

# Provider access legislation

Key information





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### What is the provider access legislation?

The provider access legislation (PAL) introduced in January 2018 requires all maintained schools and academies to publish a policy statement setting out opportunities for providers of technical education and apprenticeships to access Year 8-13 pupils, and to make sure the statement is followed.

### What are the new requirements of the provider access legislation?

The updated provider access legislation specifies schools must provide at least six encounters 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

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 pupils during each encounter.

### What do I need to do?

Schools will need to arrange and evidence the encounters and providers will need to deliver them. Together they will need to ensure that these encounters are meaningful and impactful for pupils.

### How is this different to the original legislation?

It sets out new requirements on the number of encounters, mandates that all learners must attend, requires that they take place during the normal school day and specifies what these encounters need to contain as a minimum, for example the opportunity for pupils to ask questions.

### Where can I access support?

Our national team and Careers Hubs are there to support you including helping you identify how to find partners to deliver these encounters and sharing best practice on making it meaningful.

### Where can I find more information?

The dedicated [provider access legislation landing page](#) holds all of the information you need and we will continue to update this with new resources from ourselves and partners to support you.

### When engaging with a provider to provide an encounter, what information do they need to share?

- 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

### Which schools are legally required to meet the legal duty?

- Academies
- Alternative provision academies
- A community, foundation or voluntary school
- A community, foundation special school (other than one established in a hospital) that provides secondary education
- A pupil referral unit

## Does the provider access legislation apply to colleges and sixth form colleges?

While the provider access legislation only applies to schools and schools that have sixth forms, colleges are also strongly encouraged to follow the guidance as good practice.

## What counts as an approved technical education qualification or apprenticeship?

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 pupils. Options in full-time education are T Levels and Higher Technical Qualifications (HTQs). Options that combine work and study are apprenticeships, traineeships and supported internships. You can explore all the education training choices on the [Get the Jump Campaign](#) website.

## Will ASK activities count towards the updated provider access legislation?

Under the provider access legislation, the ASK programme is considered a provider representative, and schools can request support from the programme to deliver activities for pupils in years 10 -13 so long as the interaction is meaningful – effectively informing students on relevant opportunities and allowing any questions to be asked, and meeting the minimum requirements of PAL as stated on page 43 of the statutory guidance.

As a governmental provider representative, the advantage of using the ASK programme is that a student can find out about all apprenticeships and technical options in their area, not just the offer from one training provider. For apprenticeships, the ASK programme also links students to apprenticeship vacancies and helps them with their applications. ASK delivery partners will be able to discuss your organisation's requirements during your planning meeting to ensure PAL compliance.

## Can providers use representatives to speak on their behalf at the encounters?

Providers have the flexibility to decide who is best placed to deliver encounters in schools, but they must ensure they provide the minimum information requirements to pupils as stated in the legislation.

## Can schools provide online encounters with providers?

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. 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.

## Can we do two encounters with the same provider?

The legislation includes flexibility for schools to arrange meetings with the same provider across more than one 'key phase'. 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.

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.

## Who should attend?

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.

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.

## Which providers can schools invite to meet the requirements of the strengthened legislation?

Providers that schools may choose to invite in:

- Further education colleges
- Independent training providers
- Institutes of technology
- University technical colleges
- Studio schools
- Other schools that are offering technical education qualifications
- Apprenticeship training providers, which can include private training providers, further education colleges, higher education institutions, sixth form colleges, and employers
- From 2023, T Level providers will have increased significantly to around 400 colleges, schools and other providers

## Do I need to update my provider access policy?

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. 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.

## What support is available for providers?

Providers based within an area that has a Careers Hub, 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. The Careers Hub will provide personalised advice to providers on request.

Providers that are outside of an area that has a Careers Hub will be able to access support through our resource directory, including guidance on how to maximise encounters, and examples of good practice.

## How can schools and providers work together to ensure pupils received high-quality encounters?

We encourage schools and providers in the local area to develop strong relationships to build trust and make encounters easier to plan and deliver. Schools can access support from The Careers & Enterprise Company website to ensure they have the right guidance on how best to prepare for each provider visit.

Schools in a Careers Hub will be supported by the network of Careers Hubs. 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.

### What support is available for schools that are not in a Careers Hub?

Schools that are not yet in a Careers Hub will have access to additional central support from us at The Careers & Enterprise Company in lieu of personalised support from a Careers Hub.

### What support is available to special schools and pupils with SEND?

We will work with sector partners to ensure that tailored and specific support is available for different audiences, for example on SEND. Schools can also contact their local Careers Hub for support to ensure appropriate providers are identified for the provider encounters.

### What support is available for parents?

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. 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.

### How should schools and providers deliver and record encounters for those future pathways that are limited due to the nature of their specific learning needs and/or physical ability - for example where they are highly likely to proceed into adult social care?

All pupils should have the same opportunities for meaningful provider encounters and the overwhelming majority of pupils with SEND, including those with high levels of needs, can access fulfilling jobs and careers with the right preparation and support. However, where learners future pathways are limited due to the nature of their specific learning needs and/or physical ability - for example where they are highly likely to proceed into adult social care - it is recognised that it may be necessary for additional flexibility in how these encounters are delivered. 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 and adapt the content and focus of encounters for these groups of learners to ensure that it is a realistic and meaningful experience for them. Schools must cooperate with local authorities, who have an important role to play through their responsibilities for SEND support services, education, health and care plans and the promotion of participation in education and training. Statutory guidance on the SEND duties is provided in the 0-25 Special Educational Needs and Disability Code of Practice.

## Contact us

If you have any questions regarding PAL, please contact a member of the team at [provideraccess@careersandenterprise.co.uk](mailto:provideraccess@careersandenterprise.co.uk)

