



Department  
for Education

# Access for education and training providers

## Statutory guidance for schools

### *Consultation draft*

Following the consultation, we will merge the content in this consultation on provider access into a single statutory guidance document on careers guidance. The broader content of the careers statutory guidance is out of scope for this consultation because it is not changing as a result of the new legislation and is therefore not included in this draft.

## June 2022

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# Summary

## About this guidance

This is statutory guidance from the Department for Education (the department) issued under [Section 45A of the Education Act 1997](#). Maintained schools and academies in England must have regard to it when carrying out their duty to ensure that there is an opportunity for a range of providers to access pupils to inform them about technical education and apprenticeships.

We use the terms “**must**” and “**should**” throughout the guidance. We use the term “must” when the person in question is legally required to do something and “should” when the advice set out should be followed unless there is good reason not to.

The use of the word ‘**school**’ in this guidance refers to maintained schools, academies and free schools. A ‘**maintained school**’ is a community, foundation or voluntary school, community or foundation special school (other than one established in a hospital) that provides secondary education, or pupil referral unit.

The use of the word ‘**pupil**’ in this guidance refers to pupils, students, learners, and young people (who are considered not in education, employment or training (NEET), for example).

The use of the word ‘**parent**’ in this guidance refers to parents, carers, and guardians of pupils, pupils, learners, and young people. For the purposes of this guidance, the word ‘parent’ includes all those with parental responsibility, including parents, guardians, and those who care for the young person.

The use of the term ‘**provider encounter**’ in this guidance refers to a meeting between a provider and a group or cohort of pupils, in which the pupil has the opportunity to find out about the provider and the approved technical education qualifications or apprenticeships that they offer, and to explore what it is like to learn in that environment.

This guidance replaces the guidance content for schools on access for education and training providers within the July 2021 document: ‘Careers guidance and access for education and training providers. Statutory guidance for schools and guidance for further education colleges and sixth form colleges’. Following the consultation, this content will be finalised and integrated into a single guidance document covering both careers guidance and guidance on access to pupils for education and training providers.

## Expiry or review date

This guidance will be reviewed annually and updated if necessary.

## What legislation does this guidance refer to?

- Section 42B and 45A of the Education Act 1997, as amended by The Skills and Post-16 Education Act 2022.

## Who is this guidance for?

This guidance is for:

- governing bodies, proprietors, school leaders, careers leaders and staff in maintained schools, academies, free schools (including alternative provision academies and free schools) and colleges (that provide secondary education and post-16 education);
- local authorities that maintain pupil referral units that provide secondary education and post-16 education.

The guidance applies to:

- All pupils in school from year 8 to year 13;

## Main points

- There have been changes to the provider access duty, (occasionally referred to as the 'Baker Clause'), which requires maintained schools and academies to provide opportunities for a range of education and training providers to access all year 8 to 13 pupils to inform them about approved technical education qualifications and apprenticeships.
- New legislation will come into force on 1 January 2023 that will require schools to put on at least six encounters for pupils, over the course of school years 8 to 13, with a provider of technical education or apprenticeships. These provider encounters must take place during normal school hours and meet specific criteria.<sup>1</sup>
- To promote the quality and consistency of provider encounters, the legislation includes a new set of minimum information that the school must ask the provider to give to pupils during each encounter.
- The Careers & Enterprise Company will support schools through Careers Hubs to understand, deliver and record compliance with the new requirements as part of their wider careers programmes.

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<sup>1</sup> Section 14 of the Skills and Post-16 Education Act 2022

- The department is proposing a ladder of support and intervention to set out a range of measures that will help support providers to meet the requirements and to respond to non-compliance.

## Information on skills and technical education reforms for all staff

With the government's large-scale reforms to skills, including the transformation of technical education and training, it has never been more important for schools to make sure that pupils understand the full range of education and training options available. Our reforms are focused on giving people the skills they need, in a way that suits them, so they can get great jobs in sectors the economy needs and boost this country's productivity. We are ensuring people have the opportunity to access technical education and training throughout their lives by delivering the Prime Minister's Lifetime Skills Guarantee to upskill and reskill at different points in their life. Building on the success of our flagship apprenticeships programme, we are putting employers at the heart of the system, to help ensure that education and training meets their needs. The continued rollout of T Levels, designed by over 250 leading employers, is a key aspect of this skills revolution. Skills are a key pillar of the Prime Minister's Covid recovery strategy. Education and skills are also at the heart of the government's commitment to levelling up opportunities across the UK.

### The range of technical options

Schools and colleges have a responsibility to set pupils on the path that will secure the best outcome which will enable them to progress in education and work. That means 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 because it is vital to ensure that all pupils 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.

Technical pathways offer qualifications designed with employers that will give pupils the skills the economy and society need. There are a number of high-quality options available to your pupils:

Options in full-time education:

- **[T Levels](#)** offer a new gold standard in technical qualifications for 16- to- 19-year-olds. One T Level is equivalent in size to three A levels and attracts UCAS points. Leading businesses and employers have helped to design T Levels to provide pupils with the confidence that the skills they are studying are those that employers want. T Levels offer a broad course content and students will take an occupational specialism during their course. A key component of T Levels is a nine-week industry placement with an employer to give young people meaningful experience of the workplace in the profession/

trade they are studying. T Levels can lead to work, higher and degree apprenticeships, college and university courses. T Levels were first introduced in September 2020 and from September 2023 they will be moving towards a mainstream technical education offer with more than 20 subjects available in around 400 colleges, schools and other post-16 providers.

- **Higher Technical Qualifications (HTQs)** are new or existing Level 4 and 5 qualifications (such as HNDs/Foundation Degrees/Diploma HE) that have been approved by the Institute for Apprenticeships and Technical Education (IFATE) as meeting occupational standards for the relevant sector. They have been developed by awarding bodies in collaboration with employers and businesses so that students get the specific training, knowledge and skills required for their chosen career. HTQs are supported by a government-backed brand and quality mark since June 2021 and offer a high-quality alternative to the traditional 3-year level 6 degree. They are largely classroom based, taught in further education colleges, universities or independent training providers. The first teaching of approved HTQs will be available from September 2022 starting with digital, then construction and health and science in 2023, with full sector roll-out 2022- 2025.

Options that combine work and study:

- **Apprenticeships** are available at intermediate, advanced, higher and degree level and combine practical on-the-job skills training with off-the-job learning. Our reforms to apprenticeships have made improvements with more off-the-job training and more rigorous assessment at the end. Apprenticeships are real jobs that allow people to earn a wage while they learn. Apprenticeships range from level 2 up to level 7, they can take between 1 and 5 years to complete, depending on the level.
- **Traineeships** are a skills development programme for 16- to- 24-year-olds. They include an unpaid work placement and are designed to help young people get ready for an apprenticeship. We are funding up to 72,000 traineeship places over the next 3 years to ensure that young people have access to high-quality training. We have worked with providers and employers to develop the first-ever occupational traineeships in sectors such as construction, transport & logistics, hospitality & catering, and net-zero & green.
- **Supported internships** are for young people with learning difficulties or learning disabilities, who need extra support to get a job. Young people spend most of their time on placements with an employer, learning skills for work. They also get help from a tutor and a job coach in college or with a specialist provider.

You can explore all the education training choices on the [Get the Jump Campaign website](#).

## Provider access legislation

### The importance of provider encounters

Every pupil, whatever their ambitions, should have the opportunity to explore what it is like to learn at the full range of learning providers, including colleges, universities, apprenticeship and training providers (including employers), University Technical Colleges (UTCs) and Studio Schools. That is why the department introduced a [legal duty](#) in 2018 which requires all maintained schools and academies to ensure that there is an opportunity for a range of education and training providers to access all year 8 to 13 pupils for the purpose of informing them about approved technical education qualifications and apprenticeships. By hearing directly from a range of providers, every pupil can build up a full picture of the options available and consider how the opportunity to study or train in different ways, and in different environments, might suit their skills, interests and aptitudes. This will lead to better-informed choices and help to reduce the risk of dropping out of courses.

### Evidence for strengthening the legislation

Department for Education research showed that by the end of the last academic year, year 9 and 10 pupils had almost as strong awareness of apprenticeships as A Levels. This builds on longitudinal research that shows an increase in young people being told about an apprenticeship (43% to 64% from 2009 to 2018). Young people also reported improvements in the timing, amount and suitability of careers support they received<sup>2</sup>. Mid-year Functional Skills qualification (FSQ) data from 15,000 pupils shows apprenticeships awareness increases with age, rising to 70% for year 10 and 11 pupils (only slightly lower than A-levels). Additionally, 86% of respondents to the Youth Voice Census 2021 reported that apprenticeships had been discussed with them in school. A [recent report by The Careers & Enterprise Company](#) shows why the provider access legislation is so important. Uptake of apprenticeships was 16% higher in the schools that provided information on apprenticeships to most or all of their pupils, compared with the schools that provided information to a small minority.

The [March 2021 UCAS report 'Where next?'](#) highlighted that two in five young people reported that more information and advice would have led to them making better choices. Additionally, almost one in three said they did not receive any

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1027406/Young\\_people\\_s\\_experiences\\_of\\_careers\\_information\\_advice\\_and\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1027406/Young_people_s_experiences_of_careers_information_advice_and_guidance.pdf)

information about apprenticeships from their school. This suggests that more needs to be done to promote parity across these routes.

The IPPR report '[The Baker Clause One Year On](#)' found that fewer than two in five (37.6%) of the 101 schools they examined were complying with the provider access legislation by publishing a provider access statement.<sup>3</sup>

Although progress has been made and there are many examples of schools providing opportunities for pupils to meet alternative providers in line with legal requirements, evidence shows that there is still more to do to ensure all pupils hear about the benefits of technical education qualifications and apprenticeships.

## Changes to the legislation

In the Skills for Jobs white paper, the department announced plans to strengthen this statutory requirement and create a clear minimum standard for compliance.

Through the Skills and Post-16 Education Act 2022 we have made further provision as to the number of provider encounters that schools must offer and when, and set new parameters around the duration and content of each encounter. **All maintained schools and academies must provide six encounters with a provider of technical education or apprenticeships for year 8 to 13 pupils.** We have timed these six meetings to inform consideration of post-14, post-16 and post-18 options and progression to the next stage of education or training.

As a minimum, schools must offer:

- **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.
- **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.
- **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. Schools should encourage all pupils to attend the encounters, however, optional attendance for older pupils recognises that, while many 16- to- 18-year-olds will benefit from finding out more about post-18 technical options, some will be in the sixth form having made a firm decision to pursue their chosen pathway.

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<sup>3</sup> <https://www.ippr.org/files/2019-01/the-baker-clause-one-year-on-january19.pdf>

All six encounters 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, but schools are still encouraged to provide these complementary experiences for pupils and their parents.

Schools and providers should work together and schools must ask each provider to provide information to pupils that, as a minimum, includes:

- 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.

Schools are already required by law to prepare a policy statement setting out the circumstances in which education and training providers will be given access to pupils. 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.

## **Preparing for commencement**

Schools should review their current provider access arrangements and wider careers programmes in preparation for the commencement of the new law on 1 January 2023. This should include consideration of the range of provider encounters that the school will offer and how the school will set this out in the published policy statement and ensure that it is followed.

## **Approaches to delivering encounters with providers of technical education and apprenticeships**

The six provider encounters prescribed by the legislation are a minimum standard. Many schools will choose to offer more opportunities for providers to talk directly to pupils and their parents, as part of a high quality careers programme, designed and delivered in line with the Gatsby Benchmarks of Good Career Guidance.

We expect schools to provide opportunities for visits from a range of providers to ensure that their pupils better understand all the options available to them to make informed decisions on their future training and education needs. There are a number

of high-quality options available to your pupils and the range of providers should include those offering apprenticeships, T Levels and other approved technical education qualifications.

## Identifying a range of providers for pupils to meet

Schools have flexibility to decide which providers to invite but should particularly consider those within reasonable travelling distance of the school, including, where available:

- **General Further Education (FE) Colleges** offer a range of qualifications and training including apprenticeships, traineeships, T levels, technical qualifications and higher education. Some offer programmes for 14- to- 16-year-olds who would benefit from education in a college environment. Most general and specialist FE colleges in England provide some higher education, much of which is vocationally orientated. The Association of Colleges has published a [list of all General Further Education Colleges in England](#).
- **Independent Training Providers (ITPs)** provide vocational and technical education with learning and training done in classrooms on the provider's premises, in workplaces or a mix of both. The Careers & Enterprise Company has published a [resource](#), created by the Association of Employment and Learning Providers (AELP), that provides information about technical education pathways and the work of the ITP sector. The AELP has created a further [resource](#) that provides key facts about ITPs. Schools can review [the register of apprenticeship training providers](#) to identify ITPs. Careers Hubs will be able to share information on local ITPs on request.
- **Institutes of Technology (IoTs)** are collaborations between existing FE colleges, universities and leading employers. IoTs offer a wide range of technical courses across sectors such as digital, advanced manufacturing, engineering and construction including higher apprenticeships, higher technical qualifications, degrees and T Levels. Further information and the locations of IoTs can be found [here](#).
- **University Technical Colleges (UTCs)** are established by universities and employers. They work with a network of local industry partners to design a learning programme which covers the core curriculum of English, Maths and Sciences, and technical qualifications taught by specialist staff with industry standard equipment. The majority of UTCs are for 14- to- 19-year-olds and specialise in one or two STEM curriculum areas to address a defined skills shortage in the local area. Further information can be found on the [Baker Dearing Education Trust website](#) along with a [list of all UTCs](#) in England.

- **Studio Schools** are small schools designed for 14- to- 19-year-olds of all abilities and offer a range of academic and vocational qualifications, often taught through project-based learning, alongside work experience. The core purpose of Studio Schools is to improve students' employability and life skills. Further information can be found on the [Studio Schools Trust website](#).
- **Other Schools** that are offering technical education, such as T Levels or other vocational qualifications.

The apprenticeship training provider base is particularly large and diverse. It can include private training providers, further education colleges, higher education institutions, sixth form colleges, and employers. To inform decisions about which apprenticeship providers to invite in, schools may wish to consult [the register of apprenticeship training providers](#).

From September 2023, the number of T Level providers will have increased significantly to around 400 colleges, schools and other providers. Schools can find their nearest T Level provider at [www.tlevels.gov.uk](http://www.tlevels.gov.uk)

Schools within a Careers Hub will be eligible to receive local support from their Hub to identify suitable providers in the local area and assist with building partnerships between the school and providers.

We encourage schools with limited access to providers in the local area to consider virtual encounters with providers further afield to ensure their pupils are aware of the opportunities and pathways available.

## Considering the timing and content of provider encounters

Schools should design and tailor the programme of provider encounters so that, as pupils progress through school years 8 to 13, they can build up a clear picture of technical education and apprenticeship opportunities available to them at different stages. This means taking account of the key stage 4, [post-16](#) and [post-18](#) options that each provider offers when deciding which year group(s) would benefit most from meeting a provider.

Recognising that providers often have multiple qualifications and courses to offer to young people at different ages, the legislation includes flexibility for schools to arrange meetings with the same provider across more than one 'key phase'. For example, a school may invite an FE college to talk to pupils in the first key phase (year 8 to 9) about key stage 4 options and to talk to pupils in the second key phase (year 10 to 11) about post-16 options. However, within the same key phase, schools must always provide encounters with two different providers to meet the legal requirement. This means that an FE college talking to pupils multiple times across

year 10 and 11 (the second key phase) would only count as one mandatory provider encounter under the terms of the legal duty.

The school should not do anything which might limit the ability of pupils to attend. It would not be acceptable for schools to restrict invitations to selected groups of pupils or hold events outside of normal school hours.

The section on legislative changes describes a minimum set of information that the school must ask each provider to cover during each mandatory encounter with pupils. This will ensure that every provider gets the chance to present meaningfully to pupils. Beyond this legal requirement, there is scope for schools to consider carefully the frequency and scale of encounters and work with providers to tailor them to the needs of pupils. For example, the school may decide to arrange an annual event for a whole year group and invite multiple providers, or work with a group of providers to deliver one presentation covering multiple further education, T Level or apprenticeship opportunities in the local area.

Persons acting on behalf of a provider may represent the provider, or accompany the provider, if they are particularly well placed to engage and inform pupils about the options available. For example, a University Technical College or an apprenticeship provider may ask to bring a key employer with them on a provider visit. The school should consider such requests and consent cannot be withheld unreasonably. Schools and colleges should not require a Disclosure and Barring Service (DBS) check for a visitor who is in the school for a “one-off” visit. However, head teachers and principals should decide on the appropriate level of supervision for the duration of the visit.

## **Reviewing your provider access policy statement**

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, prior to the new duty coming into force on 1 January 2023. With the changes to the duty coming into force part way through the 2022/23 academic year, we strongly encourage schools to take the necessary steps to transition to the new arrangements as soon as possible.

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. We expect a policy statement to be published for each academy within a multi-academy trust. The school may revise the policy statement from time to time and we

recommend that this is done annually, by the Careers Leader, and agreed with the governing body.

The purpose of the statement is to set out how the school intends to comply with the minimum requirement to provide six encounters and the opportunities for providers to visit and to explain how requests from providers will be handled.

The policy statement must include:

- 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:

- 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.

Beyond these requirements and expectations, the school can design the policy statement in a way which best suits their needs. For example, it could be incorporated into the wider set of information about the careers programme that maintained schools must and academies should publish under the School Information (England) Regulations 2008.<sup>4</sup> What is most important is that the document includes clear details of the opportunities for providers to visit the school to talk directly to pupils and the process for providers to request access. An example of a suitable policy statement is at Annex A. The Careers & Enterprise Company has

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<sup>4</sup> Schools are required to publish (a) the name, email address and telephone number of the school's careers leader; (b) a summary of the careers programme including details as to how pupils, parents, teachers and employers may access information regarding the careers programme; (c) how the school measures and assesses the impact of the careers programme on pupils; (d) the date of the school's next review of the information".

published further examples online, for example a [policy statement](#) integrated into a wider careers policy document.<sup>5</sup>

## Provider access legislation and the Gatsby Benchmarks

Opportunities to meet providers of technical education and apprenticeships are just one of a number of careers activities that schools should provide for pupils as part of an embedded programme of careers education and guidance. 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. 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.<sup>6</sup>

## Ensuring provider encounters are meaningful and high quality

### Preparing for provider encounters

Schools should prepare for each provider visit by advising pupils and their parents to consult provider websites for background information, including details of the courses and qualifications that the provider offers and their Ofsted grade. Inspection reports are available on [Ofsted's website](#). Schools can also allow providers to make available copies of their prospectus, as part of their visit. This additional information can help pupils to consider the merits of different providers and make fully-informed decisions about next steps. Schools may want to help their pupils set objectives prior to the provider encounter.

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<sup>5</sup> A new example will be provided in the final published statutory guidance

<sup>6</sup> When this consultation draft is finalised and integrated into the statutory guidance on careers guidance and access for education and training providers, this section will link to relevant context and information on meeting the wider careers duties and Gatsby Benchmarks.

The Careers & Enterprise Company's [Encounters with further and higher education report](#) offers practical tips from schools and colleges for achieving Gatsby Benchmark 7 and provides advice on encounters with further education. The Careers & Enterprise Company's [Making it meaningful checklist](#) is designed to help Career Leaders ensure that careers activities, including provider encounters, are meaningful for all participants and will ensure quality and consistency of the activity.

We encourage schools to develop strong relationships with providers in the local area to build trust and make encounters easier to plan and deliver. Schools can access support from The Careers & Enterprise Company's [website](#) to ensure they have the right guidance on how best to prepare for each provider visit. Schools within a Careers Hub can access further support through their Hub to help become empowered to deliver meaningful encounters.

A range of government-funded resources offer further information and support for schools:

- The [Get the Jump: explore your education and training choices](#) website explains all of the further and higher education options, including technical routes.
- [Amazing Apprenticeships](#) works with schools to promote the benefits of T Levels, apprenticeships and technical education and produces a wide range of resources to use with pupils and their families.
- National Careers Service website offers information on [post-16](#) and [post-18 options](#).
- The department funds the [Apprenticeship Support and Knowledge for Schools and Colleges \(ASK\) programme](#) which offers free support to better inform pupils about apprenticeships, traineeships and T Levels.
- Through the Jobcentre Plus Support for Schools programme, local Jobcentre Plus advisers offer 12- to- 18-year-old pupils insight into the world of work and advice on options like traineeships and apprenticeships.

## Considering the needs of each pupil

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. Schools should involve parents/carers, the Special Educational Needs Coordinator (SENCO) and other relevant staff to identify any barriers and support needed, and tailor each provider encounter appropriately. Pupils with an education, health and care plan should have formal opportunities to discuss education, training and career opportunities as part of their annual review, from year 9 onwards.

## The role of online provider encounters

We expect most provider encounters to be face-to-face but encourage a blended approach with the use of virtual engagement where access may be an issue. Online engagement can offer a variety of benefits which include greater flexibility, efficiency and the ability to draw on a wider pool of providers. If a school opts to provide an online provider encounter, they must ensure that the encounter is meaningful and high quality while following the same standards as a face-to-face encounter. The encounter should be live and not a pre-recorded video to ensure it is tailored to the school and that pupils are able to ask questions. Some pupils may benefit from online encounters if they do not feel comfortable with face-to-face encounters.

## 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. Schools should make parents aware of the [Talking Futures](#) toolkit which supports parents to have informed and constructive conversations with their child about their future options. We encourage schools to invite providers to parents' evenings to help parents become familiar with all the options available to their child.

## Ladder of support and intervention

The department has developed a ladder of support and intervention to ensure that there is a transparent and consistent approach to helping all schools to meet the provider access legislation and to taking action to respond to cases of non-compliance.

The Careers & Enterprise Company will provide support to schools and providers at a national, Careers Hub and institutional level.

National: (LINK)

Every school and provider in England will be able to access support including templates, guidance on how to maximise encounters, and good practice sharing via events and webinars. CEC will embed the new provider access statutory guidance into existing support, resources and training such as Careers Leader training. CEC will work with sector partners to ensure that tailored and specific support is available for different audiences, for example on SEND.

Local (where in a careers hub): (LINK)

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. A nominated provider access Hub Lead will be able to provide personalised advice to providers on request.

Schools will be supported by the Careers Hub and network including Enterprise Advisers and Cornerstone employers. Hubs will be the link with local networks to share good practice and identify opportunities to align with other existing initiatives such as Local Skills Improvement Plans (LSIPs). Hubs will work in partnership with schools to identify relevant providers in their area and support schools to identify opportunities to tailor support based on local context and need.

Institutional:

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. A dedicated email address for providers to raise complaints will be set up. It is expected that the vast majority of schools will be able to comply after benefitting from this additional support. However, in the event of persistent non-compliance, the school would move up the ladder with higher steps 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. In extreme cases, if all other options have been exhausted, the school could lose access to government-funded careers support or be placed under a legal direction to comply with the provider access legislation.

### **Ladder of support and intervention**

- 1. Support-** The school will be reminded of the requirements of the duty. They will receive targeted support and guidance about what the school needs to do to comply with the provider access duty.
- 2. Review-** The school will be required to undertake a review of their careers provision with a focus on provider access legislation. The review will depend on the school's situation but may include a self-review, Careers Hub review and/ or a peer review and will allow the school to learn about best practice. Following the review, where appropriate, the Careers Hub will coordinate access between suitable providers and the school.
- 3. Plan-** The school will be strongly encouraged to undertake an expert review or independent quality assurance of their careers provision focused on the provider access legislation. The school will be supported to develop an improvement plan

to outline how they will improve their careers provision and compliance with the provider access legislation.

- 4. Training-** If the school continues to be non-compliant, an official or a minister from the Department for Education will write to the school reminding them of the requirements of the duty and will state a date that the school will need to comply by to avoid moving to formal intervention. The letter will state that the senior leadership team and/ or the governors should undertake Careers Leader training (depending on the circumstance, the school may have to fund the training).
- 5. Intervention-** The use of the Secretary of State's intervention powers, under Section 496 and 497 of the Education Act 1996, to require appropriate remedial action to be taken.

Schools that have been on the ladder of support and intervention will be subject to further monitoring in the current and following academic year to ensure they have the right support going forward. This applies to schools that reach step 2 or higher.

## The role of Ofsted

Ofsted's updated school inspection handbook for September 2021 sets out strengthened expectations with respect to careers education, information, advice and guidance (CEIAG), and specifically the provider access legislation. Ofsted's grade criteria set out the expectation that a school with 'good' personal development will meet the requirements of the provider access legislation, and where this is not the case, inspectors will state this in the published inspection report, and that they will consider what impact this has on the quality of CEIAG and the subsequent judgement for personal development.

## Examples of good practice<sup>7</sup>

### **Delivery of two mandatory provider encounters during the first key phase (year 8/9)**

**School A** puts on a University Technical College event for all year 8 pupils in the autumn term during school hours. During the event the UTC provides a presentation about UTC's, what courses are on offer and what kind of careers routes follow certain courses. Former and current UTC pupils speak at the event about their personal experience. The UTC staff offer a Q&A to all pupils ensuring they answer all questions. The UTC staff offer meetings in groups or one-to-one

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<sup>7</sup> This section will be strengthened with real-life examples provided by participants in the consultation in response to consultation question 11.

depending on the level of interest to any pupils that want further information. A prospectus is handed out to all pupils to take home.

**School A** puts on a Key Stage 4 options event during the autumn term and invites a college and an apprenticeship provider to present during an assembly. Both presentations offer an overview of KS4 technical options and apprenticeships. Following the presentation, the providers offer a Q&A and ensure they answer all questions. Additional information is handed out to pupils to take home to discuss with their parents.

School A has achieved the minimum requirement to offer two encounters during the year 8 to 9 phase to all pupils during school hours.

### **Delivery of two mandatory encounters during the second key phase (year 10/11)**

**School A** invites a General FE College to speak at a morning assembly to all year 10 pupils about post-16 technical options. Prior to the assembly the school sends out the college website link to all pupils and parents, signposting them to general information about the college, its technical education and apprenticeship provision and Ofsted rating. On the day of the assembly the provider representative delivers a presentation about the college, its courses and qualifications and possible careers routes. Short video clips from a number of college pupils explain what it is like to learn at the college. The college ends the assembly with a Q&A ensuring they answer all questions pupils may have and remain afterwards for any follow up face-to-face questions.

**School A** invites an apprenticeship provider to speak to the same pupils once they move into year 11 to talk about post 16 apprenticeship options. The assembly follows the same format and offers the same pupils the chance to learn about apprenticeships and the careers they might lead to and to ask questions. The provider representative brings two young apprentices from the local area to talk to pupils about their experiences of apprenticeships and their future career ambitions.

School A has achieved the minimum requirement to offer two encounters during the year 10 to 11 phase to all pupils during school hours.

### **Delivery of two optional to attend encounters during the third key phase (year 12/13)**

**School A** holds a Higher Education fair for a variety of HE providers including local Further Education colleges. The fair is held during school hours and allows the opportunity for pupils to learn about higher education options along with further

education. Attendance is optional for pupils but the school encourages any pupils that have not made firm decisions on their next steps to participate and learn about HE and FE options. Pupils can visit stalls and find out more about what is on offer, parents are also welcome to join.

**School A** invites a higher and degree apprenticeship provider to a timetabled lesson about post 18 options during the autumn term. The timetabled lesson starts with a presentation from the providers and end with a Q&A with the providers answering all the questions. The encounter offers year 13 pupils the chance to learn about higher and degree apprenticeships and the careers they might lead to. The encounter is optional for pupils to attend but the school encourages pupils that have not decided on next steps to attend.

School A has achieved the minimum requirement to offer two encounters during the year 12 to 13 phase to all pupils during school hours.

#### **Example of encounters from a schools progressive careers programme**

**School X** runs a series of 'Step up days' as part of their progressive careers programme. One of the sessions during the day is the delivery of provision from an independent training provider of apprenticeships. Each session is an hour and includes an opportunity for the ITP to explain the courses on offer and the various levels. As part of the session, there is a short talk by an apprentice about their experience of the apprenticeship with an opportunity in the smaller group to discuss points. As part of the discussion the apprentice asks questions of the pupils around the myths or stereotypes. The teacher in the room has also prepared with the pupils some possible questions to ask. There is time left at the end for individual pupils to speak with the apprentice and find out more. As part of the follow up there is an opportunity to visit the ITP on site and take part in a workshop so pupils are asked to consider if they might like to experience this. As part of the session, a pupil provides a write-up which is published to parents to inform them of the key learning – this is checked by the ITP and Careers Leader prior to publication.

## **Annex A: Example of a policy statement on provider access**

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 year 8 to 9 pupils and two encounters for year 10 to 11 pupils. For pupils in 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](#).

## Previous providers

In previous terms/years we have invited the following providers from the local area to speak to our pupils:

- ITP X
- ITP Y
- General FE College X
- Apprenticeship provider X
- General FE College Y

## Destinations of our pupils

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

[stats on destinations]

- General FE College X
- General FE College Y
- ITP X
- ITP Y
- Apprenticeship provider X
- Sixth form X

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.

	Autumn Term	Spring Term	Summer Term
Year 8	<b>Event for University Technical College</b>	Employer event for pupils, parents – market stall event giving overview of local, regional and national opportunities and skills requirement	Technical/vocational tasters at local college/s, training providers
Year 9	Meeting with careers adviser	<b>KS4 options event – Y college and Z apprenticeship provider attending to give presentations to pupils</b>	<i>No encounters – legislation requires encounters to take place by 28 February if in year 9</i>
Year 10	<b>Post 16 technical education options assembly with General Further Education College</b>  Life Skills – work experience preparation sessions	Technical/vocational tasters at local college/s, training providers	Technical/vocational tasters at local college/s, training providers
Year 11	Post 16 provider open evenings.  <b>Post 16 apprenticeships assembly</b>  Meetings with careers adviser  Post 16 applications	Post-16 interviews	<i>No encounters – legislation requires encounters to take place by 28 February if in year 11</i>  Confirmation of post-16 education and training destinations for all pupils

	<b>Autumn Term</b>	<b>Spring Term</b>	<b>Summer Term</b>
Year 12	<b>Higher Education fair for a variety of HE providers including local Further Education colleges</b>	Small group sessions: future education, training and employment options  Meetings with careers adviser	Technical/vocational tasters at local college/s, training providers
Year 13	<b>Post 18 assembly – with higher and degree apprenticeship providers</b>  Workshops – HE and higher apprenticeship applications	Meetings with careers adviser	<i>No encounters – legislation requires encounters to take place by 28 February if in year 13</i>  Confirmation of post-18 education and training destinations for all pupils

## **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 [email]

## **Approval and review**

Approved *[date]* by Governors at Curriculum and Standards Committee

Next review: *[date]*

Signed: *[name]* Chair of Governors

*[name]* Head teacher