

Young People's Education and Skills Board

Policy Update

Item No: 4

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Summary This paper outlines the key changes affecting 14-19 policy since the last Board meeting.

Recommendation YPES Board members are asked to:

- note the information in this paper;
- work with AOC, WBLA and ASCL to maximise the opportunities afforded by the new 16-19 funding and study programme flexibilities.

1 Background

1.1 This paper outlines the key policy statements, consultations, changes and interest items in relation to 14-19 education and training which have occurred since the last YPES Board meeting.

2 16-19 funding formula review¹

2.1 The Government recently consulted with institutions and other stakeholders on options for changes to the way 16-19 education and training is funded. In total there were 695 responses received to the consultation document. It is now confirmed that for 2013/14 a new funding system will be introduced to support the raising of the participation age. The 16-19 funding formula review document and analysis of responses to the consultation document is available on the Department for Education website.

2.2 From the academic year 2013/14, funding for young people aged 16-19 and up to 24 for students with a Learning Difficulty Assessment will be calculated based on the following principles:

2.2.1 All full time students will be funded at the same basic funding rate per student, per year regardless of which type of institution and what they study (this will fund a programme of study for all students).

2.2.2 Success rates will no longer be used in the calculation of funding and will be monitored through the wider accountability system; a retention factor will reduce funding if the student is not retained until the end of the programme of study for the academic year.

- 2.2.3 The basic funding rate will be enhanced by a programme cost weighting to reflect the necessary additional costs of delivery for those courses that are proven to be more expensive to deliver.
- 2.2.4 A single disadvantage and learning difficulty and/or disabilities allocation will be calculated using two criteria:
- the additional costs of engaging, recruiting and retaining *economically disadvantaged young people* will continue to be recognised on a sliding scale based on the Index of Multiple Deprivation (IMD);
 - the costs of *additional learning support* (ALS) including for young people with low level needs related to learning difficulty or disability will be allocated based on the number of students who have not yet achieved a GCSE grade C in maths and/or English.
- 2.2.5 An area cost allowance will be funded for those areas where it is proven that the costs of delivery are higher than other areas on the same basis as it is now.
- 2.3 The current transitional protection will continue as previously published until and including 2014/15 and in addition Formula Protection Funding will be paid for three academic years until and including 2015/16.
- 2.4 A phased implementation of conditions of funding will begin to allow institutions time to change their provision to deliver English and maths to all students who have not gained a GCSE Grade C in these subjects (a condition of study programmes for 16 to 19 year olds).
- 2.5 Retention of an area cost allowance and the continued use of the IMD to recognise disadvantage within the formula are good news for London. Both these issues formed the basis of the London Councils response to the consultation.

3 Study programmes for 16 to 19 year olds and plans for implementation²

- 3.1 From September 2013, all 16 to 19 year olds will be offered 'high quality' study programmes aimed at giving them the best opportunity to move into higher education or secure skilled employment. This will mean that:
- 3.1.1 All students who are able will take either A levels, or a substantial qualification recognised by employers as being of real benefit to them in securing work or a university place. Where appropriate, students will also take part in work experience.
- 3.1.2 Students who do not have a GCSE in English and/or maths at 16 will continue to study these subjects after 16.
- 3.1.3 Students who are not able to study a substantial qualification will take a programme of work experience focusing on developing their employability skills, along with work to develop numeracy, literacy and other core education skills.
- 3.2 Whilst consultation respondents broadly welcomed the proposals, responses highlighted concerns that the proposed measures offered insufficient safeguards for adherence to the Study Programme principles (substantial qualification, non-qualification activity and English and maths to GCSE A*-C equivalent). The acid-test of these reforms will be how creative providers choose to be, particularly for young people studying at Foundation Level and Level 2.

4 London local government education policy³

- 4.1 Education provision in London is changing dramatically as Government reform takes hold. The rise in the number of Academies and Free Schools in the capital is creating an autonomous schools sector and the traditional council role of direct support to local schools is declining. Despite these changes, local authorities retain a large number of legal duties in relation to education and the wider needs of children.
- 4.2 A new approach characterised by facilitation and support will be needed. London Councils has consulted widely within London local government to develop a set of proposals designed to build on existing strengths and further prepare London boroughs for the challenge of ensuring all children receive a good education within the new schools system. These proposals are set out in 5 themes:
 - 4.2.1 Enabling continued school improvement.
 - 4.2.2 Meeting the growing demand for school places.
 - 4.2.3 Making the education system more accessible to parents and the local community.
 - 4.2.4 Increasing engagement of community governors in all schools.
 - 4.2.5 Supporting vulnerable children to achieve positive outcomes.
- 4.3 Further consultation will take place at party conferences, before a final report setting out the details of the offer is presented to London Councils' Leaders' Committee on 16 October.

5 Mayors Education Inquiry⁴

- 5.1 The Mayor's Education Inquiry is due to report imminently. Announced in November 2011 the inquiry set out to explore the critical challenges facing London's primary and secondary schools, including driving up standards, the availability of good school places, and future investment. The key issues identified were:
 - 5.1.1 How to support schools to continue to drive up standards.
 - 5.1.2 Meeting the demand for good school places.
 - 5.1.3 Increasing investment in school buildings and supporting the growth of academies and free schools.
 - 5.1.4 Encouraging more partnerships between state schools and independent schools, businesses and charitable or cultural organisations.
 - 5.1.5 Tackling underachievement of particular ethnic groups, boys and those from disadvantaged backgrounds.
 - 5.1.6 Driving school improvement and keeping class sizes to maximum of 30 pupils.
 - 5.1.7 Increasing take up of key subjects such as Languages and STEM (Science, Technology and Maths) to ensure London's workforce are skilled for the future economy.
 - 5.1.8 Exploring the role of vocational education, careers support for future work.
 - 5.1.9 Provision of after school clubs and supplementary education.
- 5.2 The final report is due for publication in October 2012.

6 Consultations

- 6.1 **RPA consultation response⁵**. The overarching duties for Raising the Participation Age (RPA) are included in the Education and Skills Act 2008. This legislation sets out that from 2015, all 16- and 17-year-olds will be required to continue in education or training.
- 6.2 To support this legislation and clarify how the law should be applied in practice, limited regulations will be introduced from 2013. In early 2012, the Government consulted on what these regulations should be and has published its response. The headlines of this are:
- 6.2.1 not to regulate to define residency in relation to RPA; and
- 6.2.2 clarify that self-employment, volunteering and holding an office could combine with part-time study to meet the duty to participate.
- 6.3 A definition of full-time education for the purposes of RPA was also consulted upon, which highlighted the need for more thinking around 're-engagement' provision. In response to the consultation:
- 6.3.1 a legal RPA minimum of 540 hours for Education Funding Agency funded provision will be set (to fit with the recent announcements that all students will be funded at a rate equivalent to 600 hours, with some flexibility for individual cases); and
- 6.3.2 the Department for Education will work with voluntary and community sector partners to provide an alternative definition for 're-engagement' provision based on principles of good practice, rather than an hourly rate.
- 6.4 In relation to potential fines for employers, the consultation has prompted the Government to look at this issue again. The primary legislation for RPA was developed during very different economic circumstances and consultation responses suggested that potential fines might act as a perverse dis-incentive, discouraging businesses from hiring 16-17 year-olds and so reducing the number of opportunities available for young people.
- 6.5 Consequently, Government has confirmed that the duties on employers within the RPA legislation will not be commenced in 2013. This means that employers will be able to hire 16-17 year-olds full-time without the need for checking course enrolments or organising work to fit round training if they do not offer it in house.
- 6.6 16 and 17-year-olds who do work full-time will still be under the duty to undertake education or training part-time alongside their work.
- 6.7 The findings from the consultation will inform the development of concise statutory guidance for local authorities (to be published in Autumn 2012) and focused secondary legislation (to be laid before Parliament by early 2013).
- 6.8 **Work-related learning – removal of duty at Key Stage 4⁶**. The statutory duty on schools to provide every pupil at Key Stage 4 with a standard amount of work-related learning has been removed from the National Curriculum from this September.
- 6.9 The removal of the duty is consistent with the Government's underlying philosophy (outlined in the Schools White Paper of 2010) that schools should be able to exercise greater freedom over the curriculum, with less Government prescription. Schools will be free to determine whether and how work-related learning and work experience for young people should be provided at Key Stage 4.
- 6.10 The Department for Education announced its intention to remove the duty on 12 May 2011 in its response to the independent Review of Vocational Education by Professor

Wolf. They accepted all the recommendations made by Professor Alison Wolf in her report, including recommendation 21 - that the Department should evaluate work experience models for 16 to 18 year-olds enrolled as full-time students, not apprentices, and for reimbursing local employers flexibly. Professor Wolf also recommended that schools and colleges should be encouraged to prioritise longer internships for older students, reflecting that few young people move into full-time employment at 16; and that the Government should correspondingly remove the statutory duty to provide every young person in Key Stage 4 with a standard amount of “work-related learning”.

- 6.11 The Improving Choices for Young People Group, through a focussed task and finish group, is considering this change alongside the new duty on schools to deliver independent and impartial careers guidance and will be looking at how best to share emerging models of good practice across London.
- 6.12 **Reforming Key Stage 4 Qualifications**⁷. The DfE is consulting, until 10 December, on plans to reform Key Stage 4 qualifications by replacing GCSEs with a new qualification – ‘English Baccalaureate Certificates’. The consultation covers the characteristics of the proposed new qualifications and the arrangements surrounding their introduction.
- 6.13 It is intended that the new qualifications will be taught from September 2015 in English, mathematics and sciences, with the first exams in summer 2017.
- 6.14 Board members with curriculum knowledge and understanding are encouraged to respond to the consultation.

7 Other publications of interest

- 7.1 London Councils has published the following press releases in relation to young people:
 - 7.1.1 **Young people in London choosing to ‘earn while they learn’**⁸ - highlighting apprenticeships in subjects such as business administration, surveying and accountancy as a credible alternative to formal study. Released during GCSE results week, the release aimed to demonstrate that apprenticeships were another route to a career or university place and apprentices from London boroughs were quoted saying how their apprenticeship is helping them.
 - 7.1.2 **£12m funding helps London’s young people with Learning Disabilities and Difficulties**⁹ - 14 London boroughs have received over £12m in capital funding (over a third of the national pot) from the Demographic Growth Capital Fund. This money, lobbied for by London Councils and partners means over 600 students with Learning Disabilities and/or Difficulties will benefit from improved access to buildings, a major obstacle to education opportunities for this group.

8 Recommendations

- 8.1 YPES Board members are asked to:
 - 8.1.1 note the information in this paper;
 - 8.1.2 work with AOC, WBLA and ASCL to maximise the opportunities afforded by the new 16-19 funding and study programme flexibilities.

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- ¹ <http://media.education.gov.uk/assets/files/pdf/f/ffr%20analysis%20of%20responses%20to%20consultation.pdf>
 - ² <http://media.education.gov.uk/assets/files/pdf/g/government%20response%20to%20consultation%20on%20study%20programmes%20for%2016-%20to%2019-year-olds%20for%20publication%20july%202012.pdf>
 - ³ http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=5021
 - ⁴ http://www.london.gov.uk/media/press_releases_mayoral/boris-johnson-launches-inquiry-london-schools
 - ⁵ <http://media.education.gov.uk/assets/files/pdf/r/rpa%20consultation%20report.pdf>
 - ⁶ <http://media.education.gov.uk/assets/files/pdf/c/consultation%20report%20%20%20work%20related%20learning.pdf>
 - ⁷ <http://www.education.gov.uk/schools/teachingandlearning/qualifications/gcses/a00213902/reforming-key-stage-4-qualifications>
 - ⁸ <http://www.londoncouncils.gov.uk/news/current/pressdetail.htm?pk=1513>
 - ⁹ <http://www.londoncouncils.gov.uk/news/current/pressdetail.htm?pk=1522>