

Deregulation of FE Teaching

Since taking office in May 2010 the current government has removed all three regulatory planks of FE teaching introduced by the previous administration: mandatory membership of a professional body; minimum CPD entitlements; and the requirement to hold or be working towards a teaching qualification

NEU believes deregulation strikes at the heart of teaching professionalism in FE. It will do nothing to boost low morale and could herald further attacks on pay and conditions alongside further rises in duties and workload. In short, it risks exacerbating the creation of a two-tier workforce and legitimising a 'race to the bottom'.

As deregulation undermines FE professionalism it will inevitably lower the status of the sector and its learners.

The purpose of this factsheet is threefold:

- to explain the impact of deregulation on college practice
- to outline NEU's stance towards deregulation
- to provide members and reps with a few steps they can take to combat and mitigate the impact of deregulation.

Impact of deregulation on college practice

There are two effects on college practice that may arise following deregulation.

Best-case scenario

The most preferable outcome would be if colleges (and some are doing this) preserve the qualified status of lecturers and simply replace their former legal duty to ensure teachers have a qualification with a contractual duty that those employed to teach have qualified status (eg Cert Ed, PGCE, DTLLS or QTLS and equivalents).

It may also emerge that the Education and Training Foundation raises the bar by giving a benchmark of quality (chartered status) to those colleges that preserve their teaching standards via the upkeep of teaching qualifications for teaching staff.

Worst-case scenario

The worst case is that colleges may resort to cutting corners in order to save on costs, for example by employing unqualified staff in a range of ways. For example, a college could:

- require that students attending learning resource centres or doing project work are supported by 'assistants' who are not qualified
- have assistants cover classes for teachers who are absent
- have classes that are for demonstration purposes or 'experiential' learning run by assistants, arguing that knowledge and understanding is not didactically necessary for such classes
- remove tutorial duties from qualified teachers

- have unqualified staff teach evening or specialist classes arguing that occupational expertise or academic expertise is all that is needed
- create a lower salary point for such non-qualified staff
- argue that unqualified staff are in a different bargaining unit to lecturers.

Impact of deregulation on reps

For NEU's workplace reps, the variety of roles and interpretations that may develop from college to college will mean more restructures, more consultations and negotiations around contracts, all in the hope of cutting costs. Once more the focus on teaching and learning could be relegated to a secondary concern. Time and energy could be taken up with negotiating around financial figures, student numbers and staff costs rather than curriculum development, pedagogic innovation and community enterprise.

NEU reps will need to be vigilant, identifying the changes quickly, alerting NEU nationally, and bringing attention to any poor practice. Otherwise we may see a serious worsening of pay and conditions. The teaching role and its professional identity may well, over time, be blurred with other roles and any ladder of opportunity and progressive professional skill formation could be lost. Colleges could, unwittingly, resort to a variety of costcutting measures that slowly but surely undermine the professional status of FE lecturers and, consequently, the sector itself.

More widely, we could also see the blurring of boundaries around who is teaching, supporting and guiding students in face-to-face or virtual learning environments. The teaching role could be seen as one among many, deserving no particular status, reward, profile or voice.

We have already seen lowering of pay, increases in workload, reduction in holidays and ongoing casualisation within the sector, such as zero-hours contracts. Deregulation can only exacerbate these pressures, further undermining the pay and conditions of those in teaching roles.

NEU's stance towards deregulation

NEU believes deregulation will be bad not only for education professionals, but also for learners and wider society.

Deregulation will undermine professional status

High-status professions are typified by mandatory qualification requirements, strong CPD entitlements and a professional body that provides accountability and voice. The medical and legal professions are two cases in point, both with respected professional bodies: the General Medical Council and the Law Society both set and uphold standards, oversee qualification frameworks and provide a voice for their professions.

Deregulation will undermine student learning

Knowing that a qualified teacher is teaching gives young people and adults the confidence to know the classroom or workshop will be well managed and a place of coherent pedagogic development; that subject and occupational knowledge will be taught effectively; and assessment will be appropriate to the level required.

Deregulation will be bad for wider society

The regulatory framework dismantled by the current government had made significant progress towards securing parity of status for FE teaching and learning. Deregulation risks once more

making FE the 'Cinderella figure' in the education landscape, and vocational education and training once again a junior partner in economic policy.

NEU's position is that regulations requiring qualified teacher status, minimum CPD entitlements and an independent professional body should be reinstated.

How should reps respond to deregulation in their college?

Colleges that opt to cut costs and apply the new deregulatory policy will most likely take one or more of the following options:

- Employers may renew their contracts of employment and argue that with the ending of regulation they should ensure new employees (and perhaps all employees) are given information on what the employer requires of them as employees. They may say this will be discretionary and to be decided on the current vacancies that arise.
- Employers may introduce a new contract (and adverts for posts) that will have wording around 'desired, but not necessary qualifications' or 'have evidence of equivalent expertise in other fields'. None of this will be explicit in terms of levels of training or qualification, but it will give the employer the discretion to employ somebody who they think has the requisite knowledge, skills and understanding to teach students in a particular subject (a graduate or somebody published in the area, for example) or occupational field (skilled engineer or hairdresser, for example).
- When restructuring colleges may propose that teacher roles be split into teacher/tutor/guided learning roles. A qualified teacher could, for example, be put on a reduced timetable and work with a tutor and guided learning assistant – who are on lower pay points - to deliver what the teacher previously did as part of their teaching duties.

None of these college responses to deregulation are desirable or very effective in regards to the students' experience or in improving teaching and learning. But they do reduce costs.

Argue against a 'race to the bottom'

NEU opposes any 'race to the bottom' whereby college employers use deregulation as a pretext to lower teaching standards in the sector or cut back on CPD, or recruit unqualified staff to teach. However, the pressures are immense to cut back on every cost possible, particularly in times of austerity.

The opportunity to provide teaching on the cheap is bound to result in sharp practices and clever timetabling, meaning that students could well suffer with a variety of staff around them doing more restricted and limited tasks. In such an environment, teamwork could become more difficult, with different members of the team having different assumptions about students and learning. The communications between staff are liable to become more important just as they are stretched to breaking point. Sitting in the middle of all of this, the learner might well feel like a pawn in a bigger game that they simply don't understand.

Argue for professional practice and identity

NEU is calling for members to respond to consultations over job roles, restructuring, or new contracts, and give pedagogic evidence and argument for best practice. NEU needs to provide evidence, when called upon, to show that NEU members give reasoned argument in the face of sharp practices and simplistic cost-cutting measures. Together we need to show that NEU members are defending education and training for young people and adults, in contrast to those more concerned with budgets and the financial bottom line.

In order to resist such cost-cutting reps will also need to forge a local awareness campaign that engages the NEU membership and the wider college community and beyond.

Steps to take

1. Disseminate this factsheet and send out a local newsletter to members.
2. Encourage members to feedback evidence when teacher standards are being undermined (the definition of who will now teach in your college and the roles others may take up eg 'may supervise a lesson or support students as a group')
3. Hold member meetings to raise awareness, discuss how best to campaign against any 'race to the bottom', and ideally establish a campaign committee.
4. Work with other unions locally on the issue and raise awareness by forming a joint trade union side to focus action and resources.
5. Ensure governors are aware that NEU is unhappy with college proposals to undermine teacher standards by sending the principal and governors this factsheet.
6. Notify NEU about your campaign by emailing organise@neu.org.uk.

Need advice?

Your first point of contact for advice and support from the union is your National Education Union workplace representative. If there is no representative in your workplace, you should contact your District or Regional office. For immediate advice see the help and advice pages, and in the event of no other option, Advice Line.