



Department
for Education

The Advanced British Standard: interim equalities impact assessment

**Accompanying document to ‘A world-class
education system: The Advanced British
Standard consultation’**

14 December 2023

Contents

Introduction	3
Who this is for	3
Issue date	4
Additional copies	4
The response	4
Equalities Assessment	5
Summary of impacts	5
Age	6
Disability	7
Gender reassignment	11
Pregnancy and maternity	12
Race (including ethnicity)	14
Religion or belief	16
Sex	17
Sexual orientation	19

Introduction

The government is consulting on the development and implications of the Advanced British Standard (ABS), which is a new qualification framework for 16-19 year-olds.

The Interim Equalities Impact Assessment set out in this document has been prepared to accompany and be read alongside the public consultation.

Policy development for the ABS is still at an early stage. The consultation document presents high-level proposals and seeks views on options in order to inform policy development. As a result, it is not possible to complete a full Equalities Impact Assessment. However, to inform ongoing policy development, we have developed an interim Equalities Impact Assessment to provide an initial insight into potential impacts of these reforms. We will continue to review the potential equalities impacts following the consultation and as the policy develops further. This interim Equalities Impact Assessment considers the impacts of high-level proposals of the ABS on people with protected characteristics as compared with those who do not share that protected characteristic, with the duty to have regard to the three limbs of the Public Sector Equality Duty:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Who this is for

This accompanying document to the government consultation on the Advanced British Standard is for anyone with an interest in 16-19 education in England. This includes, but is not limited to:

- Students
- Parents and carers
- Headteachers and principals
- Teachers and the wider education workforce
- Awarding organisations
- Schools and colleges
- Employers and employer representative bodies
- Further and Higher education providers
- Researchers and education experts

- Careers professionals
- Apprenticeship providers
- SEND organisations
- The general public

Issue date

The consultation was issued on 14 December 2023.

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

The response

The results of the consultation and the department's response will be [published on GOV.UK](#) in 2024.

Interim Equalities Assessment

Interim summary of impacts

It is not possible to assess the equality impacts of the entire proposed reform as the full, detailed policy proposals have not yet been made. The ABS is a long-term reform that will take a decade to deliver in full. As a result we will keep this assessment updated, including with reference to any major changes in data on protected characteristics and with regard to learners and the post-16 workforce. Below, we present evidence on the proportion of learners in the current 16-19 cohort with characteristics protected by the Equality Act 2010 as well as that of members of the post-16 education workforce. For the 16-19 cohort,¹ we use data on the current cohort, rather than the cohort which will be 16-19 when the ABS is introduced, as at this early stage this gives us the most complete picture of cohort characteristics, in particular for Special Education Needs (SEN) data². We will be seeking views in the consultation to ensure that we understand the impact on groups with particular protected characteristics. We will update this Equality Impact Assessment (EIA) as the policy develops.

We believe the ABS will result in a positive impact for learners. The ABS will be designed to break down the divide between ‘academic’ and ‘technical’ study, increase taught hours, raise the floor of attainment in English and maths, and enable learners to study a greater depth of subjects, to give them the knowledge and technical skills necessary to thrive in the modern economy. Our general expectation is that these aims will also benefit learners with particular protected characteristics, such as disability and race and ethnicity. However, much will depend on what changes are implemented and how they are implemented.

For this interim EIA, we present available data on the protected characteristics of groups who we anticipate will be impacted by the introduction of the ABS (in particular, learners aged 16-19, the post-16 workforce, and adult learners). We have also considered the possible impacts of introducing the ABS on these groups. This evidence and assessment are presented below for consideration alongside the proposals in the consultation document. We welcome further views and evidence on any potential impact of these policies through the consultation to help inform decisions to be made.

¹ The data in this document presents ages 16-18 as these are the ages that learners enter post-16 study (a learner may enter their final year of post-16 study at age 17 or 18, but be 18 or 19 on completion). The 16-18 data covers the 16-19 cohort

² The department does not collect data on learners’ disabilities. SEN data is used as our best available proxy

Age

Schedule 18 of the Equality Act (at s.149) sets out that the Public Sector Equality Duty (PSED), so far as it relates to age, does not apply to the provision of education and services to pupils in schools and the provision of services in children's homes. This means that when undertaking PSED analysis in relation to the provision of education and services to pupils in schools, age does not need to be considered. However, we consider the protected characteristic of age is relevant given the groups of people, including learners and the workforce, who will be impacted by the implementation of the ABS, so we consider the impacts on these groups.

Table 1: Participation in education, training and development for 16–18 year-olds In England 2021/22

Qualification type and level	16	17	18
Academic L3	275,700	254,100	13,500
L3 Apprenticeship	11,100	18,900	33,700
Vocational L3	116,200	144,500	69,600
Level 2	107,100	54,100	28,800
L2 Apprenticeship	12,600	17,400	19,000
Below L2	34,700	20,400	16,600
Not Participating in 16-19 education	27,400	62,200	373,600
Total	584,800	571,600	554,900

Source: DfE's Young Person's Matched Administrative Dataset (YPMAD)

There were also 1,818,480 adult learners (19+) in further education and skills in 2022/23, which accounts for all adult learning.³ Within this, there were 953,840 adult learners in education and training in 2022/23 taking classroom-based qualifications, including A levels and classroom based technical qualifications.⁴ As these qualifications are being considered as part of the ABS, adult learners taking classroom-based qualifications are the adult learners most likely to be impacted by the implementation of the ABS.

³ ['Learner characteristics - Participation by Age, Sex, LLDD, Ethnicity, Provision Type' from 'Further education and skills', Permanent data table – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](#)

⁴ Ibid

There is no significant difference regarding age between teachers in secondary schools and the general population. The FE workforce however has an older profile than the national average, with the median age being 46.⁵

As the ABS is designed for students between 16-19, we anticipate the introduction of the qualification will have the most impact on this age group. We are designing the ABS to build on reforms in our current system, to ensure young people gain the right amount, type and mix of knowledge and skills by 19 to enable them to lead successful lives. We believe that the introduction of the ABS will have a positive impact on the 16-19 age group with regard to advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

We also know that adults aged over 19 use post-16 qualifications available to them, such as A levels, for upskilling and reskilling. Meanwhile, T Levels are on the whole restricted to 16–19-year-olds, with the exception of students up to age 24 who have an education, health and care plan (EHCP). Further policy development should take adult learners (and other age groups which take qualifications designed for 16–19 year-olds) into account, and to support this we have invited views on how the ABS could impact on other groups, such as adults, who may take post-16 qualifications, and how any negative impacts could be mitigated.

It is unclear what the age-related impacts on the workforce might be. The FE workforce has an older age profile than the general population, so any age-related impacts are likely to disproportionately affect the FE workforce. In our policy paper we committed to extra funding for the additional teaching hours of the ABS, and continue to be committed to address the challenges teachers face, including support with workload and well-being. We expect providers to have individual policies and flexibility to support staff and to put in place any required reasonable adjustments. In the consultation, we seek views on what opportunities and challenges might result from the ABS with regard to recruitment, retention and deployment of staff. This will be taken into consideration as policy develops in this area.

Disability

The department does not hold data on learners with a disability. While special educational needs (SEN) data does not give a complete picture of learners with disabilities, understanding the numbers of learners with SEN support⁶ or Education,

⁵ [Further education workforce, Academic year 2021/22 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://www.gov.uk/explore-education-statistics); [Population and household estimates, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/population-and-household-estimates)

⁶ SEN Support refers to special educational provision in schools

Health and Care Plans⁷ can be useful to consider as a proxy. 6.5% of the further education workforce identified as having a disability.⁸ This is lower than in the general population (17.7%)⁹. We do not have complete data for disability status of the school workforce¹⁰.

Tables 2 and 3 present data on learners' SEN status at academic age 15.

Table 2: Proportion of 16-18 learners by highest study aim and SEN status at academic age 15, 2021/22

Qualification level and type	No SEN	SEN support	Education, Health, and Care Plan (EHCP)	Total
Academic L3	94%	5%	1%	100%
L3 Apprenticeship	91%	8%	1%	100%
Vocational L3	85%	13%	2%	100%
Level 2	66%	24%	10%	100%
L2 Apprenticeship	83%	15%	2%	100%
Below L2	41%	16%	43%	100%
Not Participating in FE	85%	12%	3%	100%
Total	84%	11%	5%	100%

Source: DfE's Young Person's Matched Administrative Dataset (YPMAD)

⁷ An Education, Health and Care Plan (EHCP) is for children and young people aged up to 25 who need more support than is available through special educational needs support

⁸ [Further education workforce, Academic year 2021/22 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://www.gov.uk/explore-education-statistics.service.gov.uk)

⁹ [Disability, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk)

¹⁰ [School workforce in England, Methodology – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://www.gov.uk/explore-education-statistics.service.gov.uk): note that there was a low response rate for this information, and data was not obtained for 56% of schools

Table 3: Number of 16-18 learners by highest study aim and SEN status at academic age 15, 2021/22

Qualification level and type	No SEN	SEN support	Education, Health, and Care Plan (EHCP)	Total
Academic L3	512,500	27,000	3,800	543,300
L3 Apprenticeship	57,800	5,400	500	63,700
Vocational L3	280,100	42,400	7,800	330,300
Level 2	125,100	46,500	18,400	190,000
L2 Apprenticeship	40,700	7,500	900	49,000
Below L2	29,100	11,500	31,100	71,700
Not Participating in FE	392,800	54,600	15,900	463,300
Total	1,438,100	194,800	78,400	1,711,300

Source: DfE's Young Person's Matched Administrative Dataset (YPMAD)

There were 953,840 adults (19+) taking classroom-based qualifications, including A levels (and classroom-based technical qualifications) which is the cohort most likely to be affected by the implementation of the ABS. Of this part of the cohort, 21.3% were recorded as having learning difficulties and disabilities (LDD). Across all further education and skills, 18.5% of adult learners were recorded as having LDD.¹¹

While the taught hours of the ABS will be greater than those of 16-19 cohorts today, there will be a reduction of taught hours for the ABS cohorts themselves compared with their pre-16 study. We have identified that this could have an impact on learners with disabilities who take the ABS, and it is unclear whether this will be a positive or a negative impact. The additional teaching time could allow for increased opportunity for

¹¹ [Further education and skills, Academic year 2022/23 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://www.gov.uk/explore-education-statistics)

these learners to consolidate their learning with greater support. The Employability, Enrichment and Pastoral element also offers opportunities for settings to support learners with disabilities and to increase time spent with peers outside of a classroom learning environment and to develop their personal, social and employability skills. This could mean a positive impact on advancing equality of opportunity between people with disabilities and persons who do not share this characteristic, as well as the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

We have identified that there could potentially be negative impacts on learners with disabilities for whom managing the ABS hours could be challenging due to their disability. The increased hours may also impact on learners who require frequent hospital or other appointments relating to their disability, as this may mean they miss teaching, learning or study hours. In addition, disabled parents whose children provide care alongside their education may also be negatively impacted due to the increased teaching hours, as this would impact on the amount of support their child is able to provide. These could impact on the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act. However, as set out above, we do not expect the additional hours to be an increase on the number of taught hours the students received pre-16. We expect the impact of hours on learners with disabilities to be mitigated by providers' individual policies on supporting learners with health needs, and reasonable adjustments will need to be considered by each setting where a learner has the protected characteristic of disability. We are also seeking views on the number of taught hours and the balance between taught hours and self-directed study through the public consultation. We will communicate the expectation of settings to comply with relevant equalities legislation and consider how to accommodate the needs of their learners, including learners who are carers for family members. On workforce, in our policy paper we committed to extra funding for the additional teaching hours of the ABS, and continue to be committed to address the challenges teachers face, including support with workload and well-being. As above, we expect providers to have individual policies on supporting staff with health needs and to put in place any required reasonable adjustments. In the consultation, we seek views on what opportunities and challenges might result from the ABS with regard to recruitment, retention and deployment of staff. This will be taken into consideration as policy develops in this area.

The ABS proposes to break down the divide between 'technical' and 'academic' qualifications. Learners with SEN are overrepresented on some technical qualifications at pre-16¹² and on Level 3 vocational qualifications and Level 2 apprenticeships at 16-

¹² [Non-GCSE qualifications in England key stage 4 entries and absence and exclusions outcomes \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

19.¹³ This could also mean that learners with disabilities are also overrepresented on vocational qualifications. By bringing ‘technical’ and ‘academic’ qualifications into a clearer, high-quality menu of options and enabling clearer choice to suit aspirations, this will have an impact on learners who take more technical qualifications. This could have a positive impact on learners with disabilities and on the need to advance equality of opportunity between persons who share this protected characteristic and persons who do not share it.

Learners with SEN support or an EHCP are overrepresented on Level 2 courses in the current 16-19 cohort. Disabled learners may also be overrepresented on Level 2 qualifications. In addition, the increased breadth of the ABS compared with the current typical A level programme may mean that some learners who might currently progress to A levels or other level 3 qualifications may not be able to similarly progress to level 3 under the ABS. However, we propose to significantly mitigate the impact of this by offering a dedicated Level 2 route, which either supports these learners to subsequently progress to Level 3 after a ‘transition’ year, or to achieve a high-quality Level 2 offer which supports onward progression. Learners on Level 2 will benefit from access to the same number of hours as learners on Level 3, as well as EEP activities.

Disadvantage may intersect with the protected characteristic of disability. For example, there is evidence that people with a disability are more likely to be living in poverty.¹⁴ Socioeconomic disadvantage is also linked to lower attainment in the 16-19 cohort. As such, we anticipate that any negative impacts on learners with disabilities will be greater for learners who are disadvantaged and have disabilities.

We have invited views on the potential impacts on and possible mitigation to support people with protected characteristics, including disability, in the consultation.

Gender reassignment

A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. The department does not hold data on the gender reassignment of 16-19 year old students or sixth-form or college workforce in England. We anticipate minimal impacts relating to this protected characteristic. If there is a requirement for frequent medical or other appointments as a result of this protected characteristic, we expect any negative impact to be mitigated by providers’ individual policies on supporting students with health needs.

¹³ DfE's Young Person's Matched Administrative Dataset (YPMAD)

¹⁴ [Social Metrics Commission launches a new measure of UK poverty - Social Metrics Commission](#)

In relation to the workforce, at this early stage in the policy development it is not clear how the increased teaching time for learners' hours might impact on the workforce. In our policy paper we committed to extra funding for the additional teaching hours of the ABS, and continue to be committed to address the challenges teachers face, including support with workload and wellbeing. As above, we expect providers to have individual policies on supporting staff with health needs and to put in place any required reasonable adjustments. Any staff absence relating to gender reassignment is protected under the Equality Act 2010, and settings must comply with the Act. We also expect any negative impacts to be mitigated by settings' individual policies on supporting staff with health needs. In the consultation, we seek views on what opportunities and challenges might result from the ABS with regard to recruitment, retention and deployment of staff. This will be taken into consideration as policy develops in this area.

Pregnancy and maternity

The department does not hold data on pregnancy or maternity of 16–19 year-old learners or on the number of members of the teacher workforce with this characteristic. However, the protected characteristic of sex is relevant here, and the workforce across secondary schools and FE colleges has a higher proportion of females than the general population.

National data is collected on conception. Census data gives an indication of how this protected characteristic relates to age groups, though this does not give us the full picture of how this affects learners in education or the education workforce and covers both England and Wales.

Table 5: Conception rate by age group of women, England and Wales, 2021

Age group	2021
All Ages	71.5
Under 16	2.1
Under 18	13.2
Under 20	26.1
20 to 24	78.9
25 to 29	113.6
30 to 34	116.2
35 to 39	65.1
40 and over	17.3

Source: Conceptions in England and Wales, Office for National Statistics¹⁵

In the case of learners, we have identified evidence that the ABS could result in a positive impact on learners with the protected characteristic of pregnancy and maternity, in relation to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. There is evidence that pregnancy among teenage women may be associated with disadvantage.¹⁶ Disadvantage is also associated with lower attainment by age 19.¹⁷ We would expect the increased hours of quality teaching compared with the current 16-19 cohort, and raising attainment in English and maths to benefit these learners.

We have also identified evidence that the ABS could result in a negative impact relating to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, in relation to the protected characteristic of pregnancy and maternity. This is due to the higher likelihood that they may require frequent hospital appointments relating to pregnancy/maternity, and that this may mean they miss learning or study hours. However, we expect this impact to be mitigated by providers' individual policies on supporting students with health needs.

In addition, young mothers are less likely to participate in education than other young people. This is for several reasons, including the availability and cost of childcare. Financial support is available to learners undertaking a publicly-funded course who are aged under 20 at the start of their study to support with childcare costs.¹⁸ There is also a scheme for parents who meet employment eligibility requirements to support childcare costs, though it is unlikely that students on the ABS will be eligible for this scheme.

In relation to the workforce, at this early stage in the policy development it is not clear how the increased teaching time for learners' hours might impact on the workforce. In our policy paper we committed to extra funding for the additional teaching hours of the ABS, and continue to be committed to address the challenges teachers face, including support with workload and well-being. As above, we expect providers to have individual policies on supporting staff with health needs and to put in place any required reasonable adjustments. Settings must comply with the Equality Act, under which pregnancy and maternity is a protected characteristic. We also expect any negative impacts to be mitigated by settings' individual policies on supporting staff with health needs. In the consultation, we seek views on what opportunities and challenges might

¹⁵ [Conceptions in England and Wales - Office for National Statistics](#)

¹⁶ [Teenage pregnancy and social disadvantage: systematic review integrating controlled trials and qualitative studies - Database of Abstracts of Reviews of Effects \(DARE\): Quality-assessed Reviews - NCBI Bookshelf \(nih.gov\)](#)

¹⁷ [Level 2 and 3 attainment age 16 to 25, Academic year 2021/22 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](#)

¹⁸ [Care to Learn: Overview - GOV.UK \(www.gov.uk\)](#)

result from the ABS with regard to recruitment, retention and deployment of staff. This will be taken into consideration as policy develops in this area.

We will communicate to settings the expectation to comply with relevant equalities legislation and consider how to accommodate learners and staff with this characteristic. Each setting should include flexibility in their relevant policies to support both staff and learners.

Race (including ethnicity)

The Department collects data about learners' and members of the workforce's ethnicity. Tables 6 and 7 present this data.

Table 6: Proportion of 16-18 learners by highest study aim and summary ethnic group, 2021/22

Qualification type and level	Asian summary ethnic group	Black summary ethnic group	Mixed summary ethnic group	White summary ethnic group	Any Other Ethnic Group
Academic L3	14%	7%	6%	69%	2%
L3 Apprenticeship	5%	2%	3%	88%	0%
Vocational L3	10%	7%	5%	74%	2%
Level 2	9%	6%	5%	76%	2%
L2 Apprenticeship	2%	1%	3%	92%	0%
Below L2	9%	6%	5%	75%	2%
Not Participating in FE	10%	5%	5%	76%	2%
Total	11%	6%	5%	74%	2%

Source: DfE's Young Person's Matched Administrative Dataset (YPMAD)

Table 7: Number of 16-18 learners by highest study aim and summary ethnic group, 2021/22

Qualification type and level	Asian summary ethnic group	Black summary ethnic group	Mixed summary ethnic group	White summary ethnic group	Any Other Ethnic Group
Academic L3	78,300	35,400	31,400	374,700	12,300
L3 Apprenticeship	2,900	1,300	2,200	56,200	300
Vocational L3	32,700	24,800	17,700	243,400	6,200
Level 2	16,900	11,200	10,300	144,100	3,600
L2 Apprenticeship	1,100	500	1,500	45,300	100
Below L2	6,600	4,300	3,700	53,700	1,600
Not Participating in FE	45,600	23,400	24,000	353,300	7,900
Total	184,200	100,900	90,800	1,270,700	32,000

Source: DfE's Young Person's Matched Administrative Dataset (YPMAD)

80.6% of the secondary school workforce identifies as white British,¹⁹ and of the FE workforce, 18.9% identify as being from an ethnic minority background (ethnic groups other than white British).²⁰ This is lower than the average in England and Wales as a whole, where 25.6% of the population does not identify as being white British.²¹

We have identified evidence that the ABS could have a positive impact on all learners, regardless of their race or ethnicity. While as a characteristic, disadvantage is not protected by the Equality Act, it interacts with race and ethnicity. For example, black Caribbean (37%), mixed white and black Caribbean (38%) and Gypsy and Roma (47%) pupils are eligible for Free School Meals (FSM) at around twice the national average

¹⁹ [Teacher characteristics' from 'School workforce in England', Permanent data table – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://explore-education-statistics.service.gov.uk)

²⁰ [Further education workforce, Academic year 2021/22 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://explore-education-statistics.service.gov.uk)

²¹ [Ethnic group, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk) – note that this data is for England and Wales

rate (20.5%).²² A majority (63%) of pupils of Irish Traveller heritage are FSM eligible.²³ As outlined in the consultation document, key aims of the ABS include closing the disadvantage gap at 16-19 and helping every young person reach their full potential, in particular the most disadvantaged learners. Since some ethnic groups are disproportionately more likely to attain lower standards²⁴, and that this is also the case for disadvantaged groups, this presents a strong opportunity to improve outcomes for these learners. As part of the consultation we invite views on how to best ensure the ABS meets the needs of these learners.

We have not identified evidence that the ABS could have a disproportionate impact on members of the workforce linked to their race or ethnicity. We have invited views on whether there may be any positive or negative impacts on any groups with protected characteristics as a result of the ABS to inform our evidence.

Religion or belief

The Department does not hold data on religion or belief of learners or members of the post-16 education workforce. However, Census data can give an indication of the population by religious group, shown in Table 8. Please note this data does not directly correspond to learners or the workforce but the whole population.

Table 8: Religion by age group in England, 2021

Religion	0-15	16-18	19+
Buddhist	0.3%	0.3%	0.5%
Christian	35.3%	35.3%	49.4%
Hindu	2.0%	1.6%	1.8%
Jewish	0.5%	0.5%	0.5%
Muslim	11.3%	10.7%	5.5%
No religion	42.8%	43.6%	34.9%
Sikh	1.0%	1.0%	0.9%

²² [Outcomes by ethnicity in schools in England \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

²³ Ibid

²⁴ Ibid

Other religion	0.3%	0.4%	0.7%
Not answered	6.5%	6.8%	5.9%

Source: Detailed religion by age and sex in England and Wales, ONS²⁵

While the taught hours of the ABS will be greater than those of 16-19 cohorts today, there will be a reduction of taught hours for the ABS cohorts themselves compared with their pre-16 study. Students required to follow religious obligations may continue to benefit from studying fewer hours post-16, or there may be a neutral/negative impact owing to the overall increase of hours compared to the current system. As such, we have identified that there will be a neutral/positive impact on learners whose protected characteristic of race and religion requires them to follow religious obligations that could coincide with taught hours. This impact relates to the need to eliminate discrimination, harassment, victimisation and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

In relation to the workforce, at this early stage in the policy development it is not clear how the increased teaching time for learners' hours might impact on the workforce. In our policy paper we committed to extra funding for the additional teaching hours of the ABS, and continue to be committed to address the challenges teachers face, including support with workload and wellbeing. We expect providers to have individual policies on supporting staff with religious obligations and to put in place any required reasonable adjustments. We also expect any negative impacts to be mitigated by settings' individual policies on supporting staff with health needs. In the consultation, we seek views on what opportunities and challenges might result from the ABS with regard to recruitment, retention and deployment of staff. This will be taken into consideration as policy develops in this area.

We will communicate the expectation of schools to comply with relevant equalities legislation and consider how to accommodate the religious needs of their learners and their staff.

Sex

Tables 9 and 10 present data on sex of learners aged 16-18 broken down by qualification type and level of study.

Table 9: Proportion of 16-18 learners by highest study aim and sex, 2021/22

²⁵ [Religion by age and sex in England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

Qualification type and level	Female	Male
Academic L3	55%	45%
L3 Apprenticeship	37%	63%
Vocational L3	49%	51%
Level 2	39%	61%
L2 Apprenticeship	42%	58%
Below L2	34%	66%
Not Participating in FE	49%	51%
Total	49%	51%

Source: DfE's Young Person's Matched Administrative Dataset (YPMAD)

Table 10: Number of 16-18 learners by highest study aim and sex, 2021/22

Qualification type and level	Female	Male	Total
Academic L3	300,900	242,400	543,300
L3 Apprenticeship	23,300	40,400	63,700
Vocational L3	163,400	166,900	330,300
Level 2	73,600	116,400	190,000
L2 Apprenticeship	20,800	28,300	49,000
Below L2	24,700	47,000	71,700
Not Participating in FE	225,500	237,700	463,300
Total	832,200	879,200	1,711,300

Source: DfE's Young Person's Matched Administrative Dataset (YPMAD)

Male learners are underrepresented on academic Level 3 qualifications. The bringing together of options once deemed as 'technical' and 'academic' qualifications is likely to have a positive impact on male learners who are more likely to take 'technical' qualifications.

Male learners are also disproportionately represented on Level 2 qualifications. This means that the Level 2 pathways are likely to have a disproportionate impact on male learners, which we anticipate to be a positive impact on the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This is because a dedicated Level 2 offer will be developed to ensure a supportive and stretching pathway for learners who do not enter the ABS at Level 3.

The workforce in secondary schools is 65% female²⁶, and in FE settings it is 65.6% female²⁷. This is higher than the proportion of females in the general population. Women are more likely to take on unpaid work including caring responsibilities²⁸.

In relation to the workforce, at this early stage in the policy development it is not clear how the increased teaching time for learners hours might impact on the workforce. In our policy paper we committed to extra funding for the additional teaching hours of the ABS, and continue to be committed to address the challenges teachers face, including support with workload and well-being. We expect any negative impacts to be mitigated by settings' individual policies on supporting staff with health needs. In the consultation, we seek views on what opportunities and challenges might result from the ABS with regard to recruitment, retention and deployment of staff. This will be taken into consideration as policy develops in this area.

Sexual orientation

The department does not hold data on the sexual orientation of learners or members of the post-16 education workforce. We have not identified any impacts relating to this protected characteristic.

²⁶ [School workforce in England, Reporting year 2022 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://explore-education-statistics.service.gov.uk)

²⁷ [Further education workforce, Academic year 2021/22 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://explore-education-statistics.service.gov.uk)

²⁸ [Women shoulder the responsibility of 'unpaid work' - Office for National Statistics](https://www.gov.uk/government/news/women-shoulder-the-responsibility-of-unpaid-work)



Department
for Education

© Crown copyright 2023

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3.

Where we have identified any third-party copyright information you will need to obtain permission from the copyright holders concerned.

About this publication:

enquiries www.gov.uk/contact-dfe

download www.gov.uk/government/consultations



Follow us on Twitter:
[@educationgovuk](https://twitter.com/educationgovuk)



Like us on Facebook:
facebook.com/educationgovuk