Provider access legislation

Is live!

January

What is the provider access legislation (PAL) ?

Creating the conditions for success

The provider access legislation is an updated law that is coming into force in January 2023. It specifies schools must provide at least six encounters with providers of technical education or apprenticeships for **all** their students during school years 8- 13:

- **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.

*You cannot count two encounters with the same provider in the same phase, this would only count as one

What makes an encounter count?

Criteria

- Schools must provide six encounters with providers of ‘approved technical education qualifications or apprenticeships’ or someone representing them if they “are particularly well placed to engage and inform pupils about the options available”
- All six encounters must happen for a reasonable period of time during the standard school day
- 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
- The school should not do anything which might limit the ability of pupils to attend
- 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

Criteria

Schools must ensure the provider of technical education or apprenticeships provides 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

Update your 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

Update your policy statement

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.

Update your policy statement

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.

What happens if we don’t comply?

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The role of **Ofsted**

Ofsted’s school inspection handbook 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. Where this is not the case, inspectors will state this in the published inspection report. They will consider what impact this has on the quality of CEIAG and the subsequent judgement for personal development.

Providers are able to raise concerns of where schools are not complying with the guidance to CEC via provideraccess@careersandenterprise.co.uk. Careers Hubs will work with schools to understand current and future compliance and offer support.

The Department for Education 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.

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).

Ultimately if still non-compliant the use of the Secretary of State’s intervention powers will be deployed, under Section 496 and 497 of the Education Act 1996, to require appropriate remedial action to be taken.

What support is available?

Support from CEC

THE CAREERS & ENTERPRISE COMPANY

	Providers	Schools

National	• Central awareness raising comms
	• Directory of resources inc
	  ○ Templates to meet PAL requirements on statements
	  ○ Guidance to maximise encounters including for specific audiences where required ie SEND
	  ○ Events and webinars to support adoption
	  ○ Good practice examples
	• Embedding PAL support into existing products such as Career leader training
	• Providing opportunities for sector collaboration at a national level	

Local (Hub Level)	• Relevant providers able to be added to local directory of providers for schools to access • Regional co-ordination support from the hub • Directory of local schools to approach that can be shared • Peer matching to share good practice	• Access to local directory of providers for schools • Support from hub referred from common enquiries • Brokering connections to other schools to share good practice and contacts via hub • Access to cornerstone employers and EA's for guidance • Support on how PAL can link best with other local initiatives such as LSIPs
Institutional	• Signposting good practice on request either via national contact or hub PAL lead • A nominated lead will support with a meeting and personalised advice if requested • Access to agreed complaints mechanism	• Signposting good practice on request either via national contact or hub PAL lead • A nominated lead will support with a meeting and personalised advice if requested • Access to specific tailored support where risk of non-adherence identified • Mechanism to record and evidence PAL compliance

One webpage

Look our website: https://www.careersandenterprise.co.uk/fe-skills/provider-access-legislation/

Provider Access Legislation



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Get in touch

For further information or questions email:
provideraccess@careersandenterprise.co.uk

Contact us ›