

**REPORT TO:** Children and Young People's Policy & Performance Board

**DATE:** 2<sup>nd</sup> June 2008

**REPORTING OFFICER:** Strategic Director Children and Young People

**SUBJECT:** Education and Skills Bill

**WARDS:** Borough Wide

### **1.0 PURPOSE OF REPORT**

To provide background information on the Education and Inspection Bill

### **2.0 RECOMMENDED that**

- 2.1 Consideration is given to the impact of the Bill
- 2.2 Consideration is given to a response to the consultation paper on 'Raising Expectations: enabling the system to deliver'

### **3.0 SUPPORTING INFORMATION**

'Raising Expectations: Enabling the system to deliver'

'We want every 16 and 17 year-old to participate in education or training, and every adult to have the chance to improve their skills in order to improve their skills in order to find work or progress in their current employment. The changing nature of the world economy makes increasing participation in education and training is an urgent necessity' DCSF 2008.

The Education and Skills Bill is a landmark piece of legislation. For the first time in over thirty years, the Government is legislating to change the education leaving age. In doing so, effect is being given to an intention first set out in the Fisher Act of 1918, which proposed that children should remain in at least part-time education until the age of 18, a provision that was never enacted as a result of the period of austerity after the First World War. Almost a century – and two further Acts of Parliament in this area – later, we consider that now is the time to act and to extend educational opportunity to all young people until the age of 18.

- 3.1 The Bill contains measures to encourage more young people to participate in learning post-16 and to achieve higher levels of skill and qualification. The Government proposals go beyond the current aspiration so that by 2013, all 17 year olds, and by 2015, all 18 year olds, are participating in some form of education or training. As the Leitch Review highlighted, the need for highly knowledgeable and skilled people is growing, to meet the demands of an increasingly high-skilled economy. The availability of low-skilled jobs has declined sharply and will decline further. People with low skills will find it increasingly hard to find sustainable employment.
- 3.2 The Education and Skills Bill sets out to achieve this – new rights for young people to take up opportunities for education and training, and the support they need to take up these opportunities; alongside new responsibilities for all young people – and a new partnership between young people and parents, schools and colleges, local government and employers. The Bill sets out clear aspirations for the future. It has the potential to accelerate change, transforming the experience of the children who, now in their last year of primary school, will be the first cohort to whom the new participation duty will apply.
- 3.3 More than 70% of the UK's working age population in 2020 are already over the age of 16. The Bill's provisions will give adults a second chance to gain the skills they need to thrive throughout their working lives, whether through basic literacy and numeracy training, a first full level 2 qualification or, for those aged 19-25 a first full level 3 qualification. Taken together, the provisions in the Bill will extend opportunity to both young people and adults, to meet the ambition set out in the Leitch Review of achieving world class skills by 2020.
- 3.4 The Bill will legislate to raise the participation age
- Young people will have a duty to participate in education and training post-16, which they will be able to do in a number of different ways, including:
- full-time education, for example, at school or college
  - work-based learning, such as an apprenticeship
  - part-time education or training, if they are employed, self-employed or volunteering more than 20 hours a week.

Central to the duty is the principle that young people may learn by attending more than one provider. This is at the heart of 14-19 reforms. The Bill therefore takes the opportunity to clarify governing bodies' power to arrange for young people to learn elsewhere than on the school site.

Raising the participation age to 18 will mean that there is a focus on preparing every young person throughout their school career for successful progression post-16 on a route that suits their individual needs and interests, as well as achievement within school.

The statutory responsibility for ensuring that there is provision of facilities for young people aged 16 or older, to enable them to participate in valuable learning, lies with the Learning and Skills Council. This Bill will not change that responsibility. It makes explicit the responsibility of the LSC to ensure that apprenticeships are available to all suitably qualified young people.

Local authorities will be responsible for making sure that young people resident in their area participate. They will maintain accurate information about what young people are doing, and will provide support services that are designed to encourage, enable or assist participation. The Bill's provisions will ensure that local authorities' transport plans support young people's participation. Providers of post-16 education and training will be under a duty to tell the Connexions service if young people drop out, so that they can be contacted as soon as possible and offered support to re-engage.

Young people will still be able to work, providing they are engaged in at least part-time education or training. Before employing a 16 or 17 year old for more than 20 hours a week, over more than 8 weeks, employers will need to reassure themselves that the young person is participating, either by providing their own training or checking that the young person has a place on a course. Where they do not have their own accredited training programme, or are not arranging training, they will have to release the young person for the equivalent of a day a week so that they can train elsewhere.

### 3.5 The Bill will legislate to give local authorities a duty to provide services which will enable, encourage or assist young people to participate

The Bill transfers the statutory responsibility for the service currently known as Connexions to local authorities. This ties in with their responsibility for ensuring that all young people aged 16-18 in their area participate in education or training. They will maintain the information that tells them when a young person is participating, and will provide a service to all 13-19 year olds in their area (13-24 year olds in the case of young people with a learning difficulty) to encourage, enable or assist them to do so.

Transferring the responsibility for Connexions to local authorities will enable them to improve links between Information Advice and Guidance (IAG) services and other services for young people. Local authorities will be required to have regard to the recently issued Quality Standards for information advice and guidance, launched on 31<sup>st</sup> October. These define our expectations of the information, advice and guidance services that local authorities should provide.

For those young people with statements of special educational needs, local authorities will also have a duty to conduct assessments if the young person is leaving school to learn elsewhere. Local authorities will also have a

power to arrange assessments for young people of compulsory school age with special educational needs but without statements who are leaving school to go full-time to further education or training.

3.6 The Bill will legislate to make sure that local decision making arrangements take proper account of 14-19 interests

The Bill builds on local authorities existing duty to collaborate with other local partners to secure the wellbeing of children and young people. It sets out that in fulfilling this duty with regard to 14-19 year olds, local authorities must work to secure effective collaboration with providers of 14-19 education and training. The Government will expect this duty to be fulfilled through existing 14-19 partnerships; the Bill's provisions will help to strengthen such partnerships and ensure their sustainability. They will support the raising the participation age policy by ensuring that framework promotes collaboration between employers, providers and commissioners, including common curriculum timetabling, transport, Information Advice and Guidance and workforce development.

To further support local arrangements for 14-19 delivery the Bill legislates to make a small change to the way Schools Forums are convened. Schools Forums, which local authorities must consult on the distribution of revenue funding, will be required to have non-schools members, where they do not already. Through regulations, we will require those non-schools members to include 14-19 and early years representation. This will allow more appropriate consideration of the distribution of 14-19 and early years funding, which is increasingly directed through Schools Forums.

3.7 The Bill will legislate to give adults a right to basic and intermediate skills and enable the benefits of adult skills to be measured

The Bill introduces a duty on the Learning and Skills Council to ensure the proper provision of courses for basic literacy and numeracy programmes and courses leading to a first full level 2 qualification, and to ensure that they are provided without tuition fees. This will give adults the right to basic and intermediate skills at no cost to the learner. It also proposes a duty on the LSC to ensure that 19-25 year olds who are undertaking their first full level 3 qualification do not have to pay tuition fees.

3.8 The Bill will legislate to rationalise the regulation and monitoring of independent schools and non-maintained special schools

The Bill abolishes the category of 'approved' independent school for the purposes of special educational needs. This will mean that the local authority maintaining a child's statement of special educational needs may place the child in any independent school that meets the independent

school standards and can provide the provision set out in the child's statement, without the requirement for the local authority to seek consent from the Secretary of State to the placement. This reinforces a local authority's statutory duty to ensure appropriate provision is made for children and young people with special educational needs.

### 3.9 To summarise the Education and Skills Bill seeks to:

Raise the age young people stay in education or training, with a duty on young people to participate and on parents to assist their children to participate

Set out duties on employers to release young people for the equivalent of one day a week to undertake training elsewhere (where the employer does not provide their own training)

Introduce a duty on local authorities to ensure that young people participate and to provide the support service currently known as Connexions

Require local authorities to assess the education and training needs of young people aged 16-19 with special educational needs

Require the Learning and Skills Council to secure the proper provision of courses for learners over the age of 19.

## **4.0 FINANCIAL IMPLICATIONS**

4.1 Under the Machinery of Government all post 16 funding with the exception of apprenticeships and Higher Education will be rooted through Local Authorities. LAs will have the responsibility to provide a place for learning for every young person through strategic commissioning

## **5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **5.1 Children and Young People in Halton**

The focus upon 'narrowing the gap in educational outcomes for vulnerable children' will be further addressed

### **5.2 Employment, Learning and Skills in Halton**

5.2.1 The reforms are intended to address issues raised in the Leitch Report on 2020 skills. The report identified that our skills are "not world class" and that "in 10 years time 75% of jobs will require a level 2 qualification".

5.2.2 Half of reported recruitment difficulties are due to skill shortages in:

- Communication
- Customer handling
- Team working
- Problem solving
- Higher level technical skills

### **5.3 A Healthy Halton**

To increase the opportunities to develop skills for life all young people in the Borough to the age of 19

### **5.4 A Safer Halton**

Not applicable

### **5.5 Halton's Urban Renewal**

Not applicable

## **6.0 RISK ANALYSIS**

6.1 Failure to fully implement the reforms locally in the future could result in learners being forced to access provision out of the borough with a subsequent loss of investment for local provision.

## **7.0 EQUALITY AND DIVERSITY ISSUES**

The Education Bill and the consultation paper 'Raising Expectations: an enabling the system to deliver' for change' promotes equality of opportunity and access to high quality learning provision that can meet the needs of children with diverse needs within their local community.

## **8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

Document	Place of Inspection	Contact Officer
Raising Expectations:	Grosvenor House	Judith Kirk

Enabling the system to  
deliver 14-19 Education  
and Skills (2008)

Education and Skills  
Bill (2008)

Grosvenor House

Judith Kirk