



Baroness Barran

Parliamentary Under-Secretary of State for the School System
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Baroness Neville-Rolfe
House of Lords
London
SW1A 0PW

9 November 2021

Dear Lucy

Thank you for your contribution to the debates on the Skills and Post-16 Education Bill. I am writing to give further details about our plans for the enforcement of legislation enabling provider access to schools. I will place a copy of this letter in the House of Lords Library.

As you will be aware, provider access legislation was introduced in 2018. This law requires all state secondary schools to ensure that there is an opportunity for a range of providers to access year 8-13 pupils to inform them of approved technical education qualifications or apprenticeships. You asked me to clarify the roles of the Department for Education and Ofsted in monitoring compliance.

Since this legislation was commenced in 2018, we have used a variety of methods to encourage compliance:

- The legislation requires schools to prepare and publish a policy statement setting out the circumstances in which education and training providers will be given access to pupils and ensure that this is followed. DfE carried out a number of spot checks on schools and Multi Academy Trust (MAT) websites to ensure policy statements were in place.
- We have sent clear messages about the importance of provider access legislation and the need for all schools to take action to comply (letters to all secondary school head teachers and to local authorities; communications with Regional School Commissioners).
- We have followed up reports of non compliance (letters to schools in response to complaints from providers).
- We have identified and shared effective approaches to meeting the provider access legislation (good practice and case studies from schools and providers).
- We have worked with Ofsted to clarify that inspectors will state in the published inspection report if a school is not meeting the requirements of the provider access legislation, and consider what impact this has on the quality of careers provision and the subsequent judgement for personal development. Ofsted's school inspection handbook was strengthened from September 2021 to reflect this.

There are still, unfortunately, too many schools failing to comply with the provider access legislation. The three-point-plan to improve compliance is part of a package of measures, announced in the Skills for Jobs: Lifelong Learning for Opportunity and Growth white paper, that will hold secondary schools to account more rigorously for the quality of careers guidance.

The provider access legislation three-point-plan is:

1. Create clear minimum legal requirements, specifying who is to be given access to which pupils and when.
2. Take tougher formal action to enforce compliance. This could include an official or a minister from the Department for Education writing to the school or the use of the Secretary of State's intervention powers to require appropriate remedial action to be taken.
3. Government investment in careers will be conditional on compliance with provider access legislation.

The government will provide further details about enforcement under parts two and three of the provider access legislation three-point-plan alongside any changes to the law.

I hope you find this information helpful and I would like to thank you once again for your contributions to the Bill's debates.

Yours sincerely,

A handwritten signature in blue ink that reads "Donna Barran". The signature is written in a cursive, flowing style.

BARONESS BARRAN
PARLIAMENTARY UNDER-SECRETARY OF STATE