

DERBYSHIRE COUNTY COUNCIL

CABINET

12 November 2013

Report of the Strategic Director for Children and Younger Adults

**Statutory Guidance on the Participation of Young People in
Education, Employment or Training**

1.0 Purpose of Report

To update Cabinet on:-

- The final Raising of the Participation Age (RPA) guidance published in March 2013; and
- Progress made against the current RPA implementation plan.

2.0 Information and Analysis

2.1 Background

The 'Raising of the Participation Age' (RPA) was written into the Education and Skills Act 2008, with the intention that the minimum age at which young people in England can leave education should increase from 16 to 18. From 1 August 2013 we will enter the first phase of RPA, which requires all young people at the end of KS4 to continue to participate in some form of education and/or training until the end of the academic year in which they turn 17. By 2015 this will increase to at least the young person's 18th birthday or upon achievement of level 3; whichever is sooner.

At the same time, RPA will be underpinned by a new post 16 funding methodology and programmes of study which arose from the recommendations contained within Alison Wolf's review on vocational education published in March 2011. Professor Wolf's review championed vocational education as vital for the economy and providing many young people with a route into employment and further education. This has since been followed up with the introduction of a further new programme called 'Traineeships' which is due to commence at the start of the new academic year. The purpose of the Traineeships programme is to provide a pre-entry route into apprenticeships or employment with training.

In response to the new duties assigned to Local Authorities (LAs) in meeting the RPA, a strategy document and implementation plan was approved by Cabinet on 25 July 2012.

2.2 The Final Guidance

In March 2013, the DfE published final guidance which subsumes existing Statutory Guidance on Local Authorities' duty to provide targeted support to vulnerable young people. Local Authorities must pay due regard to this when carrying out their duties relating to Raising of the Participation Age (RPA) and promoting participation for 16 and 17 year olds. The guidance identifies the key responsibilities, but Local Authorities will be responsible for deciding what arrangements they will make to meet the needs of pupils, ensuring that sufficient appropriate opportunities are made available within existing budgets and funding routes.

Key areas of the guidance include:

- Reiteration of the duties of Local Authorities relating to participation, including:
 - Securing sufficient suitable provision.
 - Encouraging, enabling and assisting young people to participate.
 - Identifying young people in their area who are not participating or at risk of not participating, so that resources can be targeted more effectively.
 - Continuing to ensure young people receive an offer of education/training under the September Guarantee.

The annexes to the guidance contain departmental advice to help recipients understand what the Department considers the statutory provisions to mean in particular circumstances.

- Annex 1 defines the different participation options for young people in order that they can fulfil their duty to participate.
- Annex 2 outlines the duties of other organisations – schools, post 16 education providers and employers.
- Annex 3 sets out principles of effective re-engagement provision, as developed by representatives of the Sector and Department for Education.

2.3 Progress to Date

Significant progress has been made this year in completing many of the activities set out in the original RPA plan. (See Appendix 1)

The continuation of the work initiated since April 2012 and the delivery of new strands of work will depend upon the outcomes of a number of strategic reviews being undertaken by the LA. These reviews include the work of the Multi-Agency Teams, Careers Education and guidance delivery teams. Wherever possible, RPA systems are being embedded across the locality areas.

With the implementation of the new Programmes of Study commencing this summer, we continue to work with our six learning communities across the county to drive the curriculum changes required. In addition, we have implemented local provider networks which will support the delivery infrastructure, particularly in relation to the vocational curriculum.

As part of this work we are undertaking post 16 learning community reviews to evaluate the sufficiency of places and curriculum breadth. The outcome of this will aim to highlight any gaps in provision and review its match with the local economy and potential growth sectors.

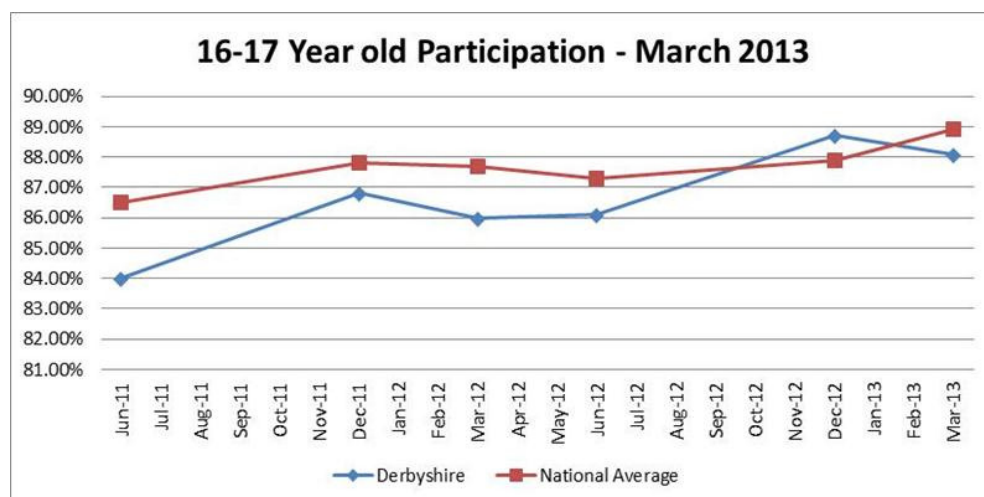
Moving forward this will be even more important given the significant increase in the provider market with the introduction of free schools, studio schools and UTCs (see additional paper); an outcome of which may lead to destabilisation of existing provision due to the decline in 16-19 demographics. We are already starting to see many small independent providers being bought out by larger national providers, thus reducing the local focus.

A new pathway within programmes of study - 'Traineeships' - will also commence this summer. Only those providers identified as 'good' or 'outstanding' by Ofsted will be able to offer the programme in the first instance. E.g. of 24 local providers and colleges, 17 will be eligible to deliver the new programme. Additionally, any schools across the county that fit the criteria may also choose to offer Traineeships as an alternative pathway to academia. The programme is specifically aimed at young people wanting a job or apprenticeship but who may require some additional support to achieve this. It is based around a core of work experience and will last no longer than 6 months. National focus will be on the outcome of these Traineeships and the progressions young people are making.

The implementation of a new funding methodology across post 16 has also led to significant work with schools and providers around understanding what they need to do to maximise their income.

2.4 Derbyshire's Performance

In October 2012, the DfE published its first set of 16 and 17 year old participation data using the information provided in the Authority's Client Caseload Information System (CCIS). This shows how well a Local Authority is performing on participation; highlighting where participation is rising, static or falling. As at the end of June 2012 Derbyshire's 16 and 17 year old participation figure was 86.1%, a rise of 2.1% at the same point in 2011. However, performance remained -1.2 percentage points below the national average.



In July 2013, the DfE will be publishing the March 2013 data set which shows a steady improvement on March 2012 with participation of 16 and 17 year olds rising to 88.1% for Derbyshire. This performance closes the gap on national average by 0.4% but still leaves us in the 3rd quartile of performance at 108th out of 151 LA areas. To meet the national average we would have had to place a further 139 young people into education, employment or training.

2.5 Actions for Development

Our journey to becoming the best LA in the country will require us to be better and smarter about the information we gather, report and act on.

One of the most important lessons learned during the RPA trials is the importance of Local Authority areas really understanding the cohorts they deal with, and taking the time to utilise the variety of data and evidence available to them, to analyse the different elements of their cohort to understand the challenges and barriers they would face locally in achieving full participation.

Using the data that Derbyshire already has at its disposal is critical to properly understanding the current picture of participation and the challenges faced across Derbyshire. Supporting our work with good data systems and an effective reporting structure is crucial to our

success. This will better enable us to get beneath the headline data and unpick some of the key issues emerging, to have a richer understanding of why some young people are not currently participating and what it would take to re-engage them, or stop them from disengaging in the first place.

3.0 Financial Considerations

The Government has clarified that there is no additional funding to deliver RPA as it is a statutory duty of the Local Authority to implement. Local Authorities are expected to meet any costs incurred in the delivery of these duties from their overall budgets.

Funding for mainstream education and training provision for 16-19 year olds is provided to schools, colleges and training providers by the Education Funding Agency (EFA).

4.0 Legal and Human Rights Considerations

From 28 June 2013, all young people resident in England will have to participate in education or training until the end of the academic year in which they turn 17. From 26 June 2015, this will extend to their 18th birthday. Young people can participate through full-time education, apprenticeship, or a combination of full-time employment and part-time education.

The Education and Skills Act 2008 placed the following duties on Local Authorities:

- To promote the effective participation in education and training of 16-17 year olds in their area;
- To make arrangements to identify 16-17 year olds not participating in education, employment or training (NEET).

These complement existing duties to:

- Secure sufficient and suitable education and training provision for all 16-19 year olds, and for 20-24 year olds with Learning Difficulty Assessments (LDAs);
- Track participation of 13-19 year olds, and 20-24 year olds with LDAs, and provide support to encourage, enable or assist them to participate.

5.0 Human Resources Considerations

The majority of recommendations identified in the RPA implementation plan will be led and co-ordinated by the Services for Teenagers team, working alongside Multi-Agency and Careers teams.

6.0 Other Considerations

In preparing this report, the relevance of the following factors has been considered: Equality of Opportunity; Prevention of Crime & Disorder; Environmental, Human Resources, Financial, Health, Legal & Human Rights, Property and Transport considerations.

7.0 Background Papers

The following documents are available if required:

- Appendix 1 – RPA progress
- Statutory Guidance on the Participation of Young People in Education, Employment or Training
- Participation of Young People Statutory Guidance - Advice.
Annex 1 – Defining Participation.
Annex 2 – Duties on other organisations in relation to Raising the Participation Age.
Annex 3 – The principles of effective re-engagement provision.

8. Key Decision?

No

9. Call-in

No.

10. Strategic Director's Recommendation

For Cabinet to note the update regarding:-

- (i) The final Raising of the Participation Age guidance published in March 2013; and
- (ii) Progress made against the current RPA implementation plan.
- (iii) Realistic target to be set for the LA ambition to be in the top quartile of performance moving from 108th position to one of the top 38 LA areas for 16 and 17 year old participation.

Ian Thomas
Strategic Director for Children & Younger Adults

Appendix 2

RPA Impact & Evaluation Progress 2012/13

Strand 1 Developing the Data and Tracking Mechanisms and supporting Early Intervention (Understanding the Cohort)						
Ref	Actions	Milestones		Lead Responsibility	Impact Measurements	Progress to Date Sept 12
		December 2012	July 2013			
1 (G)	Trial and implement the pre 16 RONI's across the county and ensure that learners are appropriately identified and targeted.	By July 2012 Meetings have taken place in all secondary schools		14-19 Manager/IYS Manager	Learners at risk in years 8,9,10 are identified and interventions put in place for 2012/13 academic year	Set of RONI's developed and weightings applied. Learner lists drawn up for each school against RONI indicators. Discussions taken place in schools to identify learners for targeted intervention. <i>This work can be signed off as it stands but needs further review in relation to the amended process not working.</i>
2 (A)	Develop and report on a set of 'at risk' indicators for post 16, that may lead to a young person prematurely disengaging from education or training before they are 18.	July 2012		Data Manager	Indicators identified and being applied by post 16 providers to identify 'at risk' learners	In progress, draft lists drawn up – further work pending national pilot area findings, to trial Erewash area and High Peak with formulaic weighting process.
3 (G)	To continue to engage with schools, FE, training providers in a robust data sharing agreement which aims to facilitate student tracking, timely intervention and transition planning pre and post 16.		July 2013	14-19 Manager/IYS Manager/Data Manager	All schools, providers/colleges signed up to Partnership Agreement/Data Sharing Protocol	Data Sharing Protocol drawn up alongside Provider Partnership Agreement. <i>13 Providers signed up to agreement. Partnership Agreements in place with all schools?.</i> Action Complete
4 (G)	To set up a NEET task force which meets regularly to identify and report on NEET performance across the county and to work with Learning Communities in setting NEET reduction targets where NEET is	June 2012		14-19 Manager/IYS Manager	Task Force in place and actions identified	Countywide NEET Task Force in place. <i>Terms of Reference drawn up and signed off.</i> Locality based NEET Activity Plans in place which support work of the Locality

	deemed a priority for the area.					Planning & Commissioning Partnerships – <i>to confirm for High Peak</i> County NEET reduction target in place. <i>Targets to be developed and set for Locality/MAT teams for 2013/14.</i>
5 (G/A)	To implement a county-wide learner feedback mechanism which helps to identify the reasons given by young people for non-participation or early drop-out. <i>(DfE Pilot bid)</i>	Sept 2012 Yr 11/12 survey implemented	July 2013	14-19 Manager	Improved information about the learning and training needs of young people. Analysis of reasons for non-participation carried out and trends in learner characteristics identified and shared with key delivery partners	Working Group in place, draft questions drawn up for year 11 and 17+ leaver survey. Contact made with BA Corp Res. Re: implementation of survey monkey. Discussion with ITS re: Youth Forum input. To be implemented Jan 13. <i>16-19 Leaver Survey went live Jan 13, links sent to colleagues in MATs/Careers and to external providers. Action Complete Work on intended Destinations Survey delayed.</i>

Strand 2 Determining Local Priorities & Developing the infrastructure.						
Ref	Actions	Milestones		Lead Responsibility	Impact Measurements	Progress to Date
		December 2012	July 2013			
6 (G)	To co-ordinate, monitor and evaluate the implementation of the Derbyshire RPA Strategy and review activity where necessary;	Ongoing		AD(UTS)/HoS(TS)	All stakeholders groups and key delivery partners have a clear understanding and commitment to the RPA strategy	Completed first RPA Pilot report. RPA Steering Group in place Implementation Plan & Risk Register in place Task and Finish Groups where appropriate. <i>Final DfE Report being worked on and report to Cabinet regarding progress</i>
7	To continue to support learning communities, school/provider networks, area liaison and locality planning and commissioning partnerships in the drive	Ongoing		14-19 Manager IYS Manager Locality	High quality collaborative networks in place leading to improved quality of planning and monitoring of 14-19	<i>Re-organisation of team which includes core time allocation to each LC. RPA a key objective within each LC SLA. Individual MAT locality NEET plans in</i>

(G)	to increase participation, raise attainment, narrow the gap and increase retention amongst some of our most vulnerable learners.			Managers	curriculum and learning provision at all local strategic planning levels.	place and locality meeting structure. County-wide NEET Task Force now in place. Provider Networks in place across North and South of County Youth Contract Steering Group in place – all groups have completed terms of reference supporting increased participation. Action Complete
8 (G)	To develop and implement a 'Partnership Agreement' with FE and local providers, addressing issues around data protection and with a focus on and supporting the implementation of RPA; (DfE Pilot Bid)	Sept 2012		14-19 Manager	Improved quality of communication and working relationships and arrangements between the LA and local delivery providers.	Completed – in the process of being sent out for signature. Partnership Agreements now in place with 13 local Providers including Groundwork UK who deliver Youth Contract. Review and Evaluation taking place in preparation of 2013/14 Agreements Action Complete
9 (G)	To work with key partners and stakeholders including the EFA to increase/maximise the capacity of mainstream provision to meet identified gaps in provision including the needs of learners with learning difficulties and /or disabilities (LLDD);	Ongoing		AD (UTS)/HoS(TS)	Increased range of appropriate provision which meets the needs of all learners leading to a 5% increase in 16 year olds participating in 2010 and 8% 17 year olds by 2013.	Youth Contract in place and initial meetings being held. Steering Group now meets 3 times year. Regular attendance at EFA Apprenticeship Strategy on Place Developments in place across the county i.e Hope Valley, Chesterfield College, Bolsover Review undertaken Roll-out of Post 16 review across County LA submission to EFA of key priorities for ESF:- <ul style="list-style-type: none"> (14-19yrs) Children in Care and Care Leavers (14-19) - 500 16/18yrs old who are homeless - 450 (14-19yrs) Young offenders - 500
10	To further develop and strengthen links across LA teams to raise awareness of RPA and the availability of provision which would support the needs of our	Ongoing		14-19 Manager /IYS Manager	Improved quality of communication and working relationships and arrangements	Briefings/Awareness Raising sessions carried out across a variety of LA teams, Web-site developed.

(G)	<p>most vulnerable learners with a particular focus on:</p> <ul style="list-style-type: none"> ○ Children in Care ○ Young Offenders ○ Teenage Mums/Mums to Be 				between and across LA teams.	<p>Parent leaflets and RPA fact sheets in place.</p> <p>Provider Directory in place and subject to continual review.</p> <p>YP Facebook page in place</p> <p>Employer Leaflets in Place</p> <p>Carers Leaflet being developed</p> <p>Communications Toolkit developed with range of presentations and briefing sheets for internal colleagues/external partners. Work taking place to put on web-page.</p> <p>Action Complete</p>
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Strand 3 Manage transitions & tracking through effective Information, Advice and Guidance

Ref	Actions	Milestones		Lead Responsibility	Impact Measurements	Progress to Date
		December 2012	July 2013			
11 (A)	Scope out the services the LA can provide in terms of careers guidance, tendering expertise, library services including a proposal for service post Sept 13 with a view to developing a local transition & consultation plan for supporting schools and providers in the identification and delivery of careers guidance to young people	December 2012		IYS Manager	Consultation carried out and Transition Plan in place.	<p>The LA has communicated with schools to clarify the duties of schools and the duties retained by the LA.</p> <p>All schools have been in receipt of the LA Careers Guidance charged service offer and Expressions of interest are currently being progressed to create contracts by the end of April 2013.</p> <p>New arrangements are being developed to provide additional participation support to young people from vulnerable groups</p>
12 (G)	Connexions website to be incorporated into LA website, and a review of content to be undertaken to measure its usefulness/effectiveness.	September 2012		HoS (IRA)	Website fully integral.	Connexions website content fully documented and content reviewers identified. Some practitioner's content already added to DCC Schools Extranet. Awaiting decision on destination of

						young people's content. A new website for teenagers is being developed by the Communications Team in consultation with young people via the Youth Council.
13 (G)	Ensure that Routes Ahead is maintained and continues to provide a comprehensive database of school, college and provider curricula choices and availability.	Ongoing		IRA Officer	A prospectus which provides all young people and key delivery partners with access to high quality impartial guidance and information about learning opportunities.	Review of Routes-Ahead undertaken and strategic decision pending. A review of Routes-Ahead and an appraisal of alternative systems is underway.
14 (G)	To support and contribute to the work of Uni-Fi and Care Leavers into Employment initiatives as strategies for raising the aspirations of young people in/leaving care including identification of potential funding routes where opportunities arise which will support the continuation of such programmes;	Ongoing		14-19 Manager /IYS Manager		Attendance at initial planning meetings of Uni-Fi. Awaiting recruitment of project manager. Working with Care Leavers into Employment project re: annual careers event. Unit-Fi Project Manager now appointed and minimum standards for children in care developed. 14-19 represented on CIC Leavers into EET Steering Group and Care Leavers Careers Event planning groups – 'Its Your Future'. Keep in touch meetings in place with YOT Action Complete
15 (G)	To continue to support Derbyshire's annual Skills Festival, in its role of providing impartial advice and guidance to young people and their parents for 2012 and expand the venue to High Peak.	Sept/Oct 2012		14-19 Manager	All young people and their parents have access to high quality impartial information and guidance which enables them to make more informed choices about courses and progression routes.	Completed – Delivery Sept Evaluation carried out. Planning in place for 2013 event. Action Complete
16	To work with the Derbyshire Economic Regeneration Team, the Young People into Employment Group, the National Apprenticeship Service and Job Centre	Ongoing		14-19 Manager /IYS Manager	Clear idea of growth sectors, job vacancies and apprenticeship offer which help to support curriculum	No current plan/strategy in place.

(R)	Plus to raise awareness of labour market opportunities and ensure links to curriculum development across locality areas.				developments.	
17 (A)	Map existing support for young people at each transition and develop and publish an IAG offer across DCC and its partners		July 2013	IYS Manager	All key delivery partners better informed about the range of opportunities available	Provision of IAG is currently being developed across all secondary schools and will be published by July 2013
Strand 4 – Establish Support Mechanisms at Transition KS4 to Post 16 and sustained participation through to 18						
Ref	Actions	Milestones		Lead Responsibility	Impact Measurements	Progress to Date
		December 2012	July 2013			
18 (R)	To explore the development of a 'progression agreement' from KS4 to post 16 in consultation with schools, FE colleges and post 16 providers		July 2013	14-19 Manager	Progression agreement in place	To be tabled at RPA Steering Group. Work delayed due to other priorities
19 (R)	Where appropriate, to analyse data from the September Guarantee to identify the characteristics of young people who do not participate post-16, in order to develop the appropriate support and provision to meet their needs	Sept 2012	Jan 2013	IRA Manager	September Guarantee fully met	
20 (G/ A)	To continue to work with learning communities and other key delivery partners to ensure clear progression pathways are in place;		July 2013	14-19 Manager	Increase in the number of young people achieving level 3 at 19 from 50.4% to 54% in 2013.	Refer to No 7. Data to be standing agenda item on strategic and curriculum meetings. Post 16 Reviews underway.
21 (G)	Ensure transition arrangements for 16, 17 and 18 year olds transferring from one provider to another mid course are in place through the development and implementation of a 'managed learner transfer' process and participation advisor role; (DfE Pilot Bid)	Pilot work commences July 2012	Review & revise for July 2013	14-19 Manager	More effective targeting of resources to prevent young people dropping out of structured learning post-16 with an increase in level 2 attainment by age 19 from 77.4% to 84% by 2013	MLT trial in place. Paperwork and reporting mechanism developed. Further work to be done across KS4 8 providers trialling the process, but there have been some delays as this process has involved winning hearts and minds and ensuring that no duplication takes place through use of the common

						assessment framework. Many providers started the process at the beginning of the academic year so no impact can be measured at this stage. Further work to be undertaken to engage the colleges due to the large number of learners involved. However, plans are in place to set up a 'Stage 2' process implementing an electronic drop-out form which it is hoped colleges will sign up to use. This work has started following discussions with Wakefield LA but will continue post March 2013. Two out of 3 learning communities have adopted the process for KS5 learners in school judged to be vulnerable where it sits within an overall package of support systems that are used for young people transferring course and therefore usage is proportionate. Feedback from this will influence/support the engagement of other Learning Communities. – work is ongoing
22 (G)	To develop an exemption framework which addresses the needs of young people who may need a 'temporary break in learning' due to their immediate and short term circumstances. (DfE Pilt Bid)	By Sept 2012 a draft framework in place	Roll-out Sept 13	14-19 Manager/IYS Manager/PEW Officer	A clear framework by which front-line staff have a clear understanding of the requirements for exemption. All young people requiring a break in training are time limited and reviewed regularly	Pending PB review of work of MATs/Careers as resource implications. Preliminary work undertaken through task & finish group to develop proposed framework & criteria. Draft Framework developed and taken to RPA Steering Group for consultation & agreement – process also taken to SMT for Universal and Targeted Services for input and feedback. Agreement sought and granted to trial from January in High Peak. Work ongoing and developments being identified through evaluation. Work has led to underpinning county Teen/Expectant parent Partnership

						Framework and GP briefing. Work responsibilities incorporated into MAT roles/responsibilities review.
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Strand 5 Identify Provision Needs and further develop the Curriculum Offer						
Ref	Actions	Milestones		Lead Responsibility	Impact Measurements	Progress to Date
		December 2012	July 2013			
23 (A/G)	To implement a framework for the strategic review of post 16 provision in Bolsover and North East Derbyshire which can be rolled out across the rest of the county, in order to determine the sufficiency of provision necessary to improve retention, participation, achievement and progression for all students.	Finding/recommendations by May 2012	July 2013	DAD (SL)/HoS (TS)	Model for implementation rolled out across the county and gaps in provision/duplication identified.	Bolsover review complete – decision of LC pending. Planning & timeline needed for county-wide roll-out. Task and Finish Group set up to review core purpose and identify process/data requirements. Action Plan in place with finalised data complete by 3 May.
24 (A)	To continue meetings with cross border authorities to identify and share commissioning intentions for 16-18 year olds.	Sept 2012	Feb 2013	HoS (TS)	Effective partnership structure in place	Some meetings have taken place but not structured. Data and planning issues shared. Need further discussion on added-value of these meetings. Bish??
25 (A/G)	Continue to develop and expand the 14-19 offer through Derbyshire learning communities and to work with post 16 providers to strengthen the opportunities available for work experience within 16-19 study programmes and the involvement of community and voluntary sector organisations;	Ongoing	Annual programme of activity/provision agreed in each LC	14-19 Manager	All young people have opportunities to access a wide range of work-related learning provision which will enable them to apply their learning in a working environment	Early days due to recent publication of 16-19 Study programme/Funding Review. Plans to put on LC/Provider network agendas for 12/13. Voluntary sector involved in some provider meetings and represented on RPA steering group but specific targeting may be required. Provider Networks delivered 3 x yearly to support curriculum developments. Work ongoing
	Continue to liaise with the National Apprenticeship Service through	May 2012-	July 2013	14-19 Manager	Increase in the take up of	Apprenticeship Strategy in place, regular

26 (G)	development of an Apprenticeship Strategy to ensure representation and access to available apprenticeships and to successfully implement the pre-apprenticeship route via FL;	Apprenticeship Plan in place			apprenticeships by 14% from 2399 at end of 2010/11 to 2734 by end of 2012/2013	meetings held with NAS and local Provider networks in place. Action Complete
27 (G)	To continue to support initiatives which help to increase participation including Youth Contract delivery, growth of level 3 apprenticeships and support the National Apprenticeship Service (NAS) in the expansion of pre-apprenticeship pathways within FL;	May 2012 - Youth Contracts		IYS Manager/14-19 Manager	Coherent provision infrastructure from engagement to higher level mainstream provision which help to support narrowing the gap amongst our most vulnerable learners.	Planning meeting set up with Youth Contract provider in Sept. Steering Group set up and meets 3 x yearly. Careers colleagues represented on steering group to provide young people's feedback of programme. Following publication of Traineeships Discussion Document, further work pending final publication. Growth in level 3 delivery of apprenticeships identified as key activity in apprenticeship action plan. Action Complete

Strand 6 Engaging Employers						
Ref	Actions	Milestones		Lead Responsibility	Impact Measurements	Progress to Date
		December 2012	July 2013			
28 (A/ G)	Working with key Stakeholders including NAS, JCP, DEBP, District Councils and Derbyshire & Nottinghamshire Chamber, maximise existing channels of communication and create opportunities for getting regular and comprehensive communication with Derbyshire employers about the implications of the RPA legislation;	Ongoing		14-19 Manager /PPRO	A range of measures utilised including Business First, Employer Leaflets, DCC Web-site, Employer Group presentations leading to an increased awareness of RPA amongst employers	Employer Engagement Stakeholder event planned for Nov. Planning group set up including JCP, Chamber, local district councils. Event taken place and followed up through provider networks running in North and South of County. Presentations undertaken to a range of groups. Working with DEBP to spread the word to employers, a number of

						<p>briefings/events taken place directly involving employers.</p> <p>To review and explore re-print of employer leaflet/other communications vehicles. Leaflet re-printed and in process of being distributed. Employer Engagement Action Plan in place.</p>
29 (A/G)	Through those networks encourage employers to increase the number of extended work experience placements / internships available for Post 16 learners and those that are NEET;	Ongoing		All	Increase in the number of internships being delivered through 14-19 provision	<p>Across the High Peak LC work is being trialled with 11 employers who are engaged in working across the learning community schools supporting teachers in delivering employability skills. This work will continue over the course of the academic year. The work will be disseminated with a Erewash learning community in April to implement a similar activity and work has been planned in a South Derbyshire learning community to commence in Summer working with prospective apprentices – the intention is during 2013/14 this work is rolled out fully across the county.</p>
30	Working with the Economic Regeneration Service, explore the feasibility of delivering a stakeholder event for those partners who have a key role in engaging and working with employers.	September 2012		14-19 Managers	Raised awareness across key stakeholders regarding implications of RPA and employer engagement and strategies identified for increasing demand amongst employers.	<p>Refer to 28 – potential to merge action – seek agreement at RPA steering group.</p> <p>Remove this action - duplication</p>
31 (A/R)	To identify those employers who are offering employment without training and communicate the statutory responsibilities enshrined in the raising of the Participation Age legislation and raise awareness of the apprenticeship route;	July 2012 List of young people/employers		IRA Manager	Increased employer engagement in learning and training programmes and reduction in the number of young people in jobs without training.	<p>No current process in place for capturing and utilising data.</p> <p>This is part of an ongoing data review needed to support RPA implementation. Data requirements have been gathered and discussions taking place.</p>

32 (G)	To work in partnership with NAS in order to promote the appointment of apprentices throughout the County Council and other public sector employers.	Ongoing		14-19 Managers	Increase in the number of County Council apprenticeships	<p>Derbyshire County Council Internal Apprentice Scheme: Currently 80 young people employed. An intake of 12 apprentices is planned for June 2013 and a further intake in September, with businesses cases currently being prepared to identify the number of apprentices for this intake.</p> <p>DCC AGE Grant Phase One: 167 apprentices in employment. This scheme is now closed to applications.</p> <p>DCC AGE Grant Phase 2: Pre-authorised 36 grants of the 300 available. Closing date for this scheme is 31/08/2013.</p>
33 (R)	To work in partnership with providers and key stakeholders in targeting our priority sectors in conjunction with raising the aspirations of young people to enter some of these sectors.		July 2013	14-19 Manager /IYS Manager	Increased take up across priority sectors.	Refer to 16

Strand 7 - Communicating the RPA message						
Ref	Actions	Milestones		Lead Responsibility (Bold)	Impact Measurements	Progress to Date
		December 2012	July 2013			
34 (G)	Work with Local Authority colleagues to identify the use of existing channels of communication such as e-bulletins, Derbyshire County Council web-site, news bulletins, school publications etc to cascade the RPA message;	Mar 2012		14-19 Manager /PPRO	Raised awareness of RPA across all key delivery partners, internal colleagues, young people, parents and employers	Range of methods explored and utilised inc. b-line, workforce, website, facebook, leaflets etc. <u>Action Complete</u>
	Develop a local branding for RPA and				Key audiences prioritised.	Completed – 'Up to 18'

35 (G)	develop a young person's face book page linked to Routes Ahead website.	Apr 2012	Jan 2013	PPRO	Young people accessing face book increasing awareness of RPA.	<u>Action Complete</u>
36 (G)	To develop a series of communication tools to support internal and external colleagues in cascading the message. This will include a series of leaflets to key audiences, presentations and lesson plan resources.	May 2012		14-19 Managers	Raised awareness of RPA across all key delivery partners, internal colleagues, young people, parents and employers	Series of presentations/leaflets in place. IAG toolkit inc. lesson plan resources being developed within Chesterfield LC for county wide roll-out. <u>Toolkit pulled together</u> <u>Action Complete</u>

RAG Rated according to activity progress

Green – on track

Amber – activity being undertaken but behind schedule

Red – very little activity in this area



Department
for Education

Statutory Guidance on the Participation of Young People in Education, Employment or Training

For local authorities

March 2013

Contents

Summary	3
About this guidance	3
Review date	3
What legislation does this guidance relate to?	3
Who is this guidance for?	3
Responsibilities of local authorities	3
Duties on local authorities relating to participation	4
Funding for these duties	4
Delivering the existing duty to support participation	5
Delivering the new duties to support RPA	6
Duty to promote effective participation	7
Duty to identify young people not participating	8

Summary

About this guidance

1. This is statutory guidance from the Department for Education (DfE). A local authority must have regard to it when exercising its functions relating to the participation of young people in education or training. The annexes to this guidance contain departmental advice to help recipients understand what the Department considers the statutory provisions to mean in particular circumstances.
2. Apart from the elements identified in this statutory guidance, it is for local authorities to determine their approach.

Review date

3. This guidance is being published in advance of the commencement of the relevant sections of Part 1 of the Education and Skills Act 2008 (ESA 2008) to help local authorities plan for implementation of the **raising of the participation age**. The Department will review this guidance by June 2014.

What legislation does this guidance relate to?

4. This guidance is being issued under sections 18 and 68(4) of ESA 2008 in relation to sections 10, 12 and 68 of that Act. This guidance replaces the existing guidance on section 68.

Who is this guidance for?

5. This guidance is for all local authorities in England.

Responsibilities of local authorities

6. The Government's approach is to give local authorities freedom and flexibility to decide how to fulfil their statutory duties. That is why we are only specifying key activities to help them to fulfil those duties. It is a requirement that local authorities will have regard to the following guidance when deciding how to organise and resource their services.

Duties on local authorities relating to participation

7. Local authorities have **existing responsibilities** to support young people into education or training, which are set out in the following duties:

- **Secure sufficient suitable education and training provision** for all young people aged 13-19 and for those aged 20-24 with a Learning Difficulty Assessment in their area¹. Guidance on this duty is included at para 9.
- Make available to young people aged 13-19 and to those aged 20-24 with a Learning Difficulty Assessment support that will **encourage, enable or assist them to participate in education or training**². Tracking young people's participation successfully is a key element of this duty. Guidance on this duty is included at paras 12-19.

In addition, ESA 2008 places two new duties on local authorities with regard to 16 and 17 year-olds. These relate to the raising of the participation age (RPA):

- A local authority in England must ensure that its functions are (so far as they are capable of being so) exercised so as to **promote the effective participation** in education or training of persons belonging to its area to whom Part 1 of ESA 2008 applies, with a view to ensuring that those persons fulfil the duty to participate in education or training³ (see paras 24-27).
- A local authority in England must make arrangements to enable it to **establish** (so far as it is possible to do so) **the identities of persons** belonging to its area to whom Part 1 of ESA 2008 applies but who are **failing to fulfil the duty to participate** in education or training (see paras 28-30).

Funding for these duties

8. Local authorities are expected to meet any costs incurred in the delivery of these duties from their overall budgets, including central government grants such as the Business Rates Retention Scheme.

9. **Funding for education and training provision** for 16-19 year olds is provided to schools, colleges and training providers by the Education Funding Agency (EFA). The document *Guidance for local authorities: Funding 16–19 education and training*⁴ sets out further information about the role of local authorities and how they can fulfil their duty to secure sufficient and suitable provision for young people. Where local authorities feel that there is a specific gap in provision which cannot be addressed by existing providers, this guidance sets out the process that they can take to submit evidence to the EFA. Re-engagement programmes should be used to support young people who are not in education, employment or training

¹ Sections 15ZA and 18A of the Education Act 1996 (as inserted by the Apprenticeships, Skills, Children and Learning Act 2009))

² Section 68 Education and Skills Act 2008

³ Section 10 ESA 2008

⁴ <http://www.education.gov.uk/childrenandyoungpeople/youngpeople/studentsupport/funding/a00203196/16-19-funding>

(NEET) back into learning. Examples of re-engagement programmes include programmes funded by the European Social Fund (ESF) and the Youth Contract funded by the EFA. Other ways of re-engaging young people may be sourced locally.

10. In addition to EFA funding for education and training provision, local authorities will receive a budget through the Dedicated Schools Grant (DSG) for costs associated with **high needs students** aged 16 -24 for the 2013-14 financial year. This will be combined with the pre-16 high needs budget to create one all age budget which can be used to fund specialised provision for young people with high needs who enter the system as a result of RPA.
11. **The 16-19 Bursary Fund** provides targeted support to help young people to overcome any specific financial barriers to participation. This funding is administered by schools, colleges and training providers. Local authorities can work with providers in their area to coordinate and support the delivery of the 16-19 Bursary⁵.

Delivering the existing duty to support participation

12. The guidance in this section relates to local authorities' existing duty under **section 68 of ESA 2008**. This applies to all young people aged 13-19 and those aged 20 to 24 with a Learning Difficulty Assessment.
13. In order to discharge this duty, local authorities must collect information to **identify young people** who are **not participating**, or who are at risk of not doing so, to target their resources on those who need them most. The information collected must be in the format specified in the Client Caseload Information System (CCIS) Management Information Requirement⁶. To meet this requirement, local authorities will need to have arrangements in place to confirm young people's current activity at regular intervals. This may be through exchange of information with education and training providers and other services as well as direct contact with young people.
14. Local authorities will be expected to continue to work with schools to identify those who are in need of **targeted support** or who are at risk of not participating post-16. They will need to agree how these young people can be referred for intensive support, drawn from the range of education and training support services available locally. Tools such as risk of NEET indicators may support this⁷.
15. Local authorities are expected to lead the **September Guarantee** process, which underpins the delivery of this duty. This is the process by which local authorities aim to ensure that all 16-17 year olds receive an offer of a suitable place in education or training by the end of September each year⁸.

⁵ <https://www.gov.uk/1619-bursary-fund>

⁶ <http://www.education.gov.uk/childrenandyoungpeople/youngpeople/participation/a0074374/national-client-caseload-information-system-nccis-management-information-required-from-ccis>

⁷ <http://www.education.gov.uk/childrenandyoungpeople/youngpeople/participation/rpa/a0075564/rpa-past-projects>

⁸ <http://www.education.gov.uk/childrenandyoungpeople/youngpeople/participation/transitionintoeducationandtraining/a0064102/offersofeducationandtraining>

16. Information on the **number and proportion of young people** in each area who:

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

will be taken from the CCIS data reported to DfE and made available publically via the DfE website on a regular basis.

17. Local authorities are expected to pay particular attention to young people who are not in any form of education, employment or training. This includes working with the **Youth Contract providers** to develop provision that will meet the needs of 16-17 year olds NEET in the area and referring those who are eligible for support to local providers in line with the guidance issued by the EFA⁹.

18. Local authorities should continue to maintain close **links with Jobcentre Plus** to ensure that young people who are NEET and receiving benefits get support that is appropriate to their needs. This responsibility is best met by the development of local partnership agreements, which set out the ways in which local authorities and Jobcentre Plus will work together.

19. 16-17 year olds are, in certain circumstances, eligible to claim Job Seeker's Allowance (JSA), Income Support (IS) or Employment Support Allowance (ESA)¹⁰. Whilst decisions about the payment of benefits will be made by Jobcentre Plus, any under-18 wishing to make a claim must first register with the local authority as a condition of entitlement. Local authorities must follow the processes set out in the 'Benefits Liaison Guidance'¹¹ issued by DWP to ensure that **benefit regulations** are adhered to.

Delivering the new duties to support RPA

20. Part 1 of ESA 2008 places a new duty on young people themselves. From 2013, **all young people will be under a duty to participate in education or training until the end of the academic year in which they turn 17. From 2015, this will rise to their 18th birthday.** This section of the guidance relates to these age groups, though local authorities are free to consider its wider application to support other young people (e.g. 17 year olds prior to 2015 and those aged 18 or over). Advice on the definitions of participation in education or training is set out in Annex 1 to this guidance.

21. The aim is to ensure that every young person continues their studies or takes up training and goes on to successful employment or Higher Education. The **Government's strategy for maximising the participation** of young people is set

⁹<http://media.education.gov.uk/assets/files/pdf/lyouth%20contract%20la%20roles%2001%20october%2012.pdf>

¹⁰ This guidance will be revised following the introduction of Universal Credit.

¹¹ <http://www.dwp.gov.uk/publications/specialist-guides/supporting-young-benefit-claimants>

out in *Building Engagement, Building Futures*¹².

22. **Schools have a crucial role** in preparing young people for post-16 education and training. They also have specific responsibilities for young people with statements of SEN leaving school, including arranging an annual review of the statement which focuses on transition from school. The responsibilities placed on young people by RPA should be clearly built into that transition plan. As outlined in paragraph 14, local authorities will need to work with schools to identify and support those young people at risk of being NEET post-16.
23. Schools, colleges and training providers also have a key role post-16 and new duties will be placed on them to support the delivery of RPA. These are set out in Annex 2 of this guidance. **Schools and colleges will be held to account** for the destinations of all their leavers through the annual publication of Destination Measures.

Duty to promote effective participation

24. The participation of young people in education and training should be actively supported through **local authorities' wider functions** wherever possible and practical (**section 10 of ESA 2008**).
25. Specific examples of this are:
 - When developing transport arrangements and preparing their **post-16 transport policy statement**, local authorities should ensure young people are not prevented from participating because of the cost or availability of transport to their education or training¹³.
 - Where possible, ensuring a focus on participation is embedded throughout their **education and children's services**, Youth Offending Teams, Troubled Families Teams and pre-16 Education Teams, social services and economic development, amongst others.
 - Subject to the passage of the Children and Families Bill, local authorities, schools and colleges will need to set out what services they provide for **young people with SEN** in the area – the 'local offer' – up to the age of 25. The local offer will be a key tool in supporting young people with SEN and disabilities to make choices as they approach the end of school.
26. Local authorities should **provide strategic leadership in their areas**, working with and influencing partners locally to support participation. Local authorities may wish to consider:
 - Having agreements in place for working with neighbouring authorities.

¹² <http://www.education.gov.uk/a00200853/building-engagement-building-futures>

¹³ In accordance with their duty under section 509AA of the Education Act 1996

- Developing a strategic plan¹⁴ for implementing RPA to maximise impact from the **range of funding sources** supporting this area – including funding for education and training places and re-engagement provision supported by the European Social Fund, Youth Contract or otherwise. Local authorities may also wish to agree ways of working with wider agencies including Voluntary and Community Sector organisations and employers.
27. Sections 14-17 of ESA 2008 provide **data sharing powers**¹⁵ to support local authorities to promote effective participation, and data sharing agreements should be put in place where needed. Section 13 places a duty on all educational institutions (maintained schools, Academies, colleges, and education and training providers – including Apprenticeship providers) to tell a local authority when a young person is no longer participating. This duty is applicable if a young person leaves an education or training programme before completion (i.e. 'drops-out'). In the event of a local authority being told that a young person from another local authority is not participating, they should inform the home authority as quickly as possible.

Duty to identify young people not participating

28. Local authorities should be aware that **all young people** aged 16 (from 2013) and 17 (from 2015) will be under a **duty to participate** and authorities should be doing all they can to support them to meet that. CCIS will function as the main source of evidence that local authorities are discharging their duty under section 12 of ESA 2008.
29. The duty to participate in education or training applies to those young people resident in England. In certain circumstances, local authorities may need to make judgements about whether young people are **resident in England** (for example, if a young person is in the country for an extended temporary period). Local authorities have discretion to make these decisions themselves based on the individual's circumstances. The Education Funding Agency funding guidance¹⁶ sets out the criteria for eligibility for funding and this may be helpful in making these decisions.
30. The Government recognises there will always be a very small number of young people who require a **temporary break in education or training** (such as new mothers or the very ill). It is important that local authorities are satisfied that they have in place the appropriate support mechanisms in their area to enable these young people to re-engage in education or training as soon as is reasonably possible.

¹⁴ EFA guidance to local authorities on funding arrangements for 2013/14 (para 8)
<http://www.education.gov.uk/childrenandyoungpeople/youngpeople/studentsupport/funding/a00203196/16-19-funding>

¹⁵ This is related to the existing provisions in section 72 of ESA 2008.

¹⁶ <http://www.education.gov.uk/childrenandyoungpeople/youngpeople/studentsupport/funding/a00209794/funding-guidance-2012-to-13>



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Department
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Participation of Young People Statutory Guidance - Advice.

Annex 1 – Defining Participation.

For local authorities

March 2013

Contents

Defining Participation	3
What counts as full-time education	3
Apprenticeships and Traineeships	4
Full-time work with part-time education or training	4
Young people with full-time caring responsibilities	5
Young people in jobs without training	5
Young people taking gap years	5

Defining Participation

1. In order for local authorities to fulfil their duties, they will need to be aware of how the duties on young people apply. This Annex sets out further information to support local authorities.
2. The duty to participate in education or training applies to all young people in England (from 28 June 2013) until the end of the academic year in which they turn 17; and from 26 June 2015, to their 18th birthday.
3. Where young people have accepted an offer of a place in education or training, or are participating, there is no requirement for them to participate during the usual breaks in learning (e.g. school/college holidays).
4. Where young people have attained 2 or more A levels or the other prescribed qualifications¹, they are no longer *required* to participate but may benefit from support to continue their education or get a job.
5. The three primary routes for young people to participate are:
 - a. Full-time education;
 - b. An Apprenticeship;
 - c. Full-time work combined with part-time education or training.

What counts as full-time education

6. Where a young person is attending full-time education at a school (including at an academy or free school), they will be meeting their duty to participate.
7. For young people attending other full-time education – whether that be a sixth-form college, general further education college, independent college, or otherwise apart from the settings below (paras 8 & 9) – the definition of full-time participation is at least 540 hours of guided learning a year. In accordance with the principles of 16-19 study programmes², wider forms of education such as work experience can be included within those hours. In general, young people enrolled on a full-time study programme will be meeting the duty to participate.
8. For young people who are being home educated, no hourly requirement of education applies: the amount and content of that education is at the discretion of the home educator. In most circumstances it will be the young person themselves who states that they are home-educated. If the authority believes there is some doubt in the matter they may wish to seek confirmation of this from the parent or guardian, but no on-going monitoring of the education is required.

¹ Any further qualifications will be confirmed following the passage of the ESA 2008 secondary legislation through Parliament in Spring 2013.

² <http://www.education.gov.uk/schools/teachingandlearning/curriculum/a00210755/16-19-study-programmes>

9. For young people who have been absent from the education system and are now attending a re-engagement programme, no hourly requirement of education applies. Local authorities should be satisfied that the express intention of the programme is to support the young person to move into full-time education at a school or college, an Apprenticeship, or full-time work with part-time training alongside. Once re-engagement onto one of those routes is secured, the wider requirements for participation apply. Local authorities are able to determine for themselves what counts as re-engagement provision. A suggested set of non-statutory principles for re-engagement provision has been developed by representatives from the sector with DfE to support this process and this forms Annex 3 to the Statutory Guidance. Advice on how local authorities can work with providers of the Youth Contract for 16-17 year olds³ should be considered in deciding whether the provision put in place meets the needs of these young people.

Apprenticeships and Traineeships

10. Entering into a contract of Apprenticeship satisfies the duty to participate and no further monitoring of that young person's training or employment is needed. Apprenticeship providers are included in the requirement to notify a local authority if a young person is no longer participating ('drops-out' of learning).
11. The Government is proposing to introduce Traineeships from September 2013. These would provide a new training route to equip young people to compete successfully for jobs, including Apprenticeships. Traineeships will be part of Study Programmes for 16-19 year olds so a young person enrolling on a Traineeship would meet the duty to participate.

Full-time work with part-time education or training

12. Sections 5, 6 and 8 of ESA 2008 detail the requirements of this route. In order to be considered as participating, a young person must both be in full-time work and undertaking part-time education or training. The key definitions that local authorities will need to have regard to are that:
- To count as full-time work, the job must be for 8 or more weeks consecutively and for 20 or more hours per week. Where a young person's employment hours vary, employment of an average of 40 or more hours over a two week period can be considered as meeting the requirement. Part-time work (e.g. a weekend or evening job) is not affected by these requirements.
 - Full-time self-employment, holding a public office or working other than for reward (e.g. volunteering) should all be regarded in the same way as full-time employment. For volunteering placements, it is recommended that a written agreement is in place between the young person and the placement organiser, but it is not the local authority's responsibility to monitor this.

³<http://www.education.gov.uk/childrenandyoungpeople/youngpeople/participation/neet/a00203664/youth-contract>

- Part-time education or training alongside full-time work must be of at least 280 guided learning hours (GLH) per year. There is no set pattern for how these hours should be taken: at a given time a young person might not be undertaking education or training as long as it is clear that over the course of the year the hourly minimum will be met. Part-time education or training pursued alongside full-time work must constitute education or training leading towards an accredited qualification⁴ and therefore have a GLH value attached. This education or training may be provided directly by an employer or by another organisation.

Young people with full-time caring responsibilities

13. Local authorities may consider full-time caring responsibilities as full-time work depending on individual circumstances, so part-time education or training alongside that work would count as full participation. This is only likely to be appropriate where the young person is on the local authority's register of carers and/or is in receipt of carers' allowance. Young people who are parents caring for children would not be covered by this provision, as they would be expected to participate and may qualify for Care to Learn⁵ funding to enable them to do so. As set out in para 30 of the guidance, a reasonable period of maternity leave is justified.

Young people in jobs without training

14. Those in jobs without training should be encouraged to take up suitable part-time accredited education or training alongside their work. Local authorities should be aware of their duty to secure appropriate provision⁶ for all young people and so ensure that flexible provision is in place where needed. Where necessary local authorities should work with employers to find an amicable solution.

Young people taking gap years

15. Most young people who take gap years do so at 18 or older and will be unaffected by this legislation. For the small group of 16 and 17 year olds who are considering taking a gap year, the legislation applies in the following way:
 - Where the gap year is taken abroad, a local authority may need to make a judgement about whether that young person will be resident in England (para 29 of the Guidance).
 - Those remaining in England to work or volunteer would be expected to comply with RPA and undertake education or training in accordance with the duties set out in para 2 of this Advice.

⁴ <http://register.ofqual.gov.uk/>

⁵ <http://www.education.gov.uk/childrenandyoungpeople/youngpeople/studentsupport/funding/a00203090/care-to-learn>

⁶ Section 15ZA and 18A of the Education Act 1996 (as inserted by the ASCL Act 2009)



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Participation of Young People Statutory Guidance - Advice.

Annex 2 – Duties on other organisations in relation to Raising the Participation Age.

March 2013

Duties on Schools

1. From September 2012, schools have been under a duty to secure access to independent and impartial careers guidance¹ for their pupils in years 9-11 on the full range of post-16 options, including Apprenticeships. Academies and Free Schools opening from September 2012 are subject to an equivalent requirement in their funding agreements and we are taking action to encourage all existing Academies to adopt this provision.
2. From September 2013, the careers duty will be extended to years 8-13 and an equivalent requirement will be applied to 16-18 year olds in colleges through funding agreements. Schools are expected to engage, as appropriate, in partnership with external, expert careers providers² but are otherwise free to make arrangements that fit the needs and circumstances of their students. In fulfilling their new duty, schools should secure access to independent face-to-face careers guidance where it is the most suitable support for young people to make successful transitions, particularly children from disadvantaged backgrounds or those who have special educational needs, learning difficulties or disabilities.

Duties on sixth forms, colleges and other training providers

3. Providers of education or training for 16 and 17 year olds will be under two duties in relation to RPA. They must:
 - Promote good attendance of 16 and 17 year olds³; and

¹ The Education Act 2011 inserted a duty, section 42A, into Part VII of the Education Act 1997,

² <http://media.education.gov.uk/assets/files/pdf/s/statutory%20guidance%20for%20schools%20on%20careers%20guidance.pdf>

³ Section 11 Education and Skills Act 2008

- Inform local authority support services if a young person (aged 16 or 17) has dropped out of learning⁴. This is so the young person can be contacted swiftly and offered support to help them re-engage.

Duties on Employers

4. The Education and Skills Act 2008 places duties on employers to take certain actions in respect of young people who meet the duty by combining work with education/ training⁵. However, these duties will not be brought into force at this stage, and the possibility of commencing them will be kept under review.



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⁴ Section 13 Education and Skills Act 2008

⁵ Section 19-39 Education and Skills Act 2008