

Policy Update March /April 2022

Introduction

We didn't publish a Policy Update at the end of March as this was the start of this year's local council election campaign. Normally, we circulate our Policy Update to councillors with responsibility for children, education and young people. However, even though the elections are now over, councils will not have held their annual general meetings to agree new leadership roles. We are therefore circulating this Policy Update to officers and the Young People's Education and Skills Board / Operational Group only and asking if officers could use the information it contains to provide an appropriate local briefing to councillors.

We will resume our broader distribution for our May update, but we will be asking those to whom we address our updates to subscribe to further editions if they wish to continue to receive them. This will enable us to ensure that the content of Policy Updates remains relevant to our readers.

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Overview

1. We congratulate those who have been successful in this year's council elections, especially those who have been newly-elected!
2. This Policy Update summarises the tremendous number of developments in education and skills of Londoners aged 16 to 18: new laws coming into effect, the promise of further legislation in the future, certainties (and some uncertainties) of funding, new long-term and short-term strategies of key players in the field of education and training. It has been a far from quiet election period.
3. Many of these developments were anticipated, such as the passage of the Skills and Post-16 Education Act and the publication of the government's review of Special Educational Needs and Disabilities. The new Schools White Paper too had been trailed by the Secretary of State earlier this year and we expect to see further details of the legislation needed to achieve its ambitions in the Queen's Speech on 10 May.
4. There are also reports on the labour market for young people and mental health that highlight these are still areas of concern, while reports about careers education, information, advice and guidance show that this remains an important feature of London's education and training system that requires attention.

Deadlines

5. The closing date for applications to the Education and Skills Funding Agency's [Strategic Development Fund](#) is 13 May 2022.
6. The Department for Education (DfE) consultation on [schools improvement](#) closes on 23 May 2022
7. [Nominations](#) for the Twelfth London Borough Apprenticeship Awards are open until 31 May 2022.
8. Young people are invited to share their experiences of life, study and work in the [Youth Voice Census 2022](#) which will capture data from 11 to 30-year-olds. The survey is open from until 31 May 2022.
9. The Department for Health and Social Care is [calling for evidence](#), until 7 July, on a new 10-year plan to improve mental health.

Special Educational Needs and Disabilities Review

10. The government introduced a Green Paper on reform of the system for children and young people with Special Educational Needs and Disabilities (SEND). The Green Paper – which indicates that the government is still taking [views](#) into account (by 22 July) before introducing legislation – follows from the review of the national SEND system that was undertaken in 2019.
11. [SEND Review: Right Support, Right Place, Right Time](#) proposes:
 - Setting new national standards across education, health and care to build on the foundations created through the Children and Families Act 2014, for a higher performing SEND system;
 - A simplified Education, Health and Care Plan (EHCP) through digitising plans to make them more flexible, reducing bureaucracy and supporting parents to make informed choices via a list of appropriate placements tailored to their child's needs, meaning less time spent researching the right school;
 - A new legal requirement for councils to introduce 'local inclusion plans' that bring together early years, schools and post-16 education with health and care services, giving system partners more certainty on who is responsible and when;
 - Improving oversight and transparency through the publication of new 'local inclusion dashboards' to make roles and responsibilities of all partners within the system clearer for parents and young people, helping to drive better outcomes;
 - A new national framework for councils for banding and tariffs of High Needs, to match the national standards and offer clarity on the level of support expected, and put the system on a financially sustainable footing in the future;
 - Changing the culture and practice in mainstream education to be more inclusive and better at identifying and supporting needs, including through earlier intervention and improved targeted support;
 - Improving workforce training through the introduction of a new SENCo NPQ for school SENCos and increasing the number of staff with an accredited level 3 qualification in early years settings; and

- A reformed and integrated role for alternative provision (AP), with a new delivery model in every local area focused on early intervention. AP will form an integral part of local SEND systems with improvements to settings and more funding stability.
- 12. The proposals are backed by new funding to implement them, worth £70 million. This will build on the £9 billion government investment in local authority high needs budgets next year and £2.6 billion for new places for children with SEND over the next three years.
- 13. Taken together, this is a significant, transformational investment for children who need the most support, sitting alongside recent increases to the respite and Supported Internship programmes, as part of measures to invest in the SEND system and in helping children achieve.

Reaction to the Green Paper

- 14. Children's services leaders have welcomed government plans to improve support for children with special needs and disabilities (SEND) but warned that more funding will need to accompany it if the vision is to be achieved. The LGA said that councils share the government's ambition of making sure every child with SEND gets the high-quality support that meets their needs. College and school leaders' representatives have expressed disappointment that the proposals appear to be focused on schools and do not pay enough attention to the support provided by the FE sector and other specialist providers.

Government Policy Announcements

Opportunity for all

- 15. The Secretary of State for Education launched a Schools White Paper on 28 March. The White Paper, which signals the government's intention to introduce legislation, if necessary, to implement its proposals.
- 16. [Opportunity for all: strong schools with great teachers for your child](#) sets out the government's ambition for a school system that helps every child in England to fulfil their potential. The White Paper also defines the roles and responsibilities of all those involved in the system, including the role of councils, and sets out how they plan to ensure councils have the right powers to deliver in their role at the heart of the new system. The government has also announced it will be

giving councils powers to set up their own multi-academy trusts (MATs). In summary, the White Paper:

- recommits the government to achieving a fully academized schools system
 - expresses targets (consistent with the Levelling-Up ambitions) that, by 2030, 90 per cent of children will achieve expected standards in English reading, writing and maths by the end of primary school (the baseline in 2019 is 65 per cent) and the average grade in English language and maths GCSE will rise to 5 (a 'strong pass') compared with 4.5 in 2019
 - calls for schools to open for longer
 - introduces other measures affecting school admissions; behaviour, attendance and absence; oversight, accountability and intervention; curriculum support; and teacher and school leader development.
17. To fund implementation, Education Secretary Nadhim Zahawi has pointed to the recent DfE Spending Review settlement, which has increased core school funding through to 2024/25, and dedicated education recovery funding now standing at around £5 billion.
18. Although affecting pre-16 education, these proposed changes and targets are relevant to the 16 to 18 phase as there is considerable evidence to show that disparities in performance at key stage 5 have their origins in earlier stages in education.
19. Alongside the Schools White Paper, the Secretary of State also announced:
- the government's response to a consultation on the National Funding Formula – the government is removing the ability of local authorities to implement adjustments to the national formula
 - a new consultation on school improvement (see paragraph 6).

Spring Statement

20. The Chancellor delivered a [Spring Statement](#) to the House of Commons on 23 March. The major item relating to education and skills was a commitment to review the funding of Apprenticeships and providing incentives to business investment in training.

Parliament

Legislation

21. The [Skills and Post-16 Education Act](#) completed the Legislative process as a Bill in Parliament and received Royal Assent. The government's decision to defund BTECs proved to be the final point upon which both Houses needed to agree. The Secretary of State for Education expedited this agreement by providing [written confirmation](#) of the effect of the government's policy. We have featured the Bill in our Policy Updates, but for ease of reference the main measures contained in the Act are:
- Supporting the creation of a unified skills system that builds from quality gains achieved with apprenticeships and T Levels by ensuring all technical qualifications match up to employers' high standards.
 - Embedding employers in the heart of the skills system by placing a legal requirement on colleges and other providers to work with employers to develop skills plans, so that the training on offer meets the needs of local areas, and people no longer have to leave their hometowns to find great jobs.
 - Making sure all pupils meet providers of technical education so that they understand the wide range of career routes and training available to them, such as apprenticeships, T Levels or traineeships, not just the traditional academic options.
 - Prioritising green skills so the training on offer across the country meets the needs of the growing green economy and helps gets more people into jobs.
 - Supporting the transformation of the current student loans system so from 2025 learners an access a flexible loan for higher-level education and training at university or college, useable at any point in their lives.
 - Introducing new powers to intervene when colleges are failing to deliver good outcomes for the communities they serve.
 - Making it a criminal offence to provide, arrange or advertise essay mill services for financial gain to students taking a post-16 qualification at institutions in England including colleges, universities and sixth forms.
22. Having piloted some of the Act's measures before promulgation, the DfE published the first [Local Skills Improvement Plans](#) that are integral part of the

reforms introduced by the Act. We await the establishment of the Future Skills Unit – announced as part of the government's levelling-up policy – which the Minister of State announced in a [speech](#) to the Policy Exchange think tank in April that covered the government's skills policies.

23. The [Education \(Careers Guidance in Schools\) Act](#) received Royal Assent on 5 April 2022. The Act extends the existing duty on maintained schools, special schools and Pupil Referral Units to secure independent careers guidance to pupils throughout their secondary education (replacing the former duty to provide careers advice to 13 to 18 year-olds).
24. [MPs voted](#) against a proposal made in the House of Lords that local authorities should be permitted to run secure schools for 16 to 19 year-olds.

House of Commons

25. Education questions in the Commons on [14 March](#) included the future of BTEC, National Tutoring Programme / education catch up, access to higher education, and home schooling. Robin Walker also set out, in a statement, the announcements made by the Secretary of State the previous week about NTP funding and a new curriculum body.
26. The government [responded](#) to the Health and Social Care Select Committee's report on children and young people's mental health.

Education Select Committee

27. The Education Select Committee [published its report](#) following an inquiry into the effectiveness of the government's £5 billion catch-up programme, including the National Tutoring Programme (NTP) and its [review of the government's Catch-Up Programme](#) to help children recover learning lost during the pandemic. It concludes that the current plans do not go far enough.
28. The Secretary of State appeared before the Education Select Committee on [20 April](#). Among the major topics covered were the Schools White Paper's ambition for an academized system, SEND, T levels and the arrangements for appraising Local Skills Improvement Plans.
29. The Education Select Committee, as part of its inquiry into Post-16 qualifications, held a session on [27 April](#) at which Lords Blunkett and Willetts offered their perspective on the government's approach.

House of Lords

30. The House of Lords Select Committee on the Children and Families Act 2014 [launched an inquiry](#) into the Act's fitness for purpose. The next phase in this inquiry is awaited.

All-Party Parliamentary Groups

31. The All-Party Parliamentary Group for Youth Employment [published its report](#) on vocational qualifications.

Recovery

32. International Business consultancy [McKinsey](#) has written about the impact of the pandemic on global learning systems, emphasising how existing inequalities have got worse. They estimate that on average students globally are eight months behind where they should be but that this varies between jurisdictions.
33. The Department for Education(DfE) has [published](#) details of how many tutoring courses pupils have started since the National Tutoring Programme (NTP) began in 2020. As of 27th February, DfE estimates that at least 1,031,000 starts had been made by pupils on courses through the NTP. This is across the 2020 to 2021 academic year and the 2021 to 2022 academic year. This is well below the government's target.

Themes

Effective Participation

NEET and Risk of NEET

34. The Children's Commissioner published [research](#) estimating that 1.8 million children missed at least 10 per cent of school and 122,000 at least 50 per cent in the autumn term.
35. A [study](#) carried out by PWC and Youth Futures Foundation into youth employment in the countries in the Organization for Economic Cooperation and Development (OECD) has found that if the UK could cut the current rate of 20- to 24-year-olds not in education, employment or training (NEET) by five percentage points it would create a £38bn a year increase in gross domestic product (GDP).

Positive participation

36. A [literature review](#) conducted by the Education Endowment Foundation suggests various ways in which schools can boost attendance rates.
37. The [National Tutoring Programme](#) (NTP) no longer requires 65 per cent of tuition support to be provided to students in receipt of the Pupil Premium.

Learning Landscape

38. The Bell Foundation has translated its [parental guidance](#) on 'Helping Children Learn' and 'About the English Education System' into Ukrainian (as well as 21 other languages). The Foundation also has a page on [Welcoming Refugee and Asylum Seeking Learners](#), which includes a downloadable flyer with links to lots of sources of information and guidance.
39. The House of Commons Library published a briefing on [Home Education in England](#), with a particular focus on current and past proposals for reform.
40. [Research](#) by YouGov for children's charity Kindred Squared found that half of children are not ready to start school and need extra support from classroom staff.
41. The latest paper in the [Edge Foundation's](#) Learning from the Past series explores the current 'Access to Higher Education Courses' an initiative that started in 1978 to provide an entry route into higher education for learners lacking the 'traditional' educational qualifications required.

Apprenticeships

42. The DfE [confirmed](#) on 27 March that the Public Sector Apprenticeship target would come to an end from 1 April 2022.⁵⁴
43. The London Assembly's Economy Committee produced <[You're hired: a bright future for apprenticeships in London](#)>.

Quality Improvement

44. The latest results of the Teaching and Learning Survey (TALIS) from the Organisation for Economic Cooperation and Development (OECD) [Mending the education divide](#) emphasises that the quality of teaching is the most important element of children's schooling. It shows that England is below the OECD average when it comes to the distribution of more experienced teachers, with those who are in the profession longer more likely to be teaching in more affluent schools.

45. UNICEF issued a [report](#) highlighting the continuing impact of the pandemic on school children around the world, indicating that in many countries schools have yet to reopen suggesting some '2 trillion hours of lost in-person learning globally' with vulnerable and marginalised children most at risk.
46. Ofsted has published a new [five-year strategy](#) and indicated the changes it proposes to make to inspecting each of the phases of learning for which it is responsible. Ofsted also [published](#) the second set of reports looking at the pandemic's continued impact on education providers.
47. The DfE published the results of a [survey](#), into the experiences of FE learners and apprentices during the pandemic. The report says that most were 'satisfied' with the teaching and support they received during the pandemic.
48. The National Foundation for Educational Research (NFER) has [published a report](#) on the negative impact of Covid on pupil attainment at key stages 1 and 2
49. Ofqual [consulted](#) on a proposed approach to regulating alternative academic qualifications and alternative technical qualifications that will be part of the future level 3 landscape alongside A levels, T Levels and Apprenticeships. Although slightly outside the scope of this update, Ofqual's 3 year [strategy](#) was also launched in early May.
50. The DfE [consulted](#) on proposals to reform Post-16 qualifications at level 2 and below. We await the publication of the consultation's outcomes.
51. The Association of Colleges (AoC) [reported](#) that the sector is facing the worst staffing crisis for two decades.
52. The education unions have [asked the School Teachers' Review Body](#) and the government to make changes to teaching staff's pay and reward system and undo the erosion of pay rates since 2010.

Achievement

53. The results of the 2021 [survey](#) on the perceptions of A levels, GCSEs and other qualifications were published on 28 April.
54. Pearson published the final [report](#) into the Future of Qualifications & Assessment in England.

Progression

Progression to the Labour Market

55. The Centre for Economic Performance has [reported](#) on the relationship between education and economic growth.
56. The Resolution Foundation, with the Centre for Economic Performance, published a [report](#), funded by the Nuffield Foundation, as part of its 2030 Economic Inquiry.
57. The National Foundation for Educational Research (NfER) [published a literature review](#) about essential skills most needed for work in the future.
58. The Institute for Employment Studies produced a [briefing](#) with a detailed analysis of April's official labour market statistics.
59. The Edge Foundation has issued a [paper](#) reviewing youth employment initiatives since the 1970s.

Further and Higher Education

60. Following its response to the Augar Review into Higher Education funding (please see our Policy Update for February 2022 for further details), the DfE [consulted](#) on further reforms to HE – confirming they will not be pursuing Post-Qualification Admissions – and a Lifelong Learning Entitlement.
61. The government [announced](#) the latest list of FE colleges (12 in London) to benefit from the FE Capital Transformation Fund.
62. The [Institute for Fiscal Studies](#) (on behalf of the government) has tracked children who sat GCSEs in 2002, through Higher Education and into employment at age 30 to demonstrate an earnings premium based on higher classes of degrees.
63. The [Tony Blair Institute for Global Change](#) has advocated that 60 per cent of the population should attain at least level 4 by 2030 and 70 per cent by 2040.

Careers Education, Information, Advice and Guidance

64. The Sutton Trust has [demonstrated divides](#) between state schools and private schools and between state schools with more deprived and affluent intakes in terms of the amount of careers guidance a pupil receives and the time and money available to deliver it.
65. The Careers and Enterprise Company's [Trends in career education 2021](#), based on information from a national dataset of 4,000 schools and colleges and the careers programmes they delivered in 2020 to 2021, comments on key

trends in careers education during the Covid-19 pandemic and how it can be improved in the future.

66. The [Social Market Foundation](#) has provided an assessment of how well the present system of careers education, information, advice and guidance serves the people it is meant to support in England and provided recommendations for improvement.
67. Youth Employment UK [reported](#) on virtual work experience and its benefits.

Special Educational Needs and / or Disabilities

68. The Local Government Association [suggested](#) how disagreements over SEND could be resolved and showed that tribunal cases had increased by 11 per cent since the 2014 reforms.
69. The High Court has [ruled](#) in favour of three claimants in a dispute over whether there is a fixed timeframe in respect of steps in the amendment of an Education, Health and Care (EHC) plan where a local authority accepts amendment is necessary, during the compulsory statutory annual review.
70. Ambitious About Autism's [Ambitious Youth Network](#), funded by the Esmée Fairbairn Foundation and the National Lottery Community Fund, offers autistic young people aged 16 to 25 a safe and moderated online space to help them understand their autistic identity and reduce isolation and loneliness that many feel.

Technical Education

71. The government issued its annual strategic priorities for the [Institute for Apprenticeships and Technical Education](#) for 2022/23, which establishes the institute's focus on developing employer-owned standards, anticipating emerging skills and revamping post-16 qualification provision.

Mental Health

72. The Department for Health and Social Care is calling for evidence, until 7 July, on a new 10-year plan to improve mental health (see paragraph 9).
73. Public Health England has [published profiles](#) that provide an overview of children and maternal health and indicate a connection between housing, health, education and employment outcomes.
74. The Young Foundation published a [report](#) showing the solutions to the youth mental health crisis that had been proposed by 16 to 21 year-olds themselves.

75. The think-tank Reform published a [report](#) on addressing the youth mental health crisis after the pandemic.
76. The British Educational Research Association's [blog of 5 April](#) considers whether stress among GCSE and A level students has increased since the introduction of linear assessments.
77. A report from online tutoring platform [My Tutor](#) found that 49 per cent of teachers feel that their pupils are experiencing higher levels of anxiety than two years ago in the lead up to exams.

Funding

78. The government published the [UK Shared Prosperity Fund \(UKSPF\) prospectus](#). The prospectus says that the UKSPF will be used primarily to support the 'building pride in place and increasing life chances' missions in the Levelling-Up plan. European funding, which UKSPF replaces, also funded programmes that covered 16 to 18 year-olds that are not yet in scope of UKSPF. London Councils is working with the GLA to explore how these programmes can continue in the absence of UKSPF funding.
79. The Public Accounts Committee's report [Financial Sustainability of Schools in England](#) expresses concerns about the funding of schools in which there are large numbers of pupils eligible for free school meals, staffing levels, SEND support and the breadth of the curriculum offer now available.
80. In anticipation of a [debate](#) on education spending held in Parliament on 3 March, the House of Commons Library produced a [briefing](#) that focused on the National Tutoring Programme and adult education.

Inclusion

81. The government [responded to the Sewell Report](#) on race and ethnic disparities.
82. The [Commission on Young Lives](#), chaired by former Children's Commissioner Anne Longfield, has called for an end to the 'exclusions culture' as part of a 'new era of inclusive education'.
83. A [study](#) from YouGov / Skills Builder Partnership shows that disadvantaged people tend to be denied essential 'soft' skills education in schools and work.

Homelessness

84. The DfE has [confirmed](#) funding for local authorities with the highest number of care leavers at risk of homelessness, including those who are homeless or in

emergency / bed and breakfast accommodation. The councils in London receiving this allocation are Tower Hamlets, Brent and Hounslow.

Youth Justice / YOTs

85. Thousands of children (aged 11 to 17) at risk of violence across London are set to benefit from a new programme - [Your Choice](#) - centred on cognitive behavioural therapy (CBT), funded by a £10m grant from the Home Office and the Youth Endowment Fund, delivered by London's Violence Reduction Unit (VRU) and managed by London boroughs through the London Innovation and Improvement Alliance (LIIA) on behalf of the Association of London Directors of Children's Services.
86. The DfE and the Ministry of Justice have [released statistics](#) for the education and children's social care background of children who had been cautioned or sentenced for an offence. These show a relationship between Special Educational Needs, care experience, suspension / exclusion and caution / sentencing for an offence.
87. [Youth custody data](#) published on 8 April shows that there were 134 people aged under 18 and whose Youth Offending Team is based in London in custody. This is the lowest figure since records in the current format were published (April 2015).
88. The [National Audit Office](#) reported on children in custody – secure training centres and secure schools and noted that the opening of secure schools, which were intended to improve standards of provision and outcomes, has been delayed by three years.
89. A report by the [Alliance for Youth Justice \(AYJ\)](#) says that the Covid-19 pandemic has exacerbated vulnerabilities and inequalities among disadvantaged children and increased the risk of them entering the criminal justice system.
90. The Nuffield Foundation [reported](#) that children exposed to poverty and trauma are more likely to offend as adults.

Youth Work / Looked After Children

91. London colleges have [called](#) for more support to be given to unaccompanied children seeking asylum.

Climate Change

92. The DfE published its [Sustainability and Climate Change Strategy](#).
93. London Councils and London Higher [announced](#) five new knowledge partnerships between five borough-led climate programmes and four universities across London.

Statistics

Attendance

94. The proportion of education settings open on 10 February was 99.9 per cent and 92.2 per cent of students were in attendance. On 17 March, 99.9 per cent of educational settings were open and 89.7 per cent of students were in attendance. On 31 March 2022, 100.0 per cent of educational settings were open and 88.6 per cent of students were in attendance. On 7 April (when some places had started the Easter break), 100.0 per cent of educational settings were open and 89.1 per cent of students were attending. On 28 April 2022, 100.0 per cent of educational settings were open and 92.3 per cent of students were in attendance. NOTE: From 21 April 2022, students in years 11 to 13 are excluded from these statistics.
95. Education Datalab produced an [analysis](#) of pupil absence.

Participation

96. The annual statistical analysis of [school capacity](#) published by the DfE reports on the position in 2020 to 2021 and confirms forecasts that suggest demand for primary school places will peak in 2021 to 2022 and then decrease (the decrease is attributed to a decline in the birth rate since 2012), while expect demand for secondary school places will rise until 2025 to 2026 and then level off. This is due to the increase previously seen in primary pupil numbers continuing to move through the secondary phase.
97. The DfE publication [Outcomes for children in need, including children looked after by local authorities in England](#) for the year 2021 shows that the proportion of children in need eligible for FSM has seen the biggest increase during the pandemic than at any time over the last five years. Disparities in attendance and achievement by this group are also evident in this report. This is with the backdrop of a reduction in median household income and an increase in the proportion of children in combined low income and child material deprivation

(though these findings come with a caveat about making comparisons with data relating to the pre- and post-pandemic periods).

98. The [official estimates](#) on people aged 16 to 24 not in education, employment or training (NEET) suggest that the level of NEET has fallen below the pre-pandemic rate nationally. See also the [Labour Market statistics](#) for March and [April](#).
99. The government's annual publication on [absences](#) shows that the overall absence rate for pupils eligible for free school meals (FSM) was more than double that of their peers who are not eligible for FSM.