Level 3 and Below Pathways Consultation

### V Levels

1. We are proposing V Levels will be 360 guided learning hours (GLH) to enable students to combine them with other V Levels and A levels. Where larger subjects are needed, we propose that these are offered through T Levels. In taking this approach, are there any risks or issues we need to be aware of?

### Response:

Our response is restricted to the Construction and Built Environment sector and we appreciate that other sectors may have very different views.

The construction industry consists of a number of distinct verticals, each with a wide range of very different occupations, and therefore skills requirements:

- Building (including house building);
- Civil Engineering & Infrastructure (including energy, water and transportation);
- Building Services Engineering (BSE - including plumbing, electronic and electrical); and
- Products, Supplies and Logistics (including mining, extraction, sustainable sources and modular off-site manufacturing).

Trying to compare the wide range of occupations and skills needed against, for example, the much smaller number of GCSE and A Levels subjects is not appropriate.

We first need to address what the purpose of the V Level in Construction and the Built Environment is, what verticals and occupational destinations it is aimed at and whether it is viable. From the information that is available we understand it is a Level 3 qualification like A and T level (part of) with the primary intent of supporting students to go to HEI, or possibly a Level 4 – Level 6 apprenticeship. At the end of a HEI course we would assume students are going to start their career in the sector in a professional and technical occupation. The Department for Education needs to confirm this.

From our current understanding of the purpose and destination we do not believe that V Levels are the best fit for Construction and the Built Environment, as access to HEI or higher apprenticeships are adequately served by A and T Levels. We are concerned:

- That the mistakes made with the On-site Construction T Level will be repeated in the V Level and is therefore not the best use of tax-payers money.
- That FE College capacity in Construction and the Built Environment is limited. Colleges are currently turning students away due to inadequate capacity; including the lack of sufficient tutors. The tutor capacity problem has grown over the last five years and is predominantly caused by inadequate funding and pay,

which successive Governments have failed to tackle. This capacity constraint will be aggravated by the addition of a V Level into the delivery programme. It will make logistics much more complex.

- That the proposals make the offer to students and employers more confusing, at a time when we understand the Government is trying to make the offer easier to understand.
- That employers would not provide sufficient work placements.

Student numbers on T Levels are still low in the sector, and we consider that the position for a V Level will be worse. We do not see this qualification as being viable in the Construction and Built Environment sector.

V Levels may very well be viable in some occupations in some sectors, but not construction.

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**2.** Are there any particular issues for subjects or students that we need to be aware of as a result of not having medium sized V Levels?

**Response:**

We do not see the V Level qualification is viable in the Construction and Built Environment sector, nor do we see substantial support from employers which is needed for at least the work placement component.

BACH would not want to see students undertake a course where there is no clear purpose or viable occupational progression.

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**3.** Which subjects do you think are most appropriate for delivery through V Levels? Please provide evidence of relevance to employment sectors or further study.

**Response:**

None.

We do not see the V Level qualification is viable in the Construction and Built Environment sector, nor do we see substantial support from employers which is needed for at least the work placement component.

BACH would not want to see students undertake a course where there is no clear purpose or viable occupational progression.

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**4.** How could current information, advice and guidance be improved or what new guidelines or measures should be developed to ensure that students are informed about V Level subject selection and combinations?

**Response:**

Not relevant.

We do not see the V Level qualification is viable in the Construction and Built Environment sector, nor do we see substantial support from employers which is needed for at least the work placement component.

BACH would not want to see students undertake a course where there is no clear purpose or viable occupational progression.

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**New T Levels**

**5.** What factors should we consider when creating T Levels where there are currently no level 3 occupational standards?

**Response:**

We do not see the need in the Construction and Built Environment for any more T Levels beyond the existing two. In fact, we are concerned about the future viability of the BSE T Level.

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**Level 2 pathways**

**6.** We recognise that students do change their minds, and some students may wish to transfer between the Further Study pathway and the Occupational pathway. Others may have the opportunity to progress to level 3 or take up an apprenticeship opportunity mid-way through their Occupational Certificate. How can the two pathways, and the two qualifications, be designed to make these transitions as easy as possible?

**Response:**

The Government needs to provide more information on the Level 2 proposals. We understand that the present thinking is there would be two groupings, similar to the Foundation Apprenticeships and the former, unsuccessful, On-site T Level. One group would be comprised of On-site construction trades (mainly biblical trades for house building) and the second group would be comprised of finishing trades (mainly house building). These 'trades', are predominantly Level 2, see below. If this is the case, then we are concerned the problems with the On-site T Levels will be repeated. We note there is no offer for civil engineering/infrastructure (groundworkers, plant operatives

etc.) or construction green skills (solar, insulation, heat pumps, wind, nuclear etc.). We also note there is no complete offer for Building Services Engineering (BSE).

There needs to be clarity on the purpose and destination of these qualifications. In addition, the Government needs to clearly set out the purpose and pathways through Foundation Apprenticeships, Foundation Certificates, Occupational Certificates and V Level in respect of the Construction and Built Environment sector. Currently it is difficult to see how these fit in with the pathways the sector requires and recognizes. It is confusing.

The occupational workforce structure of the Construction and Built Environment sector has two major different parts, which in general are not interchangeable.

One is the professional, technical and managerial occupations (Levels 4 to 7), served by A and T Levels and subsequent HEI programmes. If the Government is considering that one Level 2 pathway is to take students to Level 3 then it needs to design the content as a foundation to professional, technical and managerial occupations or an electrical apprenticeship (level 3).

The other is the operational and trade occupations (Levels 2 and 3) which for house building and civil engineering/infrastructure are predominantly at Level 2. The best foundation pathway for these occupations is a Level 1 which includes functional English, Maths and basic digital skills as well as 'employability skills' to prepare them for a Level 2 programme which gets them to CSCS competency either by:

- Level 2 Apprenticeship which achieves competency; or

Employer-approved Bootcamp style courses followed by an NVQ which also achieves competency. We have concerns over:

- In Construction and Built Environment we do not need classroom training. We need people to undertake practical skills training in workshops, bays or sites which gets them to be able to work, productively, competently and safely. This is critical. It is also a statutory requirement arising from the Building Safety Act 2022.
- Retaining learners for a two year programme – if there are opportunities to progress to other qualifications during the two year programme how will that affect centre statistics. A two year programme is too long.
- Existing level two qualifications are well respected but are not leading to progression into employment due to a shortage of apprenticeship opportunities. A focus on enabling learners to transition into the workplace or onto an apprenticeship would be more valid.
- In the construction industry NVQs, which are funded by the Government and CITB/ECITB levies, play a vital role in ensuring competency of the workforce and

are the basis for evidencing competency and hence issuing the major proportion of CSCS cards. It is not clear will they be affected by these proposals.

- Government appears to be making the offer more complex and confusing than it currently is.
- Employer appetite for apprenticeships and work placements is low and acts as a constraint.

It is disappointing that the CAR seemed to focus more on adaptations of the traditional academic educational model i.e. GCSE, A Level and HEI for all learners and did not seriously consider different educational models (such as those in Europe) for the large proportion of learners that will end up on a Level 2 apprenticeships or similar progression.

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### **Foundation Certificates**

7. We're proposing that all Foundation Certificates are the same size – 240 guided learning hours (GLH) – to ensure they are a consistent size and can fit within a one-year study programme allowing for English, maths and non-qualification activity such as employability, enrichment and pastoral support, and exposure to level 3 study. In taking this approach, are there any risks or issues we need to be aware of?

#### **Response:**

This depends on the purpose and occupational destination of the Level 3 study the learners are aiming for. If they are intended to help a learner to get to a V Level for Construction and the Built Environment, then our comments earlier on concerns over the need and viability of such a V Level stand.

In our experience many learners on the Level 2 pathways need to successfully complete L1 foundation courses to get into the Level 2 construction apprenticeships. Does the Government then plan on these type of learners progressing to Level 2 Foundation Certificate?

As a stepping stone type qualification, the size is appropriate. Careful consideration is needed to ensure that content is not duplicated from other qualifications.

While this qualification type is aimed at those learners who are entering post 16 education after their GCSEs – is there scope to consider opportunities for adults in the workforce to study this as a gateway to further learning?

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8. Should any additional criteria be considered when selecting the subjects suitable to become a Foundation Certificate? If yes, what are they and why?

**Response:**

**YES**

The Government needs to provide more information on its thinking and which verticals in construction it intends to support.

The occupational competence level of the industry and employment opportunities at higher levels should be considered to ensure learners who progress from the courses have viable long term employment opportunities once they complete further study.

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**9.** Are there any other potential subjects you think should be considered for Foundation Certificates? If yes, what are they and why?

**Response:**

**YES**

The Government needs to provide more information on its thinking and which verticals in construction it intends to support.

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**Occupational Certificates**

**10.** We expect the occupational pathway to last two years, in line with current legislation. However, we recognise that some learners may have legitimate reasons for leaving the pathway early, such as progressing to a work-based training programme or moving on to a level 3 qualification. Are there any other circumstances you believe would justify a learner stepping off the pathway before completing the full two years? Please provide examples and explain why these should be considered.

**Response**

See our comments to Question 6, again we think these courses are too long. The learner might wish to step off to do a full Level 2 or 3 apprenticeship. Some may go on to a Bootcamp and then a NVQ to get fully competency and a CSCS card.

Retention of learners would be a concern over the two year course. Especially as many learners expect construction qualifications to be heavily practical based, rather than classroom based.

The programme would need to be structured so that learners who step off this into employment or onto an apprenticeship during the two years would have trade specific content as well as core content they could take with them into the workplace.

Learners who step off into employment or an apprenticeship be counted as successful progression with no detriment in accountability and performance frameworks for training providers.

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**11.** We are proposing that DfE sets the introductory core content for Occupational Certificates and that this core content is shared across related qualifications. Do you agree with this approach?

☐ Yes

☒ No

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**12.** Please give reasons for your answer.

**Response:**

In a safety critical industry such as Construction and the Built Environment this needs to be set by employers through the two statutory SSCs i.e. CITB and ECITB and relevant professional, technical and trade organisations. Core content is already designed in this way and DfE does not need to carry out this work, just use what is already there.

No, for the 'Construction finishing trades' grouping, plumbing is very different from the other trades finding relevant content to share may be difficult.

No, for the 'Onsite construction trades' there is very little uptake for fibrous plastering in existing apprenticeships/qualifications so there may be limited benefit in including this grouping

Yes, for comparability of qualifications between different AOs and to enable transference of skills between different programmes, a common core content is a good idea. A key question is the relative size of the core content and who is involved in writing it. Health and safety is core content but must be mapped to ECITB/CITB/Industry standards to enable learners to gain a competence card to have work experience on a construction site.

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**13.** We believe the sizes of each Occupational Certificate should be variable and driven by the Skills England national occupational standard(s) it is linked to, as opposed to having a fixed size for all Occupational Certificates. Do you foresee any challenges with this approach?

☒ Yes

☐ No

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**14.** If so, what are they and how might they be overcome?

**Response:**

There are relatively small variants between occupations and also types of learners and their skills on entering the course of learning.

The approach would allow AOs to design qualifications that best match the contents of the occupational standard, but the occupational standards should first be revised to incorporate standards from ECITB/CITB/Professional and Trade Organisations and the Building Safety Act.

The logistics of delivering the programmes would be easier if the programmes were all the same size.

There is still the challenge of insufficient capacity, particularly tutors as mentioned earlier.

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**15.** We are proposing the size of the broad introductory core content should be proportionate and should be less than 50% of the overall guided learning hours (GLH). Do you foresee any challenges with this approach?

☒ Yes

☐ No

**16.** If so, what are they and how might they be overcome?

**Response:**

It will be sensible to look at the granular detail of the content before making a decision on whether less than 50% is a relevant benchmark on the core content. However, considering the knowledge content of the relevant occupational standards, there is a good chance that this should work, but it would need to be verified.

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**Non-qualification activity**

**17.** What non-qualification activities do you think are successful at supporting vocational students to engage best in their course content in order to achieve in their course and progress to their stated destination?

**Response:**

Access to and experience of life in the workplace is vital as is recognition of the diverse range of roles that the qualifications can lead to.

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**Transition and branding**

**18.** We plan to roll out V Levels, Foundation Certificates, and Occupational Certificates together by route, to ensure coherence across levels and clear progression. Do you think this is the best approach?

**Response:**

It makes sense for there to be a coherent ‘family’ of brands and for coherence within routes. However, as we do not see a viable purpose for the V Level(s) and there are other routes outside of this (Bootcamps, NVQs etc.) so care would be needed in Construction and the Built Environment. It would be better to discuss this with employers and SSCs (CITB and ECITB).

A further issue on Branding for Construction and the Built Environment is that DfE’s offering is not comprehensive and does not include all of house building, civil engineering/infrastructure, green construction skills or major parts of BSE. Neither does it recognise the required checks on health & safety, nor the control of fraud, illegal immigration and modern slavery, through the great work of CSCS, the fraud team in CITB and the awarding organisations.

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Are there alternative rollout strategies we should consider, or any unintended consequences we might be overlooking?

**Response:**

Consideration must be given to learners who are completing a current Level 2 or Level 3 qualifications such as a Technical Occupational Entry qualification to ensure they are not disadvantaged by the transition. An overlap period, two years should be sufficient, where funding is available on current programmes as well as these new ones will ease progression for learners.

Let the CSMB and the sector agree the type of qualifications it wants and the Branding, cognisance of the requirements of the single logo’d carding scheme CSCS.

Comply with the Ofqual GCoR in respect of certification.

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**19.** What steps should we take to ensure the outline content for V Levels, Foundation Certificates and Occupational Certificates is high-quality across subjects and awarding organisations?

**Response:**

Ofqual GCoR is meant to do this and through this awarding organisations have fully and proper working arrangements with employers.

Open forums to discuss content with attendance permitted from AOs to discuss content will help avoid problems caused in previous initiatives. To ensure consistency, parameters and guidance on assessment expectations will be vital, especially to ensure high quality outcomes for learners.

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**20.** We're proposing that there is no awarding organisation branding for V Levels, Foundation Certificate and Occupational Certificate titles to make qualifications easier to understand. Do you foresee any problems with this?

How could we mitigate these?

**Response:**

We are unsure what this means and would appreciate clarification. For example, does it mean qualification titles are identical across AOs excluding the name of the AO but issued on each AOs certificate template? We understand such an approach does not comply with Ofqual rules (GCoR) about qualification titling and certificate design.

What impact would this have for the CSCS checks?

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**Equalities impact**

In accordance with the Equality Act 2010, Ministers must have “due regard”, when making decisions, to the need to eliminate unlawful discrimination; advance equality of opportunity; and foster good relations, in relation to protected characteristics. The Department has been taking this requirement into account in developing these proposals and will use findings from this consultation to develop a full assessment. The relevant protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

**21.** Could any of the proposals have an impact – positive or negative – on people with any of the following protected characteristics?

☐ Age

- ☐ Disability
- ☐ Gender reassignment
- ☐ Marriage and civil partnership
- ☐ Pregnancy and maternity
- ☐ Race
- ☐ Religion or belief
- ☐ Sex
- ☐ Sexual orientation

Please explain your answer.

**Response:**

There are no obvious equality impacts at this stage and it is not clear what the impact will be for the Level 1 learners, many of whom come from disadvantaged backgrounds. This is a group that traditionally goes into construction roles, and we would not want to see them become disadvantaged.

**22.** What action could help reduce any negative impacts you identified in the previous question?

**Response:**

There are no obvious equality impacts, provided the interests of the level 1 learners are protected.

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**23.** Are there elements of V Levels or Foundation and Occupational Certificates that are required in your view to increase accessibility or improve outcomes for those with SEND?

**Response:**

There are no obvious equality impacts, provided the interests of the level 1 learners are protected.

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**24.** Are there any other equality-related impacts you think we should consider?

**Response:**

There are no obvious equality impacts, provided the interests of the level 1 learners are protected.