

The Education Bill - changes to the delivery of careers guidance

Schools have a key role to play in supporting pupils to progress to further education, higher education and skilled employment. The most important factor that determines successful progress to further learning and employment post-16 is the quality of our schools and the level of attainment pre-16. However schools need also to support their pupils in making the right choices so they can make the most of the opportunities that are available to them. New provisions in the Education Bill that is currently progressing through Parliament will change the responsibilities of schools for careers education and guidance. They will give schools greater freedom and flexibility to exercise their professional judgement in determining the most appropriate careers guidance for their pupils.

The main features of the legislation are as follows:

- There will be a new duty on schools to secure access to impartial and independent careers guidance for every pupil in Years 9 to 11. We will also consult in Summer 2011 on whether the duty should be extended down to Year 8 and up to Year 13.
- The governing body of a school will have the freedom to decide how best to fulfil this duty in accordance with the needs of their pupils. Guidance, independent of the school, must be provided in an impartial manner, and should promote the best interests of the person to whom it is given. Sources of independent careers guidance would include, but not be limited to, careers organisations funded by Government or other expert careers guidance providers. A new national careers service will be established by April 2012, with elements of the service in place from September 2011.

In addition, the Government will repeal some statutory provisions in England:

- The requirement for schools to provide a programme of careers education (section 43 of Part VII of the Education Act 1997). The broad range of activities that are encompassed within the term 'careers education' are important in contextualising the careers guidance on offer to pupils, supporting the development of decision making and career management skills. It will be for schools to decide how these activities should be delivered, taking into account the particular needs of their pupils. The removal of this provision is permissive; it does not imply that these activities are unimportant, but that the Government considers that it is not necessary to legislate for them.
- The duties on schools to provide appropriate pupil data to support the provision of careers advice and guidance and to provide access for external persons to students and premises (section 44 of the Education Act 1997 and section 73 of the Education and Skills Act 2008). We expect that schools will work in partnership with local authorities and

external careers guidance providers to ensure that young people are appropriately supported, without the need for legislation.

- The duty on schools to provide information relating to careers education and career opportunities (section 45 of the Education Act 1997). The provision of up-to-date careers information will be safeguarded by the new legislation as it requires schools to secure access to careers guidance that includes information on 16-18 education or training options, including Apprenticeships.

These changes are likely to come into effect in September 2012 but schools may want to consider what arrangements they might make in the new academic year beginning September 2011 in anticipation of the new duties. They should do so in discussion with local authorities, taking account of local arrangements for providing careers guidance to young people in advance of these changes.

The legislation is underpinned by the Government's belief that schools should be trusted to do what is right for their pupils. Schools will be free to make arrangements for careers guidance that best suit the needs of their pupils, engaging, where appropriate, in partnership with independent providers (i.e. not directly employed by the school). Those schools that have already developed their own arrangements for providing impartial careers advice and guidance – for example, by employing their own careers adviser – may continue to do so. However, in such cases a school must also ensure pupils have access to a source of guidance which is independent and external to the school. This might include web-based or telephone services, and / or face-to-face guidance from a specialist provider.

Schools will make any provision for careers guidance from within the Dedicated Schools Grant. The budget is unringfenced so that schools can identify their own priorities.

In support of these measures, schools will be able to access high quality support from providers who have achieved a national quality standard for careers guidance providers. This quality standard will assist schools in making well-informed decisions about which provider to use. The Careers Profession Alliance is also developing professional standards for careers advisers which will support the provision of high quality guidance.

The Government also intends to develop new destinations measures at Key Stage 4. This will help young people, parents and communities to hold schools to account for the work they do to prepare young people to progress to positive destinations post-16. While attainment pre-16 is the strongest determinant of positive participation post-16, the measure will also bring into focus the quality of the arrangements for careers guidance.

Provision of services by local authorities

Notwithstanding other legislative changes local authorities will retain their statutory duty to encourage, enable and assist young people to participate in education or training (Section 68(1) of the Education and Skills Act). They will also continue to be responsible for completing learning difficulty assessments (under section 139a of the Education and Skills Act 2008) for those young people with a learning difficulty and/or disability up to the age of 25.

Local authorities must consider what arrangements they should put in place to ensure all young people, including those who will complete year 11 this summer, get access to the careers guidance they need in advance of this new duty being placed on schools, and of the establishment of the new careers service (planned to be fully operational by April 2012). The Early Intervention Grant will support local authorities' transitional responsibilities in respect of careers guidance in advance of these changes coming into effect.

The key dates are:

April 2011	Early Intervention Grant is introduced. In 2011-2012, it will cover local authorities' transitional responsibilities.
	Local authorities retain statutory duty to encourage, enable and assist young people to participate in education or training.
September 2011	Young people and adults will be able to start accessing new arrangements for careers guidance.
April 2012	New careers service is established.
September 2012	New duty on schools to secure impartial and independent careers guidance commences