

Open report on behalf of the Executive Director Children's Services

Report to:	Executive
Date:	2 October 2012
Subject:	Strategic priorities for 16 – 19 (25) education and training for 2013/2014
Decision Reference:	02032
Key decision?	Yes

Summary:

1. This report sets out the current situation in relation to post 16 education and training and establishes the changes to the mix and balance of provision that will be required to achieve full participation to the age of 17 in 2013 and to age 18 by 2015.
2. It also suggests the priorities for strategic commissioning of education provision for 16 – 18 year olds (25 for young people with a learning difficulty assessment) 2013/14.

Recommendation(s):

1. Consider and note the strategic priorities for 2013/14.
2. To accept the priorities below as the Strategic Priorities of Lincolnshire County Council for Post 16 learning 2013/14: -
 - Increase the number of young people age 16 – 18 participating in post 16 education and training in line with the requirement to raise the participation age.
 - Reduce the number of 17 year olds not participating in education or training. In particular reduce the number of young people failing to progress from AS to A2 programmes.
 - Reduce the gap in attainment of level 2 and level 3 (by the age of 19) between young people from deprived backgrounds (i.e. who have been eligible for free school meals) and the overall cohort.
 - Ensure that the rate of increase in the number of young people in Lincolnshire who achieve level 3 by the age of 19 is at least in line with the national rate of increase.
 - Develop the curriculum, in particular at entry level and level 1, through the implementation of the requirements of 'Study Programmes for 16 – 19 year olds' that more effectively prepare young people (including those with learning difficulties and/or disabilities) for employment, further study or independent living as appropriate.
 - Increase the number of available apprenticeship places in total, and in particular in the priority sectors identified by the Lincolnshire and Rutland Employment and Skills Board.

- Increase the availability of apprenticeship places and frameworks at level 3 (and at level 4 and above post 19) to secure progression routes and provide an alternative pathway for those young people who do not wish to follow a traditional 'academic' route.
- Ensure all young people have access to independent, impartial careers guidance, and information about all opportunities, so that they are able to make realistic informed decisions about their future post 16 options.
- Ensure that all young people and those supporting them (parents, carers, teachers, careers advisers and other professionals) have access to information about post 16 provision and about the labour market.
- Implement the Post 16 Learners with Learning Difficulties and/or Disabilities (LLDD) strategy for Lincolnshire to improve the availability and range of opportunities for LLDD to increase their participation and to enable more young people to access learning within their own community.
- Increase participation of young people from vulnerable groups including those who have been eligible for free school meals.
- Encourage further collaboration between school sixth forms (and with other providers where appropriate) in order to maintain niche and specialist provision, and to prevent the failure of those sixth forms that are potentially financially vulnerable.

Alternatives Considered:

Not applicable

Reasons for Recommendation:

Under sections 15ZA and 18A of the Education Act 1996 (as inserted by the ASCL Act 2009) local authorities have a duty to secure sufficient suitable education and training opportunities to meet the reasonable needs of young people in their area, and to make available to young people age 19 and below, support that will encourage, enable or assist them to participate in education or training (Section 68, Education and Skills Act 2008).

The Education and Skills Act 2008 also places a duty on all young people to participate in education or training until their 18th birthday. From summer 2013, young people will be required to continue in education or training until the end of the academic year in which they turn 17. From 2015, they will be required to continue until their 18th birthday.

The Education and Skills Act places duties on local authorities in relation to Raising the Participation Age (RPA). Local Authorities will be required to:

- Promote the effective participation in education or training of all 16 and 17 year olds resident in their area; and
- Make arrangements to identify young people resident in their area who are not participating.

Failure to set out the priorities and changes that are required to ensure suitable provision is available to meet the reasonable needs of all young people in the area will mean:

Lincolnshire County Council will not deliver its statutory duties.

Schools, Academies, Colleges and other providers will not have the information they require to enable them to develop their provision to respond to the needs of young people and employers.

The 14 – 19 Strategic Partnership, its supporting structures and learning providers will lack the policy steer that will lead to full participation to the age of 17 by 2013 and 18 by 2015.

1. Background

Under sections 15ZA and 18A of the Education Act 1996 (as inserted by the ASCL Act 2009) local authorities have a duty to secure sufficient suitable education and training opportunities to meet the reasonable needs of young people in their area and to make available to young people age 19 and below, support that will encourage, enable or assist them to participate in education or training (Section 68, Education and Skills Act 2008).

The Education and Skills Act 2008 also places a duty on all young people to participate in education or training until their 18th birthday. From summer 2013, young people will be required to continue in education or training until the end of the academic year in which they turn 17. From 2015, they will be required to continue until their 18th birthday.

The Education and Skills Act places duties on local authorities in relation to Raising the Participation Age (RPA). Local Authorities will be required to:

- Promote the effective participation in education or training of all 16 and 17 year olds resident in their area; and
- Make arrangements to identify young people resident in their area who are not participating.

There have been (and are continuing to be) a number of statutory and policy changes that will impact on post 16 education and training provision from September 2013. These include:

- The transfer of the statutory duty to provide careers guidance to pupils in years 10 and 11 (there is currently a consultation regarding whether this should be extended down to year 8 and up to year 13) from local authorities to schools from September 2012.
- The implementation of the duty on all young people to participate in education or training until the end of the academic year in which they turn 17 from 2013, and until their 18th birthday from 2015. The coalition government has however made the decision not to impose sanctions on either young people for failure to participate, or on employers for employing young people without training. It does reserve the right to do so in the future.
- Schools funding reform, in particular the changes to funding high needs i.e. learners with learning difficulties and/or disabilities (LLDD) post 16 provision (to be implemented from April to August 2013 depending on type of institution). This means that funding for meeting the high cost element of

provision for learners with high level needs will be transferred to local authorities to enable them to commission directly with providers.

- The 16 – 19 funding formula review (to be implemented from academic year 2013-14). However, our assessment is that it is unlikely to make any significant difference to the funding per student received by each institution (post 16).
- Introduction of ‘Study Programmes’ (from academic year 2013 – 14) which will mean some providers will need to review their curriculum.
- A consultation into A level reform consultation that is currently being undertaken, from which any resulting changes will be introduced on a gradual basis from academic year 2013-14 onwards.
- Future planned legislation (Children and Families Bill) resulting from the response to the SEN Green Paper ‘support and aspiration: a new approach to special needs and disability’ will inform the development of provision for learners with learning difficulties and/or disabilities (LLDD).

It is anticipated that some of these changes will provide significant challenges for both the local authority and providers, but that there are also opportunities to influence how education and training providers respond to improve the offer to young people in Lincolnshire.

Apprenticeships

A significant increase in the number of apprenticeship opportunities available will be required if the coalition government’s ambition, that one in five young people will be studying an apprenticeship by 2020, is to be achieved. Whilst there was significant growth in apprenticeship starts in Lincolnshire in 2010/11, this has stalled in 2011/12 (with a drop in numbers of 16 year olds participating). A key priority for the Employment and Skills Board is to increase the take up of apprenticeships in Lincolnshire, but this is in the context of difficult economic conditions impacting on employers’ recruitment activity.

There are almost three times as many 16 – 18 year olds on intermediate (level 2) apprenticeships as advanced (level 3) and whilst this gap is reduced for 19+ there are still more intermediate than advanced with only 54 higher (level 4) apprentices aged 19-24). This suggests there is a gap in opportunities for advanced and higher level apprenticeships, which in turn means there is a lack of progression routes for apprentices aspiring to higher levels. This is also a potential barrier to promoting apprenticeships as a credible alternative route to A levels and university particularly for those young people leaving school with good A*-C GCSEs (i.e. have already achieved a good level 2) or who leave school sixth form having completed AS level. There is also a need to ensure we have the right range of frameworks available to meet the employment and skills profile in Lincolnshire.

Success rates for 16 – 18 year olds have improved for the third year in a row and are above the regional and national averages.

School Sixth Forms

A reduction in the size of the cohort, reduction in funding as school sixth form funding is brought in line with that in General Further Education (GFE), and the application of the lagged learner number formula to determine funding allocations

mean that the majority of school sixth forms are currently facing financial challenges. This is likely to continue over the next few years, particularly for small sixth forms (this includes the majority of Lincolnshire's school sixth forms as our analysis suggests that any sixth form with fewer than 250 pupils will struggle to be viable in its own right). There was again a small drop (103) in the overall numbers of learners attending school sixth forms in 2011/12 compared to the previous year and taking into account the demographics there is likely to be a further reduction of 127 in 2012/13. The distribution of the reduction in numbers is not evenly spread and that, together with the reduction in transitional protection, means that 6 school sixth forms will face a drop in funding of almost £200,000 in 2012/13, and a further 4 of over £100,000. It is not expected that changes resulting from the 16 – 19 funding formula review, due to be implemented in September 2013, will make any significant difference to school sixth form income.

Some areas have more than one school sixth form offering similar curriculum resulting in duplication of courses, as well as some courses having very small numbers of students participating. (27% of subject groups have less than 10 learners, and 21 of the 37 sixth forms have over 40% of their offer with less than 10 learners). It is important that the breadth of curriculum is maintained in each area, including the availability of minority subjects which may be at risk if learner numbers are not viable.

There has been a marginal improvement in the numbers of young people continuing to year 13. However, 25% of learners in comprehensive school sixth forms fail to continue to complete A level after taking AS with the figure for grammar schools at 14%.

It is likely that minimum levels of performance will be applied to school sixth forms with effect from February 2014. If the A level reform consultation results in A levels being deemed to be a two year programme, and the current rate of young people of failing to complete A2 after AS level continues, many schools are likely to receive Notices to Improve. This will also impact on school Ofsted inspection outcomes, as well as funding (in which retention will be a significant factor). It may influence schools to offer places only to those young people who are likely to achieve the full A level, but this would have serious implications for some schools in terms of learner numbers and therefore funding.

It is unclear at this stage what impact a significant increase in apprenticeship participation will have on school sixth form numbers, but potentially it could impact more on schools as the colleges already deliver their own apprenticeship programmes. If this is the case it will create further challenges.

There is an increasingly urgent need to find ways to maintain the curriculum and secure the future of some sixth form provision. This will include collaboration and partnership working and may require more radical and innovative approaches than has previously been the case. As the vast majority of schools with sixth forms in Lincolnshire are now academies, the decision to collaborate is within the gift of the schools themselves.

General Further Education (GFE) Colleges

The four GFE colleges based in Lincolnshire are all judged by Ofsted to be good, with one outstanding, and are able to maintain a wider curriculum, and be flexible and responsive to changes in demand and priorities due to their size and scale. 2011/12 is the first year for some time that the GFE colleges have failed to recruit planned learner numbers. This has resulted in reduced learner number allocations for 2012/13. In addition there are changes to priorities and funding for adult provision which could potentially impact on colleges' overall offer.

The main GFE colleges have been proactive in supporting the Post 16 Strategy for Learners with Learning Difficulties and/or Disabilities and have increased the availability of opportunities for LLDD, in order to reduce the reliance on residential provision, as well as engage more learners with LDD as they are over-represented in NEET (Not in Education, Employment or Training). There is a continued need to develop more Entry and Level 1 provision that is focussed towards outcomes which include employment and independence. The introduction of 'Study Programmes' should provide the opportunity to develop the curriculum, for example to provide work experience and learning in the workplace.

Under the new funding and study programme requirements there is an expectation that young people will progress to a programme at a higher level post 16 than the one they completed pre 16. There are to be exceptions, but if this requirement is vigorously monitored and applied it will have a significant impact on colleges given the numbers of young people who currently undertake a further qualification at the same level.

As the largest providers of apprenticeships in Lincolnshire, GFE colleges are well placed to support the requirement to increase the range and level of frameworks on offer.

There will be a need to provide part time programmes for the small number of young people who are in employment or volunteering and who under the requirements of Raising the Participation Age will be required to undertake accredited training programmes alongside their jobs. GFE colleges are likely to be able to meet this demand as they have a more flexible offer than some other types of provision.

In order to support the move to full participation to age 17, there continues to be a need to increase the availability of flexible start dates to programmes within GFE colleges.

Colleges may review their A level offer, depending on the outcomes of the consultation on A level reform.

GFE colleges will, from September 2013, be able to recruit young people aged 14 upwards into their provision. This will provide further competition to schools.

Further Education in Higher Education

Lincoln University made the decision last year that it intends to focus on HE provision from September 2012, and would be relinquishing its FE provision

delivered at the Riseholme Campus. This includes their apprenticeship provision. There has been a competitive tendering process to find a suitable alternative provider, led by the Education Funding Agency, the outcome of which is that Bishop Burton College will be operating from the Riseholme Campus from September 2012. As a specialist agricultural college Bishop Burton will be able to ensure that opportunities continue to be available in agriculture, which is one of the priority sectors identified by the Lincolnshire and Rutland Employment and Skills Board. (N.B the FE provision based at Holbeach remains with the University). Bishop Burton have already extended their offer for 2012/13 to include level 1 provision not previously available at Riseholme, in response to our priorities.

Independent Private Providers (IPPs)

We currently have 8 IPPs based in Lincolnshire, 5 of which are deemed to be good and the remainder satisfactory according to their most recent Ofsted inspection. These currently provide Foundation Learning to small numbers of young people, most of whom are not ready to access mainstream college, apprenticeship or school sixth form provision. Whilst some are part of larger organisations, e.g. NACRO, YMCA, others are small independent organisations and as such are vulnerable to changes in funding, and/or if learner numbers drop even slightly. These providers are well placed to meet the needs of some of the more vulnerable learners (e.g. leavers from alternative provision). This provision (apart from apprenticeships) is the only provision with truly flexible start dates, and which therefore can be used to meet the needs of young people not in education employment or training (NEET) throughout the year. These providers have in the past relied heavily on referrals from the Connexions Service, so will need to review their recruitment processes to take into account changes to the provision of information, advice and guidance. The introduction of the new 16 – 19 funding formula may have a financial impact on these providers and, together with the new requirements for 'Study Programmes', will mean these providers will need to make significant changes to their curriculum, in particular to provide larger more substantial programmes. These changes do however create the opportunity for these providers to develop programmes that better prepare young people for progression to further learning.

Independent Specialist Provision (ISP) for Learners with Learning Difficulties and/or Disabilities (LLDD)

We have one large (for an ISP) independent specialist provider in Lincolnshire, Linkage, together with some smaller centres belonging to SENSE. There are in addition a very small number of young people with very complex needs attending ISPs on a residential basis throughout the country. A priority in the post 16 strategy for young people with learning difficulties and/or disabilities is the need to develop more local non residential opportunities so that young people are able to access provision close to where they live. Significant progress is being made in terms of the implementation of the strategy with some innovative collaboration and partnerships developing.

The School Funding Reform document published in April 2012, identifies changes to the arrangements for funding education provision for high needs children and young people from birth to 25. Further work needs to be undertaken to explore the role of independent specialist providers in meeting the needs of young people with

LDD in Lincolnshire, including those with the most profound and complex needs within this context, and taking into account the planned legislation resulting from 'Support and aspiration: A new approach to special educational needs and disability.'

Other provision

There is a range of other provision in particular to support NEET most of which is commissioned by other agencies (outside of the LA). This includes provision funded through European Social Fund, Youth Contract, Lottery funding etc. Many of these initiatives are targeted at similar groups of learners i.e. NEET and those with low attainment and are funded on a 'payments by results' basis. There is a danger that some young people may be targeted by a number of organisations, and others, for example those who are rurally isolated, may fail to get the support they need. There will increasingly be a need to maintain and publish detailed information about the availability of provision so that professionals supporting young people are able to signpost them to the most appropriate support to meet their needs. The on-line prospectus will be re-introduced in September 2012 and the plan is to include information about non-mainstream and engagement programmes, together with mainstream provision.

Attainment

Attainment of level 2 by the age of 19 is higher in Lincolnshire than for the East Midlands and England as a whole. The fact that 85% of young people achieve full level 2 by the end of year 11 is a significant factor in this success. In terms of the rate of increase in achievement of level 3 by the age 19, we have traditionally been above the national and regional average, but for the first time in 2011 we are slightly below the national average, and our regional neighbours are closing the gap. Significantly, by the level 3 measure, we do worse by young people from more deprived backgrounds i.e. those who were eligible for free school meals when at school. This impacts significantly on their employability as jobs become more scarce and they are in competition with unemployed graduates and experienced adults unable to find employment in their traditional jobs markets. The lack of apprenticeship opportunities at level 3, the high proportion of young people leaving school (and education altogether in some cases) at the end of year 12, and the higher percentage of young people who are NEET at age 17 are all contributory factors.

Young people aged 16 – 18 who are not in education, employment or training

While the number of NEET 16 year olds who have just ended their compulsory education remains fairly static, the number that potentially have disengaged from any form of learning at 17 and 18 plus is large and growing. We know that almost 40% of our known NEET cohort at 17 comprises young people who have already achieved level 2. Some have started a level 3 programme but dropped out and some have moved sideways into a second level 2 programme and failed to continue to level 3. There is therefore a need to increase the availability, access and progression to level 3 programmes including apprenticeships.

Young people from a range of vulnerable groups (LLDD, care leavers, teenage parents, those known to the youth offending team, those who have been eligible for free school meals etc.) continue to be over-represented in NEET. Building on the

work of the RPA Vulnerable Learners Group (sub group of the 14 – 19 strategic partnership) further work needs to be done to develop support and provision to engage and meet the needs of these learners.

Information, Advice and Guidance

The statutory duty to provide impartial and independent careers guidance will transfer from local authorities to schools in September 2012. Statutory guidance has been produced which requires schools to ensure the guidance they provide is independent (i.e. provided by someone external to the school) and provides information on all available options including apprenticeships. Although the guidance is statutory there are no plans to monitor schools' implementation. Performance will be measured through new 'Destination Measures' and Ofsted inspections.

There is a potential tension in 11-19 schools between the requirement to provide independent impartial guidance and the need to maintain learner numbers in the sixth form.

From September 2012, the focus of the Careers Service retained by the Local Authority will be on supporting young people who are NEET (or NET i.e. not in education or training from 2013). Schools will be able to purchase careers guidance services from the local authority in order to meet their statutory duties in relation to pupils in years 10 and 11, should they choose to do so.

The following priorities seek to address the key issues outlined above:

- Increase the number of young people age 16 – 18 participating in post 16 education and training in line with the requirement to raise the participation age.
- Reduce the number of 17 year olds not participating in education or training. In particular reduce the number of young people failing to progress from AS to A2 programmes.
- Reduce the gap in attainment of level 2 and level 3 (by the age of 19) between young people from deprived backgrounds (i.e. who have been eligible for free school meals) and the overall cohort.
- Ensure that the rate of increase in the number of young people in Lincolnshire who achieve level 3 by the age of 19 is at least in line with the national rate of increase.
- Develop the curriculum, in particular at entry level and level 1, through the implementation of the requirements of 'Study Programmes for 16 – 19 year olds' that more effectively prepare young people (including those with LDD) for employment, further study or independent living (LLDD) as appropriate.
- Increase the number of available apprenticeship places in total, and in particular in the priority sectors identified by the Lincolnshire and Rutland Employment and Skills Board.
- Increase the availability of apprenticeship places and frameworks at level 3 (and at level 4 and above post 19) to secure progression routes and provide an alternative pathway for those young people who do not wish to follow a traditional 'academic' route.

- Ensure all young people have access to independent, impartial careers guidance, and information about all opportunities, so that they are able to make realistic informed decisions about their future post 16 options.
- Ensure that all young people and those supporting them (parents, carers, teachers, careers advisers and other professionals) have access to information about post 16 provision and about the labour market.
- Implement the Post 16 LLDD strategy for Lincolnshire to improve the availability and range of opportunities for LLDD to increase their participation and to enable more young people to access learning within their own community.
- Increase participation of young people from vulnerable groups including those who have been eligible for free school meals.

Encourage further collaboration between school sixth forms (and with other providers where appropriate) in order to maintain niche and specialist provision, and to prevent the failure of those sixth forms that are potentially financially vulnerable.

2. Conclusion

Colleges and many school sixth forms have experienced a reduction in learner recruitment in 2011/12 and this is likely to continue into 2012/13. There does however continue to be a significant proportion of young people aged 16 - 18 not engaged in learning. Some changes to the mix and balance of provision are therefore needed in order to make it appropriate for those who are not currently participating. If we are to meet the requirements of Raising the Participation Age and improve attainment of young people from deprived backgrounds, there will need to be provision that will engage and support vulnerable young people, as well as that which will retain 17 year olds in learning. There is a need to increase and improve the range of provision below level 2 as well as increase the availability of apprenticeships particularly at level 3 and above.

There continues to be over supply of A level provision in school and Academy sixth forms, which will be exacerbated by additional sixth form provision becoming available from September 2012. There is an increasingly urgent need to find ways to maintain the curriculum and secure the future of some sixth forms. This can only be achieved through collaboration and partnership working, but will require more radical and innovative approaches by schools and academies than has previously been the case. Any further increase in the number of schools with sixth form provision will of course further de-stabilise some existing sixth forms.

3. Legal Comments:

The recommendations are within the remit of the Executive.

4. Resource Comments:

There are no immediate financial implications arising from the recommendations in this report. The setting of priorities will influence future spending, but that will be managed within the overall level of funding that is made available by the Education Funding Agency (formerly YPLA).

5. Consultation

a) Has Local Member Been Consulted?

No

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The Children and Young People Scrutiny Committee will consider this report at its meeting on 7 September 2012. Comments from this meeting will be presented to the Executive on 2 October 2012.

d) Policy Proofing Actions Required

N/A

6. Background Papers

Document title	Where the document can be viewed
Education and Skills Act 2008	http://legislation.gov.uk/pga/2008/25/contents
Apprenticeship, Skills, Children and Learning Act 2009	http://www.legislation.gov.uk/all?title=Apprenticeship%2C%20Skills%2C%20Children%20and%20Learning%20Act%202009
Education Act 2011	http://www.legislation.gov.uk/ukpga/2011/21/section/74/enacted
SEND Green Paper Support and aspiration: A new approach to special educational needs and disability	http://www.education.gov.uk/childrenandyoungpeople/send/b0075291/green-paper

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