



Department
for Education

Transfer of funding powers for new technical qualifications

Government consultation

Launch date 8 November 2024

Respond by 6 December 2024

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Introduction

The Secretary of State has power under s105A Local Democracy, Economic Development and Construction Act 2009 to transfer functions to Combined Authorities. The Secretary has exercised these powers to transfer certain adult education functions of the Secretary of State under the Apprenticeships, Skills, Children and Learning Act 2009 (“the 2009 Act”) on the Tees Valley, Liverpool City Region, West Midlands, Greater Manchester, Cambridgeshire & Peterborough, West of England, North East, South Yorkshire, and West Yorkshire Combined Authorities in relation to the area of the relevant authority. Similar powers apply under s19 of the Levelling-Up and Regeneration Act 2023 in relation to Combined County Authorities.

In 2024, new technical qualifications at levels 2 and 3 were approved by the Institute for Apprenticeships and Technical Education (IfATE), to support the government’s ambition to raise the quality of post-16 education. The new reformed qualifications are high quality and are aligned to IFATE occupational standards to ensure they deliver the skills that employers need. Devolving this funding power will make sure that adults in devolved areas have full access to these high-quality qualifications.

The first qualifications will be available from 1st August 2025 and will be funded nationally under section 100(1B) of the Apprenticeships, Skills, Children and Learning Act 2009 (ASCLA). To enable Combined Authorities and Combined County Authorities to fund the new technical qualifications from 2025, the Government is considering transferring the funding power under Section 100(1B) of Apprenticeships, Skills, Children and Learning Act 2009 (ASCLA) to them. A list of the new technical qualifications approved for funding can be found here:

- for level 2 qualifications- [New qualifications approved for funding at level 2 in England from 1 August 2025 – T Levels support for schools and colleges](#),
- for level 3 qualifications - [New qualifications Approved for funding at level 3 in England from 1 August 2025 – T Levels support for schools and colleges](#)

Any new devolved administrations will automatically have this funding power transferred to them as part of their devolution deal. However, the Combined Authorities mentioned above already have devolution arrangements in place or, in the case of York and North Yorkshire Combined Authority and the East Midlands Combined County Authority, have already started the process of devolution of adult skills functions. These Combined Authorities do not currently have the power to fund the newly reformed Level 2 and Level 3 technical qualifications, which means they won’t be able to use their Adult Skills Fund for these qualifications from the 2025/26 academic year. To ensure adult learners across England can access these qualifications, it is proposed that the Secretary of State uses powers under the Local Democracy, Economic Development and Construction Act 2009 and the Levelling Up and Regeneration Act 2023 to transfer Section 100(1B) of the Apprenticeships, Skills, Children and Learning Act 2009 (ASCLA) to these authorities and to the York and North Yorkshire Combined Authority and the East Midlands Combined

County Authority. This will ensure that adult learners in these regions have access to the same high-quality qualifications as those in other devolved areas. The Secretary of State must be satisfied that the transfer will improve the economic, social, and environmental well-being of people in these areas.

Without this transfer, there could be significant regional differences in access to these qualifications, which could undermine national policy and limit opportunities for adult learners in certain areas. If the powers are not delegated, Combined Authorities may not be able to fund these qualifications, or they could still be funded by central government. However, this could create a lack of cohesion in the local adult education offer, as these qualifications wouldn't be part of the broader regional strategy.

Who this is for

This consultation is aimed at residents and members of the public in the following areas:

- Greater Manchester
- South Yorkshire
- West Yorkshire
- Liverpool City Region
- North East
- Tees Valley
- West Midlands
- West of England
- Cambridgeshire and Peterborough
- York and North Yorkshire
- East Midlands

We would also welcome feedback from other interested parties including:

- colleges
- apprenticeship and training providers
- local businesses and employers
- special educational needs and disability organisations
- local authority chief executives and skills lead

Purpose of the consultation

The purpose of this consultation is to gather feedback on the anticipated impact of the transfer of these additional powers. The Secretary of State is required to carry out a public consultation before exercising the powers under s105A and s19. The consultation aims to understand how the transfer of this additional power from the central government to the Combined Authorities/Combined County Authorities will affect various aspects of regional development, including economic growth, public services, education, governance, and

community engagement. In line with this, the Secretary of State will consider whether the transfer is likely to improve the economic, social, and environmental well-being of some or all of the people living or working in the area, while ensuring it supports effective local governance and reflects the identities and interests of local communities.

Issue date

The consultation was issued on 8 November 2024.

Enquiries

If your enquiry is related to the policy content of the consultation, you can email TechQualsTransfer.CONULTATION@education.gov.uk

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: coordinator.consultations@education.gov.uk, telephone: 0370 000 2288 or via the [DfE Contact us page](#).

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

The response

The results of the consultation and the department's response will be [published on GOV.UK](#) in due course.

About this consultation

This consultation will be open to the public for 4 weeks. You are encouraged to answer any questions you wish to provide feedback on. You do not need to respond to all questions to submit your response. The findings from this consultation will help determine the approach to the transfer of additional adult education powers and duties from the Secretary of State for Education to the aforementioned authorities. The goal of the Department for Education is to ensure that this transfer does not result in any unintended consequences.

Your feedback is crucial in helping us achieve a successful and smooth transition.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit [DfE consultations on GOV.UK](#) to submit your response.

Other ways to respond

If for exceptional reasons, you are unable to use the online system – for example, because you use specialist accessibility software that is not compatible with the system, you may request an alternative format of the form.

By email

- Adult.SkillsDevolution@education.gov.uk

By post

Camilla Frappell
Department for Education
2, St Paul's Place
125 Norfolk Street
Sheffield City Centre
S1 2JF

Deadline

The consultation closes at 23:59 on 6 December 2024.

Background and context

Funding for adult learners is managed through the Adult Skills Fund (ASF), which funds skills provision for eligible adults aged 19 and above from pre-entry to level 3. It helps adults to gain the skills they need for work, an apprenticeship or further learning.

Since 2019/20, certain adult education functions under the Apprenticeships, Skills, Children and Learning Act 2009 have been transferred to Tees Valley, Liverpool City Region, West Midlands, Greater Manchester, Cambridgeshire & Peterborough, West of England, North East, South Yorkshire, and West Yorkshire Combined Authorities through orders made under both the Local Democracy, Economic Development and Construction Act 2009. It is also proposed that these functions will be transferred to the York and North Yorkshire Combined Authority and to the East Midlands Combined County Authority under the Levelling Up and Regeneration Act 2023.

The devolved authorities are responsible for managing these functions and the associated Adult Skills Fund (ASF). The Education Skills Funding Agency (ESFA) continues to be responsible for adult education functions in areas of England where the ASF has not been devolved.

Adult education functions under the Apprenticeships, Skills, Children and Learning Act 2009 have also been delegated to the Greater London Authority. This delegation is under the Greater London Authority Act 1999. Separate consideration will be given to whether the power under s100(1B) of the Act should be transferred to the Greater London Authority but, as this is not under the same legislation, this is not covered by this consultation.

Objectives of the consultation

This consultation seeks to achieve the following objectives:

- Assess the anticipated impact of the transfer of these additional powers on local communities, specifically whether the transfer is likely to improve the economic, social, and environmental well-being of people who live or work in the area.

Additionally, this consultation seeks to determine whether the transfer is appropriate with regard to:

- Securing effective and convenient local government.
- Reflecting the identities and interests of local communities.

Consultation questions

1. Do you agree that the Secretary of State should transfer the powers under section 100(1B) of the Apprenticeships, Skills, Children, and Learning Act 2009 to Combined Authorities/Combined County Authority?
 - a. Agree
 - b. Disagree
 - c. Don't Know

2. Why do you think this?

(Insert text here – 250 word limit)

3. Are there any other comments you would like to make?

(Insert text here – 250 word limit)

Thank you for participating in this consultation.

Confidentiality

Information provided in response to this consultation, including personal data, may be subject to publication or disclosure under the Freedom of Information Act 2000, the Data Protection Act 2018, or the Environmental Information Regulations 2004. If you want all, or any part, of a response to be treated as confidential please explain why you consider it to be confidential. If a request for disclosure of the information you have provided is received, your explanation about why you consider it confidential will be considered, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

Questions about you

1. What is your name?

[Free text]

2. What is your email address?

[Free text]

3. In processing your data and meeting legal duties, the government may be expected to share information about your consultation response. In line with the privacy notice (available to download from the Overview page of this consultation), would you like your response to be kept confidential?

Yes

No

4. As government analyses the consultation findings, we may identify direct quotes to include in the published government response – may we use your feedback in this way?

Yes, and you can attribute the quote to me/my organisation

Yes, but keep the quote anonymous

No

5. Are you responding as an individual or on behalf of an organisation?

If you are responding as an individual, we will consider the views within your response to this consultation to be your personal views.

If you are responding on behalf of an organisation, we will consider the views within your response to this consultation to be those of your organisation and not necessarily your personal views.

- Individual
- Organisation

6. If you are responding as an individual, please select a description.

- Resident
- Adult learner
- Journalist
- Other

If 'other', please describe your role.

[Free text]

7. Where are you based in England?

Please select which region/s you work in.

- East of England
- East Midlands
- Greater London
- North East
- North West
- South East
- South West
- West Midlands
- Yorkshire and Humber
- I am based outside of England

If you are based outside England, please specify the country and region/s.

[Free text]

8. If you are responding on behalf of an organisation, which type of organisation do you represent?

- Local authority
- Service provider
- Local Business/Charity
- Colleges
- Apprenticeship/Training organisation
- Other

If 'other', please describe your organisation.

[Free text]

9. What is your organisation's name?

[Free text]

10 .Where are you based in England?

Please select which region/s your organisation operates in.

- East of England
- East Midlands
- Greater London
- North East
- North West
- South East
- South West
- West Midlands
- Yorkshire and Humber
- I am based outside of England

If your organisation operates outside England, please specify country and region/s.

[Free text]

11. Is this consultation document accessible, especially for those with protected characteristics?

- Yes
- No
- Don't know

If you answered yes, please provide details.

12. Have you identified any unintended consequences from the level of detail provided?

- Yes
- No
- Don't know

If you answered yes, please provide details.

[Free text]



Department
for Education

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