

**EXPLANATORY MEMORANDUM TO**  
**THE NATIONAL COLLEGE FOR THE CREATIVE AND CULTURAL**  
**INDUSTRIES (GOVERNMENT) REGULATIONS 2016**

**2016 No. 834**

**1. Introduction**

- 1.1 This explanatory memorandum has been prepared by the Department for Education 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 the National College for the Creative and Cultural Industries. The Regulations will come into force on 1 September 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 the National College for the Creative and Cultural Industries.
- 4.2 The National College for the Creative and Cultural Industries is being incorporated as a further education corporation by the National College for the Creative and Cultural Industries (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 the Creative and Cultural Industries 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. The National College for the Creative and Cultural Industries will deliver higher level technical skills training for offstage and backstage occupations in the music, performing arts and broader entertainment industries. It will be based at the High House Production Park in Purfleet Essex.
- 7.2 The College was required to submit a detailed business plan and capital application which was assessed by the former Department for Business Innovation and Skills (BIS) and the Skills Funding Agency (then an executive agency of BIS). The capital development is being funded by central and local government, and employers. Once operational, the College is expected to generate funding from course fees and employer contributions. It may also receive some revenue funding from government sources. The College's core offer will include Apprenticeship provision at level 3 and level 4, and level 4 Professional Diplomas. The College is expected to attract an annual intake of around 800 full and part time students. The majority of students attending the College are expected to be aged 16 to 24.
- 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 the Creative and Cultural Industries was announced in December 2014, following a call for engagement exercise launched by the then Department for Business Innovation and Skills 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 Creative and Cultural Industries Ltd, the registered charity set up to manage the start-up phase of the College, conducted a series of informal consultation and communications activities with young people, employers, and local and national stakeholders between December 2014 to March 2016. These showed widespread support for the College. Information about the College has also been made available at: <https://ccskills.org.uk/national-college>. An industry steering group and a number of advisory groups have been established by the Charity to oversee the development of the College business plan and curriculum.

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. The National College for the Creative and Cultural Industries is one of five National Colleges which has been approved for Government Funding. The capital development is also being part funded by local government and employers. 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 2,000 students over the period to 2020. 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 the Department for Education, Telephone: 0207 215 5411 or email: [sharon.coe@bis.gsi.gov.uk](mailto:sharon.coe@bis.gsi.gov.uk) can answer any queries regarding the instrument.