



Department
for Education

Statutory Guidance

The duty to secure independent and impartial careers guidance for young people in schools

**For Head Teachers, School Staff,
Governing Bodies and Local Authorities**

March 2013

Contents

Summary	3
About this guidance	3
Expiry or review date	3
What legislation does this guidance refer to?	3
Who is this guidance for?	3
Key points	4
Statutory Duty	6
Responsibilities of Schools	6
Securing access to independent face-to-face careers guidance	6
Assuring the quality of external providers of careers guidance	7
Providing other careers activities for young people	7
Ensuring adequate support for pupils with special educational needs (SEN) or disabilities	7
Working with local authorities	7
Working with education and training providers	8
Further sources of information	9

Summary

About this guidance

1. This is statutory guidance from the Department for Education (DfE). 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 has been updated to help schools plan for the extension of the duty to secure independent and impartial careers guidance down to year 8 and up to years 12 and 13 from September 2013.
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.
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.

Expiry or review date

4. This guidance will be reviewed by 03/2014.

What legislation does this guidance refer 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 education¹

¹ The extension to year 8 pupils will extend the careers duty to middle schools for the first time, ensuring pupils can access careers guidance during their final year to help support the transition to a new school.

- Local authorities that maintain pupil referral units. They should have regard to this guidance to ensure young people in alternative provision receive appropriate support.

7. Academies and Free Schools (including alternative provision Academies and Free Schools) are subject to the same requirements through their Funding Agreements.²

Key points

8. From September 2012, the Education Act 2011 placed schools under a duty to secure access to independent and impartial careers guidance for their pupils in years 9-11. The Careers Guidance in Schools Regulations 2013 will extend the age range to which the duty applies. From September 2013, the duty will be extended to include all registered pupils in year 8 (12-13 year olds) and years 12 and 13 (16-18 year olds). This change will allow young people to access information and advice at more key transition points:

- It supports access to information and advice from an earlier age, enabling better informed decisions at age 13 and 14. Other valuable careers work in year 8 can seek to raise aspirations and improve motivation where the school considers this will benefit individual pupils; and
- It supports young people subject to the new requirement 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.

9. We will extend an equivalent requirement to Further Education Colleges and Sixth Form Colleges through their funding agreements and will provide separate guidance to colleges.

10. 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 and employers.

11. Local authorities retain their duty under section 68 of the Education and Skills Act 2008 to encourage, enable and assist the participation of young people in education or training. In addition, the Education and Skills Act 2008 places two new duties on local authorities from June 2013 in respect of 16-18 year olds in relation to the raising of the participation age:

² This includes all those which opened from September 2012 onwards. A deed of variation is being drawn up to enable Academies that opened prior to September 2012 to incorporate the careers duty into their existing Funding Agreements.

- to promote the effective participation in education and training of young people covered by the duty to participate
- to have in place arrangements to identify those who are not participating.

Statutory guidance on duties relating to the participation of young people in education, employment or training can be found here:

<http://www.education.gov.uk/childrenandyoungpeople/youngpeople/participation/rpa/g00222993/stat-guide-young-people-edu-employ-train>.

12. The National Careers Service offers support to young people via a website, helpline and webchat (<https://nationalcareersservice.direct.gov.uk>, 0800 100 900). As part of their overall careers guidance offer, schools may wish to direct pupils to their services.

Statutory Duty

13. The Education Act 2011 inserted a duty, section 42A, into Part VII of the Education Act 1997, requiring schools to secure access to independent³ careers guidance⁴ for pupils in years 9-11. From September 2013 this is extended to years 8-13. Careers guidance must be presented in an impartial⁵ manner and promote the best interests of the pupils to whom it is given. Careers guidance for those under compulsory school age must also include information on all options available in respect of 16-18 education or training, including Apprenticeships. In year 8, information should include options available at age 14 such as University Technical Colleges, Further Education Colleges, Sixth Form Colleges and Studio Schools. For those over compulsory school age, information should include higher education and employment options post-18, including Apprenticeships. Schools will be held to account for the destinations of their leavers through the annual publication of Destination Measures.

Responsibilities of Schools

14. 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

15. In fulfilling their 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 disadvantaged backgrounds or those who have special educational needs, learning difficulties or disabilities.

³ Independent is defined as external to the school. Schools can retain any in-house arrangements but should supplement them with external sources of careers guidance – which could include an external careers provider, employer visits, mentoring, website and telephone helpline access. Taken together, these external sources should include information on the full range of education and training options, including Apprenticeships.

⁴ 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.

⁵ Impartial is defined as showing no bias or favouritism towards a particular education or work option.

Assuring the quality of external providers of careers guidance

16. 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. All providers of the National Careers Service are accredited to the matrix Standard. The existence of this national quality standard will assist schools in making well informed decisions about which providers to work with. Schools can access an online register of organisations accredited to the matrix Standard at www.matrixstandard.com.

Providing other careers activities for young people

17. 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

18. 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 and what additional support is available to enable them to access the provision. 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

19. Local authorities will be required to assist the most vulnerable young people and those at risk of disengaging with education or work under the duties referred to in paragraph 11 of this guidance. Local authorities are also expected to have arrangements in place to ensure that 16 and 17 year olds have agreed post-16 plans and have received an offer of a suitable place in post-16 education or training under the 'September Guarantee', and that they are assisted to take up a place. This will become increasingly important as the participation age is raised.

20. To enable local authorities to fulfil these duties, they will continue to track young people's participation and record this on the local Client Caseload Information System (CCIS) in order to identify those who are not participating post-16, or are in need of targeted support. Section 72 of the Education and Skills Act 2008 requires all schools to provide relevant information about pupils to local authority support services. This includes information that helps to identify those at risk of ending up not in education, employment or training (NEET) post 16, young people's post-16 plans and the offers they receive along with their current circumstances and activities.

21. 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.

22. From September 2013, Section 13 of the 2008 Education and Skills Act places a duty on all educational establishments (including schools and Academies) to notify local authorities whenever a 16 or 17 year old leaves an education or training programme before completion. It is for schools and local authorities to agree local arrangements for ensuring this duty is met.

Working with education and training providers

23. 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 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, including Apprenticeships.

24. 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
March 2013

Further sources of information

Other departmental advice and guidance you may be interested in

- Securing Independent Careers Guidance: A Practical Guide for Schools (<http://media.education.gov.uk/assets/files/pdf/s/securing%20independent%20careers%20guidance%20a%20practical%20guide%20for%20schools.pdf>)



Department
for Education

© Crown copyright March 2013

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence or email: psi@nationalarchives.gsi.gov.uk.

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

Any enquiries regarding this publication should be sent to us at: www.education.gov.uk/contactus.

Reference: DFE-00036-2013