



Rt Hon Nadhim Zahawi MP
Secretary of State

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My Lords,

Skills and Post-16 Education Bill: technical education qualification reforms

I am writing regarding the Government's technical education qualification reforms ahead of the Lords Consideration of Commons amendments of the Skills and Post-16 Education Bill on Thursday 7 April.

As you may be aware, the Commons have voted with a clear majority to reject Lords Amendment 15B, which would have required a three-year delay to the reform programme for post-16 qualifications, and a further requirement for the Institute of Apprenticeships and Technical Education to consult with employer representative bodies in the fourth year.

We are taking a pragmatic approach to our reforms as they are implemented and will continue to do so. We have shown this through a number of refinements, including: the additional year we announced at Commons Second Reading of the Bill to support smooth implementation of these reforms; the removal of the English and maths exit requirement from T Levels; and temporary flexibilities made to industry placement models in light of the impacts of the pandemic. But we do not think that a further delay, as proposed in amendment 15B, will benefit providers, awarding bodies, employers or students.

I would like to emphasise how keen we are to progress our reforms to the skills system through passing this Bill. That is why I am writing to you to ask for your support ahead of this final stage of the Bill's process.

Our technical education qualification reforms

I have been clear throughout the Bill's passage that many applied general qualifications, BTECs and other similar qualifications, have a continuing and important role to play alongside A levels and T Levels. To be approved for funding in future they will need to meet new quality and necessity criteria.

We believe that T Levels are the best technical option for most 16-19 year olds. We are confident that T Levels will provide good progression into work or further related study, and we want as many students as possible to benefit from them. T Levels have been designed with leading employers and are based on the same standards as apprenticeships. They are rigorous, high quality, and every student will undertake an industry placement of at least 45 days in a genuine workplace. They will equip more young people with the skills, knowledge and experience necessary to access skilled employment or further related study and that is why we want to remove from the market qualifications that overlap.

As you will be aware from our July 2021 Policy Statement, our post-16 qualifications review is being implemented in three broad stages in order to recognise the complexity and variety

of this important market. The first phase has looked at qualifications with no or low enrolments. The second phase, which is currently underway, is considering qualifications which overlap with T Levels. In the third phase, we will be focusing on the quality of the wide range of other qualifications available. In this phase, we will be asking Awarding Organisations to work with the Department, the Institute for Apprenticeships and Technical Education (the Institute) and Ofqual to improve the quality of their other qualifications. The timings of each stage is set out in the table attached.

We have set out the three tests that we are using to determine overlap with T Levels¹ and we will publish the provisional list of qualifications that overlap with wave 1 and 2 T Levels in due course. It may be reassuring to know through this process we expect to remove just a **small proportion of the total level 3 BTEC and other applied general style qualification offer** – significantly less than half.

In practice, students will be able to take applied general style qualifications, including BTECs, alongside A levels as part of a mixed programme. We are not creating a binary system. Our aim is to ensure that students can choose from a variety of high-quality options, of which T Levels, A levels, BTECs and other applied general style qualifications will play their part.

Just as T Levels are being introduced in phases, we are also committed to taking a phased approach to removing funding approval from qualifications that overlap. Qualifications that overlap with T Levels introduced in 2020 and 2021 will not have funding approval removed until academic year 2024/25. Similarly, we can guarantee that no qualifications will have funding approval removed because of overlap with T Levels being introduced in 2022 and 2023 until academic year 2025/26. In this way we will ensure that no existing qualification has public funding approval withdrawn before the relevant T Level alternative is available. Our reforms will ensure that all students will have high quality options to support progression to employment or further study, including higher education.

Nonetheless, I have heard clearly the concerns raised by your Lordships throughout the passage of the Bill. I have always said that I will be led by the evidence, and I agree that further evidence should be gathered to ensure that these reforms are delivered in the right way. That is why I am pleased to set out the approach that the Government will take, which I hope will provide the reassurances on the important issues that your Lordships raised.

Employers and the appeals process

As part of this implementation plan and having listened to the genuine concerns raised by members of Your Lordship's House, and those organisations, employers and interested parties with a stake in the future of vocational and technical education, I can also give further reassurance. I want to outline the important role employers will play in the appeals process where qualifications have been provisionally identified as overlapping with T Levels and therefore in scope to have funding approval removed. To ensure we have the best evidence when considering whether to continue funding qualifications, I can now guarantee that employers will have the opportunity to support awarding organisations and say if they believe qualifications support entry into occupations not covered by T Levels as part of the appeals process. This will mean that we have the best evidence to support decisions through the overlap process. It is important that there are no gaps in provision, and that we retain the qualifications we need to support progression.

Impact on disadvantaged pupils

Secondly, I have listened to concerns about the impact on disadvantaged students throughout the passage of the Bill, and I want to reassure your Lordships that no young

¹ [Review of post-16 qualifications at level 3 in England \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

person will be left without a clear and high-quality progression route. This Bill already places a duty on the Institute for Apprenticeships and Technical Education to keep under review the education and training within its remit, and the effect of its functions on the range and availability of that education and training – as part of its oversight it will consider whether the needs of learners and employers are being met.

That is why we will continue to gather evidence to ensure our reforms across both technical and academic qualifications are working as we intend. In particular, the Unit for Future Skills, as announced in the Levelling Up white paper, will make sure that across government we are collecting and making available the best possible information to show if courses are delivering the outcomes we want – helping to give students the best possible opportunity to get high skilled jobs in their local area.

Reviewing and updating on T Levels

We have put in place significant investment in T Levels and support for the sector to help providers and employers prepare. We have a variety of support available to the sector to ensure that providers are able to deliver them successfully, including making over £400 million capital funding available for new facilities and industry standard equipment, free learning and development provided for all T Level teachers that has benefited over 8,500 individuals, and over £200 million invested to support capacity to deliver industry placements.

We are confident in the success of T Levels, and this includes our commitment to making sure that every T Level student has access to a high-quality industry placement. Placements are a key part of the T Level programme, and we are committed to ensuring sufficient placements are available in all sectors and in all geographical areas.

We are reviewing the implementation of T Levels on an ongoing basis and will continue to publish regular updates on the implementation of T Levels as part of our T Level Action Plans, and these can be found [here](#) on Gov.uk.

Furthermore alongside T Levels, the T Level Transition Programme has been introduced to provide a high-quality route onto T Levels. It is aimed at students with the potential to progress onto a T Level following a tailored preparation programme. The programme focuses on developing a broad range of knowledge, skills and behaviours that providers and employers have said are important preparation to help students not only progress onto, but also succeed on, their chosen T Level route.

Clarifying the policy

I would also like to offer further clarity on the Government's position in order to address concerns around these reforms. I have included an annex to this letter which sets out some of the key points raised in debates and the response to each one, which I hope you will find informative.

Thank you for taking the time to read this letter. I hope this letter reassures you that the Government has listened and is responding to your concerns. In return, I would ask for your support in passing this Bill by agreeing to the Government's motion to not insist on amendment 15B on Thursday 7 April. The position that the Government has set out here is final – now is the time to ensure that the Skills and Post-16 Education Bill is passed and we can press ahead with our important reforms.

As ever, please do feel free to reach out to Baroness Barran's office or the Bill Team on Skills.BillTeam@education.gov.uk if you would like to discuss this further. I will place a copy of this letter in the House of Lords Library.

A handwritten signature in black ink, appearing to read 'N. Zahawi'. The signature is fluid and cursive, with a large loop under the 'Z' and a dot at the end.

Rt Hon Nadhim Zahawi MP
Secretary of State for Education

Annex A: Key information about technical education qualification reforms

The below table outlines some of the key claims that have been raised during the debates in relation to the technical education reforms alongside clarifications on the Government's position.

Claim	Clarification
<p>Most BTECs will have their funding removed</p>	<ul style="list-style-type: none"> • We have set out the 3 tests that we are using to determine overlap with T Levels and we expect to publish the provisional list of qualifications in scope in due course. It may be reassuring to know through this process we expect to remove just a small proportion of the total level 3 BTEC and other applied general style qualification offer. Qualifications that overlap with T Levels introduced in 2020 and 2021 will not have public funding approval removed until 2024. And qualifications that overlap with T Levels introduced in 2022 and 2023 will not have funding approval removed until 2025. • The most significant changes to this landscape will be from 2025 when reformed qualifications will become available. In our impact assessment we estimate that around half of the current funded level 3 offer will not fit in the future landscape. • But we expect only a very small proportion of these will be removed simply because they overlap with T Levels. Many currently have low numbers of enrolments (or none at all) and are not needed and some will not meet our new quality criteria. For instance, we will remove approval from around 1,800 qualifications because they have low/no enrolments (including around 40 BTECs) – made up of c.400 with low enrolments and c.1400 with no enrolments.
<p>86% of respondents to the qualifications review consultation disagreed with reform</p>	<ul style="list-style-type: none"> • We have been transparent in our presentation of the consultation and have clearly set our reasoning and the evidence for the approach we are taking. • The 86% figure is often quoted as if it represents a single view of the qualifications that should continue to be funded in the future. That is not the case. This question related to the process rather than the policy of withdrawing public funding approval for qualifications that overlap with T Levels. • Since the government's response to the consultation, we have made significant refinements to our reforms. This includes the additional year to the reform timetable, the removal of English and maths exit requirements for T Levels, and our further commitment to ensure the employer role in the appeals process for overlapping qualifications. • Most consultation respondents supported our plans for academic qualifications. But we have listened to feedback and our final plans made provision for a wider range of qualifications alongside A levels. • 73% agreed with our proposals for the types of small qualifications that should be funded to be taken alongside A levels. • 71% agreed with our proposals for the types of large qualifications that should be funded as alternative programmes of study to A levels.

<p>Young people are being forced to choose between only technical or only academic routes</p>	<ul style="list-style-type: none"> • We need to have qualifications that have clear purposes and deliver what employers need. But this does not mean that we want a binary system where the only options will be A levels or a T Level programme. • We know there are some existing qualifications that lead to good outcomes, and we expect to see some Applied General style qualifications, which could include some BTECs, playing a valuable role in the reformed landscape – where there is a need for them and they meet the quality and other criteria. • We have made it clear that students will be able to take applied general style qualifications alongside A levels as part of a mixed programme.
<p>T Levels are only suitable for students with GCSEs at grade 6 and above, the highest GCSE grades</p>	<ul style="list-style-type: none"> • T Levels have been designed to support success for a range of students, not just those who achieve the highest grades at GCSE. • Providers have the discretion to determine T Level entry requirements, as they do for other qualifications. Most early-adopter providers have included grade 4 GCSE English and maths in their entry requirements for the initial T Level cohorts (this is below grades 6-9, the highest GCSE grades). Level 2 in English and maths is a standard part of the entry requirements set by providers for most Level 3 study programmes. • We have removed the English and maths exit requirement from T Levels to ensure that as many young people as possible can access and successfully complete a T Level. • The T Level Transition Programme is designed to support young people who are not ready to start a T Level at age 16 but have the potential to progress to one following a tailored preparation programme – English and maths study will be a key part of the programme where students do not already have a GCSE grade 4 or above in these subjects
<p>T Levels are 80% academic and 20% practical</p>	<ul style="list-style-type: none"> • T Levels are not academic programmes, they are occupationally focused and based on the same standards as apprenticeships. • The vast majority of a T Level is spent developing and honing the technical skills needed for skilled employment, through practical tasks and projects as well as an extended placement in industry. • The primary purpose of T Levels is to support entry to skilled employment. This is why they have been designed with employers and focus on occupational competence.
<p>The government has not set out the criteria for overlap</p>	<ul style="list-style-type: none"> • We outlined our proposed overlap criteria in our Second Stage consultation. In our policy statement published in July last year, we confirmed the three tests that we would apply to determine to overlap. These are: <ul style="list-style-type: none"> ○ Is it a technical qualification, in that it primarily aims to support entry to employment in a specific occupational area(s)? ○ Are the outcomes that must be attained by a person taking the qualification similar to those set out in a standard covered by a T Level?

	<ul style="list-style-type: none">○ Does the qualification aim to support entry to the same occupation(s) as a T Level?
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Annex B: Technical Education Qualification reform timings

As of May 2020, there were around **4,200** qualifications (excluding A levels) approved at level 3 for ESFA funding². This includes around **440** BTECs.

Process	Scale of qualification removal at Level 3	Outcomes announced	Funding will be removed from
Low³ / No enrolment	c. 1,800 (40 BTECs) <ul style="list-style-type: none"> • 403 L3 quals defunded for low • 1,396 L3 quals defunded for no • 1,799 quals defunded in total for low and no enrolments c.43% of the 4,200 Level 3 qualifications	August 2021	1 August 2022
Wave 1/2 Overlap process – removing funding approval at 16-19 only	Pending, but the list will include just a small portion of BTECs and other applied general style qualifications which have public funding approval.	In due course	1 August 2024
Wave 1/2 Reformed qualifications	Remaining qualifications will need to be approved against quality standards – any not approved will not be funded in future.	We expect to announce approved quals in Summer 2024	1 August 2025
Wave 3/4 Overlap process – removing funding approval at 16-19 only	Pending, but we expect that the list will include just a small portion of BTECs and other applied general style qualifications which have public funding approval.	In due course	1 August 2025
Wave 3/4 reformed qualifications and other remaining qualifications	New qualifications will need to be approved against quality standards – any not approved will not be funded in future	We expect to announce approved quals Summer 2025	1 August 2026

² Note, this includes qualifications available through at least one ESFA funding stream (e.g. 16-19 study programmes, Adult Education Budget etc). This figure may include qualifications that were since taken out of scope of the review.

³ A low enrolment qualification is defined as one that has had fewer than 100 publicly funded enrolments for each of the last three funding years and at least one publicly funded enrolment across the last three funding years