EXPLANATORY MEMORANDUM TO

THE ADA NATIONAL COLLEGE FOR DIGITAL SKILLS (GOVERNMENT) REGULATIONS 2016

2016 No. 767

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department for Business Innovation and Skills and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 These regulations prescribe the initial Instrument of Government and Articles of Government for the newly established further education corporation to be called Ada National College for Digital Skills. The regulations will come into force on 8 August 2016.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

Other matters of interest to the House of Commons

3.2 As this instrument is subject to the negative procedure and has not been prayed against, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

4. Legislative Context

4.1 The powers conferred by sections 20(2) and 21(1) of, and Schedule 4 to, the Further and Higher Education Act 1992 are being used to prescribe the initial Instrument and Articles of Government for a newly established further education corporation to be called Ada National College for Digital Skills.

4.2 The Ada National College for Digital Skills is being incorporated as a further education corporation by the Ada National College for Digital Skills (Incorporation) Order 2016.

5. Extent and Territorial Application

5.1 The extent of this instrument is England and Wales.

5.2 The territorial application of this instrument is England only.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

What is being done and why

7.1 The National College for Digital Skills is part of a wider Government programme to create a set of new employer-led Further Education institutions to meet an identified gap in the delivery of higher level technical skills for a particular sector, industry or profession. Ada National College for Digital Skills will deliver skills training for the digital sector. It will operate from two sites – one in Tottenham and one in Whitechapel.

7.2 The College was required to submit a detailed business plan and capital application which was assessed by the Department for Business, Innovation and Skills (BIS) and the Skills Funding Agency (an executive agency of BIS). The capital development is being funded mainly from central and local government sources. Once operational, it is expected that the majority of college funding will be generated from course fees and employer contributions. It may also receive some revenue funding from government sources. The majority of students attending the college will be aged 19 and over, including adults who are looking to up-skill and re-train for jobs within the industry and younger learners following a progression route from school or college. The college expects to have an annual intake of approximately 500 full time students and 700 part time students, including online learners.

7.3 The college is expected to open its doors to students in September 2016.

Consolidation

7.4 There is no need for any consolidation.

8. Consultation outcome

8.1 The intention to establish a National College for Digital Skills was announced in December 2014, following a call for engagement exercise which was launched by BIS in July 2014. The consultation document can be found at https://www.gov.uk/government/publications/national-colleges-call-for-engagement. The consultation invited interested parties who were able to demonstrate that there is a demand and an identified need for a national college in their sector, industry or profession, to submit proposals against a set of published criteria, including evidence of a skills gap at levels 3, 4 and 5 in the identified sector, industry or profession; evidence of employer leadership at a national level, with a clear strategy for employer involvement in the governance and operation of the College, and appropriate mechanisms for engagement with businesses of all sizes; and financial commitment from employers to developing the new college. Proposals were assessed by BIS and validated by an external panel of key stakeholders.

8.2 The National College for Digital Skills Ltd, a registered charity set up to manage the start-up phase for the College, conducted an informal public consultation between December 2015 and January 2016 on the College location and curriculum. The consultation was conducted through the college website www.adacollege.org.uk, and was advertised to the general public in 2 local newspapers. Responses to the consultation demonstrated support for the College and the need for growth in apprenticeships and qualifications focused on digital skills. An FE Partnership Board has been established to avoid duplication of provision locally.

8.3 A draft of the Order was published in a local and national newspaper in accordance with the Further Education Corporations (Publication of Proposals) (England) Regulations 2012 (SI 2012/1157). There have been no objections.

9. Guidance

9.1 As this instrument affects only the named college, no guidance is necessary.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 The impact on the public sector is minimal. Ada National College for Digital Skills is one of five National Colleges which has been approved for Government Funding, and is being jointly funded by the Department for Business, Innovation and Skills (BIS), and the Greater London Authority (GLA) and the London Enterprise Panel. The benefits are increased skills in the workforce, and it is estimated that this investment will provide the facilities needed for the college to train around 5,000 students over the next five years. Funding for the National Colleges has not come from the existing Further Education budget and should not have an impact on other existing institutions.

10.3 An Impact Assessment has not been prepared for this instrument

11. Regulating small business

11.1 The legislation does not apply to activities that are undertaken by small businesses.

12. Monitoring & review

12.1 Not applicable.

13. Contact

13.1 Sharon Coe at BIS, Telephone: 0207 215 5411 or email: sharon.coe@bis.gsi.gov.uk can answer any queries regarding the instrument.