

Young People's Education and Skills Operational Sub-Group

Policy Update

Item No: 5

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Summary	This paper outlines the key changes affecting 14-19 policy since the last OSG meeting.
Recommendation	OSG members are asked to note the information in this paper.

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 OSG meeting.

2 Government proposals to reform vocational qualifications for 16-19 year olds¹

- 2.1 Last year, following Professor Alison Wolf's review of vocational education, the Department for Education (DfE) substantially reformed the list of qualifications taken by 14 to 16 year olds at Key Stage 4, to ensure that only high-value qualifications are counted in performance tables.
- 2.2 The Department is now consulting on proposals (until 10 May) to establish standards for level 3 vocational qualifications taken by 16 to 19 year olds in schools and colleges from September 2014.
- 2.3 DfE is seeking views on proposals to:
- 2.3.1 establish a process and set of characteristics by which vocational qualifications could be judged for inclusion in 16-19 performance tables;
 - 2.3.2 introduce two separate categories of vocational qualification – 'applied general' and 'occupational', in addition to academic qualifications; and
 - 2.3.3 only include applied general and occupational qualifications that meet pre-defined standards in future performance tables.
- 2.4 The consultation also seeks views on whether the Government should fund learners who are over 19 to take vocational qualifications that meet the new characteristics, but do not conform to the Qualifications and Credit Framework (QCF).
- 2.5 The consultation questions were discussed at the Local Authority Forum meeting on 22 March and feedback provided by colleagues will inform the YPES Board official response.

3 Children and young people with special educational needs - new health duty announced²

- 3.1 On 5 March Edward Timpson, Children and Families Minister and Health Minister Dr Dan Poulter, announced that a new legal duty on Clinical Commissioning Groups (CCGs) will be introduced as an amendment to the Children and Families Bill. The new duty will mean that CCGs will by law have to secure services in education, health and care plans for children and young adults. This will include specialist services like physiotherapy, and speech and language therapy.
- 3.2 This is a significant and welcome policy move and addresses a key concern identified in the Education Select Committee's report³ on its scrutiny of the draft Bill.
- 3.3 The London Councils Public Affairs team will review the amendment and brief Members to ensure that the clause enables genuine joint commissioning and appropriate financial contributions from health to education, health and care plans.

4 Revision to Statutory guidance for schools: Careers guidance⁴

- 4.1 Section 29 of the Education Act 2011 placed schools under a duty to secure access to independent careers guidance for their pupils in school years 9 to 11. Changes to the Careers Guidance in Schools Regulations 2013 will extend the age range to which the duty applies.
- 4.2 From September 2013, the duty will be extended to include all registered pupils in year 8 (12-13 year olds) and years 12 and 13 (16-18 year olds). The DfE has published revised statutory guidance to incorporate the impending changes to careers guidance in Schools (an equivalent requirement will be extended to Further Education and Sixth Form Colleges through their funding agreements).
- 4.3 The change to the regulations and guidance supports London Councils calls for the extension of the duty to include pupils in year 8 and up to year 13. London Councils will continue to lobby Government to ensure that the additional children and young people the duty covers receive a service that is sufficiently resourced and of a standard to meet their needs.

5 Local authorities duties relating to the participation of young people in education, employment or training⁵

- 5.1 On 21 March, the DfE published statutory guidance for local authorities on their duties relating to the participation of young people in education, employment or training. Three annexes setting out definitions for participation, other organisations responsibilities and the principles of re-engagement activity, have also been published.
- 5.2 The guidance specifies key activities to assist local authorities to fulfil their duties. Apart from those areas, the Government's approach is to give local authorities freedom and flexibility to decide how to fulfil those statutory duties.
- 5.3 The guidance does make clear that the two duties placed on local authorities in relation to Raising the Participation Age (RPA) should be funded from authorities overall budgets, including central Government grants such as the Business Rates Retention Scheme.
- 5.4 Funding for education and training provision for 16-19 year olds will continue to be provided through the Education Funding Agency (EFA). Where local authorities feel that there is a specific gap in provision which cannot be addressed by existing providers, they are encouraged to submit evidence to the EFA.

5.5 Local authority Client Caseload Information Systems will function as the main source of evidence that authorities are meeting their duties. The following information will be published via the DfE website on a regular basis:

5.5.1 The number and proportion of young people in each area:

- receiving an offer under the September Guarantee;
- participating in education or training;
- who are NEET, or whose current activity is not known.

6 16-19 accountability⁶

6.1 The DfE recently reaffirmed its commitment to the Schools White Paper *The importance of Teaching* to provide comparable and consistent measures of performance across all 16-18 education providers (mainstream maintained school sixth forms, academy sixth forms, 16-19 Academies, UTCs and Studio Schools, sixth-form colleges and general further education colleges). The Department is introducing a 16-19 process for identifying underperformance that will apply to all providers based on their performance in 2011/12.

6.2 There will be two triggers that will identify if a school or college delivering education or training to 16-19 year olds is underperforming. These triggers are:

6.2.1 receiving an overall Ofsted judgement of inadequate (or, in the case of a maintained school sixth form or an academy sixth form if the narrative assessment of the sixth form states the sixth form is inadequate); or

6.2.2 falling below the National Minimum Standard set each year.

6.3 The standards are based on all level 3 qualification entries that students aged 16-18 take in schools and colleges. The standards will use the same data that are reported in the Key Stage 5 Performance Tables (this includes Individual Learner Records, census and awarding body data).

6.4 There are two elements to the standards. One is based on achievement of academic qualifications (A levels, IB, etc.). The other is based on vocational qualifications (BTECs, NVQs etc.). Analysis will identify the bottom 5 per cent of post 16 schools and colleges by distributing the institutional average level 3 point score into percentiles. This establishes the vocational and academic point scores under which the bottom 5 per cent of providers fall and gives a minimum standard point score. In 2011/12 the 5th percentile for vocational qualifications was 194 points per entry and 172 points for academic qualifications.

6.5 In total, 40 per cent of students in an institution have to achieve above the relevant point scores for a school or college to be above the minimum standard.

6.6 If a school or college fails the minimum standard set they will be expected to improve. If it fails to improve, a range of further intervention strategies will be considered including withdrawal of funding or closure.

6.7 In addition to education standards there is also a separate assessment about the financial performance of institutions made by the EFA that may also trigger action.

6.8 Apprenticeship quality will continue to be assessed against the Minimum Levels of Performance applied by the Department for Business, Innovation and Skills.

7 The future of apprenticeships in England: Next steps from the Richard review⁷

- 7.1 Government has published its response to The Richard Review and is consulting on proposals until 22 May. It is keen to take forward most of Richard's recommendations, including redesigning all apprenticeship qualifications, to be led by employers; increased involvement of employers in assessment; and channelling funding via employers rather than providers. However the consultation stresses that the implementation of some of these recommendations will be complex and they are not committed to them all at this stage.
- 7.2 London Councils will be submitting a response. Borough officers with comments to feed into the consultation should email anna.dent@londoncouncils.gov.uk.

¹ <http://www.education.gov.uk/childrenandyoungpeople/youngpeople/qandlearning/otherqualifications/a00222542/vocational-qualifications-16-19-year-olds>

² <http://www.education.gov.uk/inthenews/inthenews/a00222418/sen-legal-health-duty>

³ <http://www.publications.parliament.uk/pa/cm201213/cmselect/cmeduc/632/632.pdf>

⁴ <http://media.education.gov.uk/assets/files/pdf/s/careers%20guidance%20for%20schools%20-%20statutory%20guidance%20-%20march%202013.pdf>

⁵ <http://media.education.gov.uk/assets/files/pdf/p/participation%20of%20young%20people%20-%20statutory%20guidancev3.pdf>

⁶ <https://www.education.gov.uk/publications/eOrderingDownload/CM-7980.pdf>

⁷ <https://www.gov.uk/government/consultations/future-of-apprenticeships-in-england-richard-review-next-steps>