

THE EDUCATION ACT 2011
THE DUTY TO SECURE INDEPENDENT AND IMPARTIAL CAREERS
GUIDANCE FOR YOUNG PEOPLE IN SCHOOLS

STATUTORY GUIDANCE FOR HEAD TEACHERS, SCHOOL STAFF,
GOVERNING BODIES AND LOCAL AUTHORITIES

ABOUT THIS GUIDANCE

1. This is statutory guidance from the Department for Education. This means that recipients must have regard to it when carrying out duties relating to the provision of careers guidance for young people. This guidance replaces 'The Education Bill – changes to the delivery of careers guidance', a document made available to schools in April 2011.
2. The purpose of this guidance is to identify the key responsibilities of schools in relation to careers guidance for young people. Schools have a role to play in supporting their pupils to make well informed and realistic decisions by providing access to impartial and independent information and guidance about the range of education and training options that are most likely to help young people achieve their ambitions. This information will become increasingly important as young people will be required to participate in education or training until the end of the academic year in which they turn 17 from 2013, and to their 18th birthday from 2015.
3. Apart from the elements identified in this statutory guidance, it is for schools to decide the careers guidance provision to be made available based on the needs of pupils and the opportunities available. Schools should meet the costs of provision from their overall budgets, including the pupil premium.

REVIEW DATE

4. This guidance will be reviewed by 03/2013 following a consultation on extending the age range to which the new legislation relating to young people's careers guidance will apply.

WHAT LEGISLATION DOES THIS GUIDANCE RELATE TO?

5. This guidance is being issued under section 45A of Part VII of the Education Act 1997 and schools must have regard to it.

WHO IS THIS GUIDANCE FOR?

6. This guidance is for:
 - Head teachers, school staff and governing bodies in all community, foundation or voluntary schools and community or foundation special schools (other than one established in a special school) that provide secondary education
 - Local authorities that maintain pupil referral units
7. Academies and Free Schools will be subject to the same requirements through their Funding Agreements.

BACKGROUND

8. The Education Act 2011 places schools under a duty to secure access to independent and impartial careers guidance for their pupils from September 2012. While complying with the requirement to secure careers guidance from an external source, schools will be free to make arrangements for careers guidance that fit the needs and circumstances of their pupils, and will be expected to work, as appropriate, in partnership with external and expert providers.
9. Once the duty on schools has been commenced, there will be no expectation that local authorities will provide a universal careers service. The statutory responsibility under section 68 of the Education and Skills Act 2008 requiring local authorities to encourage, enable and assist the participation of young people in education or training, remains unchanged.
10. The National Careers Service will be fully operational from April 2012. It will comprise a single website (www.nationalcareersservice.direct.gov.uk from April) and telephone helpline number (0800 100 900) to which schools may wish to direct pupils.

STATUTORY DUTY

11. The Education Act 2011 inserts a new duty, section 42A, into Part VII of the Education Act 1997, requiring schools to secure access to independent¹ careers guidance² for pupils in years 9-11. Careers guidance must be presented in an impartial³ manner and promote the best interests of the pupils to whom it is given. Careers guidance must also include information on all options available in respect of 16-18 education or training, including apprenticeships and other work-based education and training options.

RESPONSIBILITIES OF SCHOOLS

12. The Government's general approach is to give schools greater freedom and flexibility to decide how to fulfil their statutory duties in accordance with the needs of their pupils. However, there is an expectation that schools will have regard to the following statutory guidance when deciding on the most appropriate forms of independent careers guidance.

Securing access to independent face-to-face careers guidance

13. In fulfilling their new duty, schools should secure access to independent face-to-face careers guidance where it is the most suitable support for young people to make successful transitions, particularly children from

¹ Independent is defined as external to the school.

² Careers guidance refers to services and activities, intended to assist individuals of any age and at any point throughout their lives, to make education, training and occupational choices and to manage their careers. The activities may take place on an individual or group basis and may be face-to-face or at a distance (including help lines and web based services). They include careers information provision, assessment and self-assessment tools, counselling interviews, careers education programmes, taster programmes, work search programmes and transition services.

³ Impartial is defined as showing no bias or favouritism towards a particular education or work option.

disadvantaged backgrounds or those who have special educational needs, learning difficulties or disabilities.

Assuring the quality of external providers of careers guidance

14. Schools may work individually or in consortia/partnerships to secure careers guidance services. Schools can commission independent careers guidance from providers engaged in delivering the National Careers Service or from other providers or individual careers guidance practitioners, as they see fit. Where schools deem face-to-face careers guidance to be appropriate for their pupils, it can be provided by qualified careers professionals. The Skills Funding Agency will require providers of the National Careers Service to be accredited to the revised version of the matrix Standard by April 2013. The existence of this national quality standard will assist schools in making well informed decisions about which providers to work with. The organisation responsible for administering the matrix Standard on behalf of government, emqc Ltd, will provide schools with access to information about which organisations hold the Standard and are suitably accredited to provide independent careers guidance services.

Providing other careers activities for young people

15. Schools should consider a range of wider careers activities such as engagement with local employers and work-based education and training providers to offer all young people insights into the world of work, and with local colleges and universities for first-hand experience of further and higher education. Schools are free to determine the most appropriate forms of engagement but might consider mentoring, workplace visits, work experience, work shadowing, enterprise clubs, employer talks and links with local higher education institutions.

Ensuring adequate support for pupils with special educational needs (SEN) or disabilities

16. Pupils should receive independent and impartial advice about all of the mainstream education, training and employment opportunities on offer, regardless of their individual circumstances. For those with learning difficulties and/or disabilities, this advice should also include information on the full range of specialist provision that is available. Schools should work closely with local authorities who have an important role to play, in particular through the provision of SEN support services and section 139A assessments.

Working with local authorities

17. Local authorities will retain their duty to encourage, enable or assist young people's participation in education or training. They will be required to assist the most vulnerable young people and those at risk of disengaging with education or work. Local authorities are also expected to have arrangements in place to ensure that 16 and 17 year olds have received an offer of a suitable place in post-16 education or training, and that they are assisted to take up a place. This will become increasingly important as the participation age is raised.

18. To enable local authorities to fulfil these duties, they will continue to track all young people's participation through the local Client Caseload Information

System (CCIS) in order to identify those who are at risk of not participating post-16, or are in need of targeted support. Schools should work with local authorities to support them in recording young people's post-16 plans and the offers they receive along with their current circumstances and activities.

19. Section 72 of the Education and Skills Act 2008 requires all schools to provide relevant information about pupils to local authority support services. Schools should also work in partnership with local authorities to ensure they know what services are available, and how young people can be referred for support. From 2013 schools will be under a duty to notify local authorities whenever a 16 or 17 year old leaves education.

Working with education and training providers

20. Schools have a responsibility to act impartially and recognise where it may be in the best interests of some pupils to pursue their education in a further education college or a university technical college, for example. This may include A levels, apprenticeships and vocational options. This will require schools to establish and maintain links with local post-16 education and training providers, including further education colleges and work-based education and training providers, to ensure that young people are aware of the full range of academic and vocational options.
21. Schools are also encouraged to arrange visits for 14-16 year olds to local colleges, work-based education and training providers and universities and, where appropriate, to supplement these with local college and work-based education and training provider prospectuses being made available to pupils to assist informed decision making.

**Participation Division
Department for Education
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