

Legislation update 2023

Schools and colleges have a responsibility to set their learners on the path that will secure the best outcome to help them progress in education and work. Schools **must** act impartially and not show bias towards any route, be that academic or technical.

Schools must open their doors to other education providers: it is vital to ensure that all learners are aware of the benefits of apprenticeships, T Levels and other approved technical education qualifications and can consider them, alongside academic options, when making choices about their future.

In September 2022, The Education (Careers Guidance in Schools) Act 2022 **extended the duty** to all pupils in state-funded secondary education, meaning that schools must now secure independent careers guidance **from year 7***.

New statutory guidance released on the 5th January 2023 was in line with what was expected with regard to the Provider Access Legislation (PAL)

Topic	Actions/Changes Required by Institutions in January 2023
Amount of encounters	All maintained schools and academies must provide six encounters with a provider of technical education or apprenticeships for year 8 to 13 pupils.
The when, where and how	The new legislation requires schools to set out the times at which access is to be given and explain how they will meet the new legal requirement to put on six provider encounters, which must happen for a reasonable period of time during the standard school day . Provider encounters that take place outside of school hours, for example parents evenings, do not count towards fulfilment of the legal requirement for six provider encounters. Schools are encouraged to provide these complementary experiences for pupils and their parents.
Year 7	Schools are required to provide access to CEIAG from Year 7
Year 8/9	Two encounters for pupils during the 'first key phase' (year 8 or 9) that are mandatory for all pupils to attend, to take place any time during year 8 or between 1 September and 28 February during year 9.
Year 10/11	Two encounters for pupils during the 'second key phase' (year 10 or 11) that are mandatory for all pupils to attend, to take place any time during year 10 or between 1 September and 28 February during year 11.
Year 12/13 (where relevant)	Two encounters for pupils during the 'third key phase' (year 12 or 13) that are mandatory for the school to put on but optional for pupils to attend, to take place any time during year 12 or between 1 September and 28 February during year 13.
Provider information for pupils	Schools and providers should work together and schools must ask each provider to provide information to pupils that, as a minimum, includes: <ul style="list-style-type: none"> • information about the provider and the approved technical education qualifications or apprenticeships that the provider offers • information about the careers to which those technical education qualifications or apprenticeships might lead, • a description of what learning or training with the provider is like • responses to questions from the pupils about the provider or approved technical education qualifications and apprenticeships The START platform provides some of this information
Other providers	Providers to invite in (general good practice for a broad CEIAG offer) FE Colleges, Sixth Form Colleges, Independent Training Providers Other schools offering Post 16 courses covered by the Provider Access statement

	Range of Apprenticeship Providers Register of apprenticeship training providers - GOV.UK (www.gov.uk)
Policy statement update	Every school should review their arrangements for provider access in line with the changes to the legislation and prepare a new policy statement setting out the circumstances in which education and training providers will be given access to pupils. This statement, and wider careers programme, will need to be updated with information about how the school will meet the new legal requirement to put on six provider encounters. The policy statement must be published, either as part of or alongside the wider careers programme, and should be made available on the school website. Ofsted may check your school website to ensure this is available.
What to Include in the Policy Statement Update	The policy statement must include: <ul style="list-style-type: none"> • an explanation of how the school will comply with the new legal requirement to put on at least six encounters with providers of approved technical education qualifications or apprenticeships, including the times at which access is to be given; • any procedural requirements in relation to requests for access e.g., the main point of contact at the school to whom requests should be directed; • grounds for granting and refusing requests for access e.g., details of timetabled careers lessons, assemblies or careers events which providers may attend; and should include the safeguarding policy; and • details of premises or facilities to be provided to a person who is given access e.g., rooms and resources to be made available in support of a provider visit. The policy statement should also include: <ul style="list-style-type: none"> • how the school will work with each visiting provider; • a list of providers that have previously been invited into the school; • if the school accepts live online encounters; • destinations of previous pupils; and • information about how a provider can raise a complaint and the procedure that will be followed. <p>There is a draft policy included in the guidance – reproduced at the end of this handout.</p>
Preparing for Provider Opportunities	Schools should prepare for each provider visit by advising pupils and their parents/carers to consult provider websites for background information, including details of the courses and qualifications that the provider offers and their Ofsted grade.
Considering the needs of each students	All pupils should have the same opportunities for meaningful provider encounters. Some pupils with special educational needs and disabilities, looked after children and pupils from Gypsy, Roma and Traveller communities may need additional support to access provider encounters. Schools can prepare by talking to providers about the range of provision available for young people with specific needs or disabilities.
Involving Parents and Carers	We encourage schools to involve parents in the process by informing them of the providers that are being invited to speak to pupils and advise parents to consult the providers' website to find out more information about the courses and qualifications on offer and the provider's Ofsted grade. Providers and schools should also consider how the information their child receives can be reinforced outside of the encounter itself and, for example, how the encounter can be supplemented with follow up resources that are specifically tailored to parents and carers. We encourage schools to invite providers to parents' evenings to help parents become familiar with all the options available to their child. This does not constitute one of the provider encounters.
Support	Providers will be able to access support from the Careers Hub including access to local networks and information on existing complementary initiatives, sharing of best practice in maximising the value of encounters, and advice on contacting and maintaining visibility to schools. Schools will be supported by the Careers Hub through their EC and the wider network.

	Additional targeted support and guidance will be offered if there are concerns about a school's adherence to the provider access legislation as a result of the department's own monitoring of compliance, information in a published Ofsted inspection report or a complaint from a provider. In the event of persistent non-compliance, concerns would be escalated including an expert review of the school's careers provision with a focus on provider access, a letter from an official or a DfE Minister, Careers Leader training and the use of the Secretary of State's intervention powers.
Role of Ofsted	Ofsted's updated school inspection handbook sets out strengthened expectations with respect to careers education, information, advice and guidance (CEIAG), and specifically the provider access legislation.

Provider access legislation and the Gatsby Benchmarks

The development of a careers programme in line with the Gatsby Benchmarks of Good Career Guidance increases opportunities for pupils to access everything from experiences of the workplace and personal guidance with a careers adviser, to engagement with employers, colleges, training providers and universities.

Gatsby Benchmark 7: Encounters with further and higher education builds on the requirements of the provider access legislation by setting an expectation that all pupils should understand the full range of learning opportunities that are available to them, including both technical and academic routes and learning in schools, colleges, universities and in the workplace. This means that the school should also provide a range of opportunities for providers offering academic options, including sixth form and tertiary colleges and higher education institutions, to visit the school to talk to pupils. Additional questions have been introduced on Compass to record encounters.

By following the requirements of Benchmark 7, alongside the requirements of the provider access legislation, schools will help all pupils to develop a comprehensive picture of the education and training options available beyond the school.

Some next steps:

- Review and amend your policy in line with content guidelines (if not done so already)
- Share the update with your SLT, updating wider staff team at a staff meeting as appropriate. **Highlight the fact that the statutory guidance is now legislation.**
- Collaborating with other colleagues within your academy chain (if appropriate)
- Review and develop your provider contacts in the categories the legislation suggests
- Review your current encounters with training providers and other relevant organisations
- Consider how the encounters will fit within your CEIAG programme of activities

Please get in touch with your Enterprise Coordinator, IKIC Team if you need further support in meeting the legislation.

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*link to current statutory guidance here [Careers guidance and access for education and training providers \(publishing.service.gov.uk\)](#) January 2023

Best practice document – case studies in meeting the legislation [DfE external document template \(careersandenterprise.co.uk\)](#)

[1540_Make it meaningful checklist_v6 \(FINAL\).pdf \(careersandenterprise.co.uk\)](#) Making it meaningful template

[Amazing Apprenticeships](#) useful information on apprenticeships

[Start - Post 16 Options in Sheffield, Rotherham, Doncaster & Barnsley \(startprofile.com\)](#) link to post 16 options and providers

Updated January 2023

Annex A: Example of a policy statement on provider access

(page 51 onwards of the guidance [Careers guidance and access for education and training providers \(publishing.service.gov.uk\)](#))

This policy statement could be integrated into a wider careers plan or strategy for your school or college.

[School Name]: Provider Access Policy

Introduction This policy statement sets out the school's arrangements for managing the access of providers to the school for the purpose of giving them information about the provider's education or training offer. This complies with the school's legal obligations under Section 42B of the Education Act 1997.

Pupil entitlement All pupils in years 8 to 13 are entitled:

- to find out about technical education qualifications and apprenticeships opportunities, as part of a careers programme which provides information on the full range of education and training options available at each transition point;
- to hear from a range of local providers about the opportunities they offer, including technical education and apprenticeships – through options events, assemblies and group discussions and taster events;
- to understand how to make applications for the full range of academic and technical courses.

For pupils of compulsory school age these encounters are mandatory and there will be a minimum of two encounters for pupils during the 'first key phase' (year 8 to 9) and two encounters for pupils during the 'second key phase' (year 10 to 11). For pupils in the 'third key phase' (year 12 to 13), particularly those that have not yet decided on their next steps, there are two more provider encounters available during this period, which are optional for pupils to attend.

These provider encounters will be scheduled during the main school hours and the provider will be given a reasonable amount of time to, as a minimum:

- share information about both the provider and the approved technical education qualification and apprenticeships that the provider offers
- explain what career routes those options could lead to
- provide insights into what it might be like to learn or train with that provider (including the opportunity to meet staff and pupils from the provider)
- answer questions from pupils.

Meaningful provider encounters

One encounter is defined as one meeting/session between pupils and one provider. We are committed to providing meaningful encounters to all pupils using the Making it meaningful checklist. [1540 Make it meaningful checklist v6 \(FINAL\).pdf \(careersandenterprise.co.uk\)](#)

Meaningful online engagement is also an option, and we are open to providers that are able to provide live online engagement with our pupils.

Previous providers

Information updated January 2023 in line with statutory guidance released on 05/01/2023

In previous terms/years we have invited the following providers from the local area to speak to our pupils: • [stats on providers]

Destinations of our pupils

Last year our year 11 pupils moved to range of providers in the local area after school:

- [stats on destinations]

Last year our year 13 pupils moved to range of providers in the local area after school:

- [stats on destinations]

Management of provider access requests

Procedure

A provider wishing to request access should contact [Name], [Job title], [Contact method]

Opportunities for access

The school offers the six provider encounters required by law (marked in bold text) and a number of additional events, integrated into the school careers programme.

We will offer providers an opportunity to come into school to speak to pupils or their parents or carers.

Please speak to our Careers Leader to identify the most suitable opportunity for you.

See P 57- 58 a table of opportunities can be reproduced to show where different year groups can access providers.

Premises and facilities

The school will make the main hall, classrooms or private meeting rooms available for discussions between the provider and pupils, as appropriate to the activity. The school will also make available AV and other specialist equipment to support provider presentations. This will all be discussed and agreed in advance of the visit with the Careers Leader or a member of their team.

Meaningful online engagement is also an option and we are open to providers that are able to provide live online engagement with our pupils.

Providers are welcome to leave a copy of their prospectus or other relevant course literature at the Careers Resource Centre, which is managed by the school librarian. The Resource Centre is available to all pupils at lunch and break times.

Complaints: Any complaints with regards to provider access can be raised following the school complaints procedure or directly with The Careers & Enterprise Company via provideraccess@careersandenterprise.co.uk

Approval and review

Approved [date] by Governors at Curriculum and Standards Committee Next review: [date]

Signed: [name] Chair of Governors [name] Headteacher/Principal