



Department
for Education

Full-time enrolment of 14-16 year olds in further education and sixth form colleges

**For college leaders, school leaders,
governing bodies and local authorities**

June 2013

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Executive Summary

About this departmental advice

1. Further education colleges and sixth form colleges (together described as “colleges” in this document) will be able to enrol, and be directly funded by the Education Funding Agency (“EFA”) for, 14- to 16-year-olds who wish to study high-quality vocational qualifications from September 2013. The new “14 to 16 centres” (further details of the dedicated areas are set out below) will offer a combination of high quality vocational and academic subjects. They aim to attract students of all abilities who want early access to more practical forms of learning and/or wish to train for a technical profession or trade and who wish to study in a college environment.
2. In her review of Vocational Education Professor Wolf found that for some young people, following a vocational route at 14 resulted in them doing better in the core academic subjects as well. She felt that colleges¹, with their links to employers, workshops and equipment, can be the best place to do that. As such, her report recommended that the Department should:

‘Make explicit the legal right of colleges to enrol students under 16 and ensure that funding procedures make this practically possible. Colleges enrolling students in this age group should be required to offer them a full Key Stage 4 programme, either alone or in collaboration with schools, and be subject to the same performance monitoring regime (including performance indicators) as schools’ (Recommendation 19, Wolf Review of Vocational Education, March 2011)

3. The government accepted all of the recommendations of the Wolf review.
4. Under current legislation² colleges have various powers to provide “secondary education” to compulsory school age pupils. This education takes place by agreement with schools, local authorities or parents/carers. These arrangements can continue and are not affected by the advice in this document.
5. In March 2011 the then Minister of State for Further Education, Skills and Lifelong Learning set up a College Implementation Group³. Consisting of experienced college principals the remit was ‘to work with DfE and BIS officials to gather and share practical information about the process of 14-16 enrolment and to identify and help address any legislative or other barriers’ and report their findings to Ministers.

¹ Including sixth form colleges

² Further and Higher Education Act 1992 s.18 (1) (aa)-(ac) for FE colleges and s.33E (1) (b)-(d) for SFCs and s52A for both FE colleges and SFC’s.

³ Working with the AoC, the College Implementation Group is made up of 10 experienced college principals. The Group is co-chaired by Mike Hopkins, Principal, Middlesbrough College, and Tony Medhurst, Principal, Harrow College.

6. The report of the Group, along with a suggested readiness to open checklist, assists colleges in identifying the relevant legal requirements and may be used as part of the college's overall assessment of steps to be taken for the college to provide a suitable learning environment for 14-16 year olds whom they admit under the new arrangements. A copy is at Annex A to this guidance.
7. **In line with the government's wish to see more high quality technical education available to young people, which for some may be a university technical college (UTC), studio school, free school or academy, the Minister for Skills, Matthew Hancock, wrote to the co-chairs of the College Implementation Group on 6 December 2012. He announced that from September 2013, full-time enrolment of, and EFA direct funding for, 14-16 year olds in colleges would be a new avenue for providing vocational education for this age group, and set out funding and quality conditions (see paragraphs 29-37).**

Who is this advice for?

8. This advice is for:
 - College leaders and governing bodies;
 - School leaders and governing bodies; and
 - Local authorities.
9. Colleges which meet the requirements of funding and eligibility criteria set out at paragraphs 29 to 37 will be entitled to enrol 14-16 full-time students on the new basis from September 2013 and be directly funded by the EFA for those students.
10. A small number of conditions for operating this new EFA funded 14-16 provision which are in addition to those already placed on colleges have also been set out below. Ofsted will publish separate guidance on the inspection of EFA directly funded 14-16 provision (paragraph 71 below).

Expiry or review date

11. This policy advice will next be reviewed in October 2014, by which time we expect that all college provision presently assessed as being 'Satisfactory' by Ofsted will have been inspected and either be classified as 'Outstanding', 'Good', 'Requires improvement' or 'Inadequate'.
12. All 14-16 provision commencing in September 2013 that will have been directly funded by the EFA will also have been inspected by Ofsted by October 2014.

13. Colleges inspected after September 2012 when the Common Inspection Framework was implemented will only be eligible to apply for direct funding from the EFA for 14-16 provision if they are found to be 'Good' or 'Outstanding'. See inspection based eligibility criteria below (paragraph 33).

Programme funding

14. For funding to follow 14-16 year olds in full-time education within an institution, the college will also need to meet the criteria as set out in the “Requirements of Funding” section of this document, paragraphs 38-70.

15. Funding for 14-16 year olds will be calculated using the 16-19 funding methodology and national funding rate as described below, but will have some adjustment to accommodate elements of funding that are not specific to this age group, these are shown below.

Table 1 – The 16-19 funding formula

$$\left(\text{Student numbers} \times \text{National funding rate per student} \times \text{Retention factor} \times \text{Programme cost weighting} + \text{Disadvantage funding} \right) \times \text{Area cost uplift} = \text{Total programme funding}$$

Table 2 – Application to directly recruited 14-16 year olds

$$\left(\text{Student numbers} \times \text{National funding rate per student} \times \text{Retention factor (x 1)} \times \text{Programme cost weighting (Uplift of 4\%)} + \text{Disadvantage funding (Block 1 – IMD be used as proxy for Block 2)} \right) \times \text{Area cost uplift} = \text{Total programme funding}$$

Example: (based on 2013/14 academic year)

Student Number	National Funding Rate	Retention Factor	Programme Cost Weighting	Disadvantage Funding	Area Cost Uplift	Programme Funding
1 (without Disadvantage)	£4,000	1	£160	0	1	£4,160
1 (with Disadvantage)	£4,000	1	£160	£250 Block 1 £960 Block 2	1	£5,370

Retention factor

16. A retention factor of 1 will be used in the funding formula for 14-16, as this is not applicable to pre-16 students.

Disadvantage funding

17. Disadvantage funding is made up of two blocks: one to account for students’ economic deprivation and one to account for low prior attainment in English and mathematics, block 2 has been changed to accommodate 14-16 year old funding.

Block 1: economic deprivation funding

18. Block 1 funding recognises that there are additional costs incurred in engaging, recruiting, and retaining young people from economically disadvantaged backgrounds. Whether a learner is eligible for block 1 funding is determined by their home postcode and the level of deprivation recorded in the Index of Multiple Deprivation (IMD) 2010.
19. Reference should be made to EFA funding rates and formula 2013/14 for full explanation on IMD.

Block 2: GCSE mathematics and English adjusted to Index of Multiple Deprivation (IMD)

20. Block 2 funding accounts for the additional costs incurred for teaching students who have low prior attainment, however, as most 14 & 15 year olds will not have started or achieved English and/or mathematics GCSE, eligibility for this funding will use a proxy. If the student is eligible for an uplift using IMD in block 1, this will then generate funding for block 2.

Additional funding

The pupil premium

21. For those students who are eligible for free school meals, in care/have recently left or a service child, this will generate an annual rate of funding in addition to total programme funding. Please refer to paragraphs 53-63 for full details on the pupil premium.

Existing statutory obligations imposed by Further and Higher Education Act 1992

22. At present colleges have various powers to provide “secondary education” to compulsory school age pupils. The powers are set out in the Further and Higher Education Act 1992 (FHEA 1992): s.18 (1) (aa)-(ac) for FE colleges and s.33E (1) (b)-(d) for SFCs.
23. They allow colleges to:
- a) provide secondary education suitable to the requirements of persons who have attained the age of 14;
 - b) conduct secondary education under s.2 (2B) EA 1996; and
 - c) participate in the provision of secondary education at a school.
24. Colleges are required to consult all appropriate local authorities before exercising any of these powers - s.18 (1A) s33E (3) FHEA 1992.
25. Colleges are also subject to the duty, pursuant to s52A FHEA 1992, and subject to relevant Regulations, to ensure that students aged 14-16 are not educated in the same room, at the same time, as a learner aged 19 or over.
26. Other aspects of the EFA funded 14-16 provision will be governed by those legal and other obligations that are already placed on colleges. In some cases these also meet, either in full or in part, the requirements of funding for 14-16 year olds being directly funded by the EFA covering matters such as the development and maintenance of the college’s workforce, the college estate and so on.
- 27. Current arrangements for admitting 14-16 year olds by arrangement with schools, local authorities or parents will continue and are not affected by this new guidance, other than that there are new funding arrangements for electively home educated children.**
28. A small number of additional requirements as set out below cover those areas where the requirements of post-16 provision need to be supplemented to meet the needs of 14-16 year olds enrolled under the new arrangements for dedicated full-time provision.

Eligibility for funding

29. Proposals for enrolling young people aged 14 or 15 on 31 August in the year they start their programme of study for direct funding by the EFA should be signed off by the Principal and the Chair of Governors and held available for inspection if required by Ofsted or the EFA. Full details of the eligibility criteria are set out below.
30. Colleges are encouraged, as part of their overall assessment of steps to be taken to provide a suitable learning environment, to complete the 'readiness to open checklist' published alongside the College Implementation Group's report (see Annex A).

A dedicated 14-16 area within the college estate

31. While the education will take place all around the college there should be a designated and identifiable area or 'Centre' for the sole use, when appropriate, for the provision of education and support for 14-16 year olds. This area may be used for other students outside the time-tabled/usual hours that the 14-16's use the area.

Separate 14-16 leadership

32. There should be an identifiable leadership individual who is accountable and responsible for the education and pastoral support of EFA funded 14-16 provision and students⁴.

Inspection-based eligibility criteria

33. The following inspection-based entry criteria have been established for colleges wishing to enrol 14-16 year olds full-time from 2013:
- All colleges with an Ofsted grade of 1 (outstanding) and 2 (good) will be eligible to seek to enrol and receive EFA funding (other than those currently under Notice - see below).
 - Colleges with an Ofsted grade 3 pre September 2012 (at which time a 3 was 'satisfactory'), will be subject to a further threshold which is an improvement in their level 3 points score (per student) across a four year period 2008/09 to 2011/12 (fluctuations in the point scores in the intervening years will not be taken into account).
 - Colleges with an Ofsted grade 3 post September 2012 ('requires improvement') will not be eligible to seek to enrol and receive EFA funding for full-time 14-16 year olds, and their level 3 points score will not be taken into account.

⁴ [Click here for information and guidance on aspects of pastoral care in schools, which may useful.](#)

- Colleges with a grade 4 'inadequate' will not be eligible to seek to enrol and receive EFA funding for full-time 14-16 year olds.
34. Colleges with a current Notice to Improve (or Concern) from either the Chief Executive of Skills Funding or the EFA for any reason will not be eligible to receive EFA funding for 14-16 year old students enrolled at the college.
35. It should be noted that these criteria will not be reviewed once a college has met the requirements and has commenced recruitment other than where a college receives a Notice, for any reason. Should a college receive a Notice to Improve after funding commences, funding of the existing cohort of students will continue, but the EFA may take such other steps as it deems necessary, including but not limited to:
- a) Require the college to, and the college shall, accept and comply with additional obligations in relation to the 14-16 funding;
 - b) Require the college to suspend the further recruitment of 14-16 year olds and/or cap any growth in 14-16 numbers.
36. The college will be expected to work with Ofsted's improvement HMI to make the required improvement, which might include its' 14-16 activity.
37. If the college's overall standards drop to a point where it has triggered government intervention, all provision at the college will be subject to review by the FE Commissioner (or the EFA in relation to sixth form colleges) and its' 14-16 delivery will form part of that review.

Requirements of funding

Enrolment

38. Students can only be enrolled with the consent of their parents and carers. A record of parental consent should be kept and parents should be advised that they are legally required⁵ to notify the school that the student has ceased to attend the school and will be enrolled at the college so that the student shall be receiving education otherwise than at school.

Admission

39. Whilst the admissions laws, and the DfE Codes of Practice⁶ as they apply to maintained schools, including SEN codes⁷, do not apply to colleges post-16 they should be treated as a model for the expected practice for 14-16 provision with colleges. College admission arrangements should therefore be published in a manner accessible to students and parents.

40. There will be no charge in respect of admission to the college of 14-16 year olds and the college will only charge such students where the law allows maintained schools to charge.

41. Again, whilst the Schools Admission Appeals Code⁸ does not apply to colleges the college should unless it is unreasonable to do so adopt, these as a model for expected practice. This should include providing a right to appeal to an independent and impartial Appeals Panel clerked by someone with a sound understanding of the Schools Admission Code.

42. The college shall work collaboratively with appropriate local authorities both in promoting the colleges offering to enrol full-time 14-16 year olds and in ensuring appropriate local authorities are made aware, in a timely manner, should an application to enrol be refused or an appeal against a refusal to enrol be unsuccessful.

Exclusion

⁵ Education (Pupil Registration) (England) Regs 2008 [2006/1751] Rg 8 [1][d]

⁶ <http://www.education.gov.uk/schools/adminandfinance/schooladmissions/a00195/current-codes-and-regulations>

⁷ <https://www.education.gov.uk/publications/standard/publicationdetail/page1/DfES%200581%202001>

⁸ <http://www.education.gov.uk/schools/adminandfinance/schooladmissions/a00195/current-codes-and-regulations>

43. The exclusions policy of the college for full-time 14-16 year olds will have regard to the legislation and statutory guidance as they apply to maintained schools⁹ and shall be published in a manner accessible to students and parents. The policy will include the processes that will apply for; taking decisions on exclusion; providing notification about an exclusion; and enabling parents to request a review of an exclusion.
44. The college shall work collaboratively with the appropriate local authority, in a timely manner, in relation to all forms of exclusion that may be used in respect of students aged 14-16, notifying them of all exclusions and keeping a record of such exclusions

Attendance

45. The college shall work collaboratively with appropriate local authorities in order to share information about the attendance and/or absences (both authorised and unauthorised) as local authorities may deem necessary. Local authorities can then consider what action to take as they have a duty under section 436A of the Education Act 1996¹⁰ for children missing education¹¹.
46. Colleges should consider when to authorise an absence. However there are some circumstances where a college would have no other option but to authorise an absence. These are when the student is unable to attend;
- a) because of sickness or unavoidable cause; or
 - b) on a day exclusively set apart for religious observance by the religious body to which their parent belongs.
47. The College will decide when it is appropriate to remove a student from the college roll due to non-attendance. It is recommended that a college should have a policy on attendance which would specify when a student would be removed from roll because of unauthorised absences. This policy should be communicated to parents and the college should send warning letters of its intention to remove the student if no improvements are made within a specified period. Before removing a student from the roll because of absence, the college must be satisfied that the absence is not as a result of sickness or any unavoidable cause.
48. The college should inform the relevant local authority immediately a student is removed from their roll as well as the grounds for the removal and the student's

⁹ <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion/g00210521/statutory-guidance-regs-2012>.

¹⁰ [as amended by section 4 of the Education and Inspections Act 2006](#)

¹¹ [Statutory guidance for local authorities in England to identify children not receiving an education](#)

contact address. Local authorities must then make alternative provision for their education.

Curriculum

49. The curriculum provided by the college to 14-16 year olds shall be broad and balanced¹². They do not have to deliver the national curriculum but should be satisfied that they can demonstrate the provision of a broad, balanced curriculum. In addition:

- a) The curriculum shall include English, mathematics and science;
- b) The college shall make provision for the teaching of religious education and for a daily act of collective worship for 14-16 year olds enrolled at the college;
- c) The college shall have regard to any guidance issued by the Secretary of State, further to section 403 Education Act 1996, on sex and relationship education to ensure that 14-16 year olds enrolled at the college are protected from inappropriate teaching materials and they learn the nature of marriage and its importance for family life and for bringing up children. The college shall also have regard to section 405 Education Act 1996;
- d) The college shall act in accordance with section 406 (political indoctrination) and 407 (duty to secure balanced treatment of political issues) Education Act 1996;
- e) The college shall ensure that principles are promoted which support fundamental British values, including: respect for the basis on which the law is made and applied in England; respect for democracy and support for participation in the democratic process; support for equality of opportunity for all; support and respect for the liberties of all within the law; and respect for and tolerance of different faiths and religious or other beliefs.

Data collection

50. Data on 14-16 student examination performance will be routinely collected in the same way as 16-18 performance, but will be reported on a college and a national basis within the 2014 performance tables and thereafter on an annual basis.

51. Colleges will be required to meet some data requirements including the Key Stage 4 data checking, the pupil premium and attendance requirements. Detailed information on what the Key Stage 4 data checking exercise involves, including which students, how they are attributed to an exam centre and how they can be amended, is available at the Department's website¹³. Further details of data requirements for the pupil premium and attendance are set out in the relevant sections.

¹² <http://www.education.gov.uk/schools/teachingandlearning/curriculum/secondary>

¹³ https://tableschecking.education.gov.uk/Web12/KS45_Checked/Documents.aspx

52. Interim arrangements on these data collections will be notified for the 2013/14 academic year. Amendments to the Individual Learner Record (ILR) will then be sought to allow all other data returns to be made on a routine basis thereafter.

Free school meals and the pupil premium

53. Where students are eligible for free school meals, these should be provided by the college. The disadvantage element of 14-16 programme funding in part reflects the need for colleges to meet the cost of this provision. However, a student is not eligible to receive a free school meal until an application has been made by them or on their behalf.

54. To identify which students are eligible for free school meals, colleges should contact the parents and carers of their 14-16 year old and ask if they think the young person meets the criteria¹⁴.

55. The eligibility of those students identified should be checked by the college using either evidence provided by the parent/ carer and/ or using the Electronic Checking Service accessed via the appropriate local authority and with information provided by the parent or carer.

56. To identify which students are eligible for pupil premium and/ or the service child premium, colleges should contact the parents and carers of their 14-16 year old students and ask if they think the young person meets the criteria (i.e. whether they are currently entitled to free school meals, in or recently left care, was previously entitled to free school meals in the past six years, and/ or if they are classed as a 'service child' as defined in the '*Pupil premium grant 2013-14: Conditions of grant*'¹⁵). An example letter which colleges may wish to use to write out to parents and carers is available in Annex B.

57. The college shall submit a return detailing their students eligibility for pupil premium and/or service premium to the EFA by 15th January 2014 in the prescribed format from the EFA. The college should retain copies of the evidence seen of entitlement to free school meals for a period of 6 years from the end of the year in which the provision for food was made. A secure template will be sent to each of the participating colleges who inform EFA of their intent at the beginning of July for colleges to complete when they have identified these students. The template will include the data requirements below, plus the college identifier.

¹⁴ <http://www.education.gov.uk/schools/pupilsupport/pastoralcare/a00202841/fsmcriteria>.

¹⁵ <http://media.education.gov.uk/assets/files/pdf/p/pupil%20premium%20conditions%20of%20grant%2013-14.pdf>

- Pupil Individualised Learner Record;
- Pupil name;
- Pupil address;
- Pupil date of birth;
- Free school meals' entitlement – periods of entitlement with start/ end dates relating to past six years;
- Service child – current service child (i.e. parents still in armed forces); and
- Service child – no longer service child but eligible under Ever arrangements

58. The payment of the pupil premium grant is subject to the conditions detailed in these Requirements of Funding and the 'Pupil premium Grant 2013-2014: Conditions of Grant'¹⁶

59. For financial year 2013-14, colleges will receive a proportion of annual pupil premium grant on or before 31st March 2014.

60. Pupil premium and service premium allocations for financial year 2013-14 will be based on the information submitted by colleges by 15th January 2014. Pupil premium allocations for financial year 2014-15 will also be based on the information submitted by 15th January 2014. Longer term, the intention is to use information recorded on the ILR return to determine these allocations. Pupil premium levels of per pupil funding for financial year 2014-15 have not yet been confirmed.

61. From September 2014, the college will publish annually information in relation to:

- a) The amount of the pupil premium grant it will receive during that financial year; and
- b) What it intends to spend the pupil premium grant on;
- c) What it spent its pupil premium grant on the previous financial year;
- d) The impact on educational attainment arising from expenditure of the previous financial year's pupil premium grant.

62. The college shall, if requested to do so by or on behalf of any 14-16 year old students, make provision for food for those students unless it would be unreasonable for it to do so.

63. In relation to a student who is themselves or whose parents are in receipt of benefits mentioned in section 512ZB Education Act 1996 (or equivalent provision governing the entitlement to free school meals at maintained schools); the college shall ensure that the provision for food is provided for such students free of charge.

¹⁶ <http://media.education.gov.uk/assets/files/pdf/p/pupil%20premium%20conditions%20of%20grant%2013-14.pdf>

Home to school transport

64. Children are normally provided with free transport between home and their nearest suitable school if:

- A child lives more than three miles from the nearest suitable school;
- A child is unable to walk because of special educational needs, disability or mobility, or the walking route is unsafe and their parent incurs cost in attending the nearest school which meets their needs.

65. **Entitlement to free home to school transport is lost if the student enrolls at an FE college, as FE colleges are not qualifying schools for transport purposes.** Home to school transport is made up of un-ring-fenced funding and local taxes and if a student is no longer enrolled in a qualifying school then the local authority is no longer obliged to fund their transport. However the local authority may do so if they wish and parents whose children will lose school transport should contact their local authority for advice.

Careers guidance

66. The college shall have regard to the provisions of Sections 42A (provision of careers guidance) and 45A (guidance as to discharge of duties) Education Act 1997.

Safeguarding and Health & Safety

67. The college shall abide by the requirements of, and have regard to, any guidance issued by the Secretary of State on:

- a) Safeguarding, in particular that contained in the guidance document entitled "Safeguarding Children and Safer Recruitment in Education", as amended from time to time, and
- b) The employment and work placement/work experience opportunities for students, in particular that contained in the document entitled "Guidance on the Employment of Children", as amended from time to time.

68. The college shall take such steps as are necessary to safeguard the health, safety and welfare of students whilst employed or on work placement/work experience or other work-related activity either on or off the college premises.¹⁷ Relevant

¹⁷ <http://www.education.gov.uk/schools/adminandfinance/healthandsafety/f00191759/departmental-advice-on-health-and-safety-for-schools>

guidance from the Health and Safety Executive and Department for Education is available¹⁸.

Publication of information

69. The college shall ensure that the following information is, from the academic year 2014/15, published on the college's website:

- a) the most recent Key Stage 4 results as published by the Secretary of State under the following column headings in the school performance tables published on the Department for Education's website:
 - (i) percentage achieving 5+ A* - C GCSEs (or equivalent) including English and mathematics GCSEs;
 - (ii) percentage achieving the English Baccalaureate; and
 - (iii) percentage making expected progress;
- b) Information as to where and by what means parents (including prospective parents) may access the most recent report about the college published by the Chief Inspector.
- c) Information as to where and by what means parents (including prospective parents) may access the school performance tables published by the Secretary of State on the Department for Education's website.

Providing information

70. Notwithstanding any other provision of the EFA Conditions of Funding, the Secretary of State, acting reasonably, may from time to time call for information, relating to the 14-16 year olds enrolled at the college, on:

- a) Curriculum;
- b) Arrangements for the assessment of students;
- c) Class sizes;
- d) The operation of the admission process and any arrangements that the college have for over subscription;
- e) The number of students excluded (including permanent and fixed term exclusions); or
- f) Levels of authorised and unauthorised absence.

¹⁸ <http://www.hse.gov.uk/youngpeople/workexperience/index.htm>

Performance measures and intervention

71. Once students are enrolled at a college that provision will be subject to Ofsted inspection. The provision for 14-16 year olds will be inspected under the Common Inspection Framework. Ofsted will carry out a monitoring visit of a college's full-time provision for 14-16 year olds within six months after the start of the provision wherever it occurs and irrespective of the most recent overall effectiveness grade. Once this monitoring visit has taken place, Ofsted will include the inspection of this provision in all subsequent inspections of the college. Additional Ofsted guidance, available in summer 2013, will set out the detail of how its inspection arrangements will cover enrolled provision for 14-16 year olds.¹⁹
72. The EFA's Funding Agreement with colleges reflects the Department's policy on accountability and intervention. A college in receipt of funds from EFA is expected to be aware of most recent DFE policy requirements as they relate to all the young people for whom it is provided.
73. In the event that a college is identified as underperforming in relation to its provision for full-time enrolled 14-16 year olds the EFA may take action in accordance with the provisions in the Funding Agreement. Underperformance may be identified through inspection or, when data becomes available, through the application of any national minimum standards that relate to this cohort. Subject to the extent of that underperformance further recruitment of 14-16 year olds may be suspended or ceased.
74. The first available performance data relating to the 14-16 cohort will be after the end of the 2014/15 academic year when the first 14-16 cohort will have sat their Key Stage 4 examinations. The Key Stage 4 floor standard, in place at that time, will be applied to those student outcomes. For reference, the current Key Stage 4 floor standard states that schools are below the floor, if fewer than 40% of students achieve 5+ GCSEs (or equivalents) at A* - C including English and mathematics, and students make below average progress in English and mathematics.
75. For those colleges that trigger intervention for any of the reasons set out in this document or in the Funding Agreement, the EFA (in the case of sixth form colleges) and the Chief Executive of Skills Funding and/or the Further Education Commissioner (for further education colleges) will act in accordance with the provisions set out in the relevant Funding Agreement and any applicable policy. The 14-16 delivery will be an important, but proportionate, consideration as part of that intervention process. As part of the intervention process as set out in the Funding Agreement, consideration may be given to requiring that recruitment of 14-

¹⁹ <http://www.ofsted.gov.uk/resources/common-inspection-framework-for-further-education-and-skills-2012>

16 year olds is capped or suspended in certain circumstances, for example (but not limited to), when an inspection report identifies particular weaknesses specifically in relation to the 14-16 programme, or where the college fails to meet the Key Stage 4 floor standard.

Calendar – Full-time 14-16s enrolled in FE colleges

2013

Activity	Date
Publication of Funding Guidance for young people 2013/14	w/e 17 May 2013
Colleges intentions to EFA	By 30 June 2013
Funding Agreements issued (to include 14-16 clauses)	By 30 June 2013
14 and/or 15 year olds enrol directly in FE colleges and SFC for September start	From 1 August 2013
Individualised Learner Record data return containing 1 st 14 & 15 year olds directly recruited	15 November 2013

2014

Activity	Date
Free school meals data return	15 January 2014
First pupil premium payment	By 31 March 2014
First scheduled payment of 14-16 in FE programme funding	April 2014
Policy review and update of full-time 14-16 recruitment in FE colleges	By October 2014
Ofsted inspection of 14-16 centres within FE colleges	October 2014

Annex A:

REPORT OF THE COLLEGE IMPLEMENTATION GROUP ON 14-16 ENROLMENT

In seeking to address the commission of John Hayes' letter of 28th March '*to gather and share practical information about the process of 14-16 enrolment, and to identify and help address any legislative or other barriers*', the College Implementation Group met 9 times (6 whole group and 3 working groups) between March and July this year. The main focus of our work has been to consider in detail the applicability of the current schools framework for enrolling 14-15 year olds in college full-time from September 2013. We also used examples of good practice, supplied by members of the group including Hull College and Sussex Downs College to inform our decisions. We examined the complete framework, looking to ensure that colleges who wish to enrol students full-time at 14 could meet any statutory requirements of schools for this age cohort, and could provide the best possible educational programme for those 14 year olds for whom college provides a suitable environment.

These are their findings:

Quality

Whilst for many colleges, direct recruitment of full-time 14 and 15 year olds will be an extension of their current part-time provision for this age range, we recognise that this is an important step change. Colleges will need to ensure that they are ready to take this step and provide a high quality educational experience for their new students. We therefore recommend that colleges make an assessment of their readiness through a self-assessment process, adapting the 'readiness to open checklist' that is used as part of the Studio and Free School processes (adapted checklist attached below) We further recommend that the completed checklist is signed off by the Chair of the College Corporation and the Principal. The provision for 14 and 15 year olds will be inspected through the appropriate inspection framework administered by Ofsted, and we have gratefully noted Ofsted's statement of support for the overall proposal for direct recruitment of 14-16 year olds.

Funding

Our recommendation would be to use the 16-19 funding methodology of funding per 14-16 year old. This is by far the simplest option and avoids FE colleges being subject to a further funding system. It would mean colleges would receive the same amount per student for 14-16 as for post-16 students and a Pupil premium of £900 per eligible student. This funding proposal is an interim solution as the Department works on decisions that might be taken about a national funding formula for schools. We would be happy to be consulted as this work proceeds.

Data

Our analysis indicates that essential data requirements can be met for 2013. Importantly, with no legislative change, much of the performance data with respect to 14 and 15 year olds can be derived from the current FE data collection – the Individualised Learner Record, subject to putting in place some mechanisms to handle specific issues. It will be necessary for colleges to provide attendance data in the same form as schools: there will be a number of options to meet this need (for example. building on current college systems, or perhaps, for colleges with significant numbers of 14 and 15 year olds buying

into the schools data system (SIMS) but we do not feel that this would impose any significant extra burdens on existing practice. There is no requirement, unlike schools, to provide workforce data.

Admissions Processes

The Group considered this issue in some detail and which approach would be in the interests of students who wish to consider enrolling in a college. Our conclusion is that students should be able to apply directly to colleges at any point during the academic year up until a September start, with no cap in the number of applications and offers to be made. Colleges will need to ensure that their admissions decisions are made in a timely manner to provide certainty to applicants of their place of study well before the academic term begins. They should also ensure that their admissions policy is published and accessible to students and parents, and work collaboratively with local authorities and other appropriate agencies and officials to promote the offer to students.

Curriculum Entitlement

Professor Wolf was clear that 14 -16 year olds in college are to be offered the same broad core curriculum as those in schools. The group therefore confirms that colleges will offer a broad Key Stage 4 curriculum entitlement including GCSE English, maths and science. An entitlement to Religious Education and Personal, Social and Health Education (PSHE) should also be offered, including sex education and careers advice. Colleges will offer a broad range of vocational and academic pathways to meet the needs of its students, including an English Baccalaureate route, in an educational setting which may better support learning and progression for some students. Although it is up to colleges as private institutions to determine the length of the college day, it is envisaged that this would normally be split into two sessions per day (morning and afternoon), and would comply with home local authority term dates.

Behaviour

Further Education colleges are experienced in meeting the needs of a diverse range of students and have well established and embedded behaviour policies and practices. As part of the 'readiness to open checklist' colleges would be expected to review, and develop these if necessary, to meet the needs of full-time 14 and 15 year olds.

Exclusions

It is recommended that colleges will build upon their existing exclusion policies for students. The policy must clearly state: the grounds for exclusion; who will carry out the exclusion; details of the appeals process including provision for an independent process for reviewing permanent exclusion decisions, such as by commissioning a LA arranged independent review panel where necessary; the procedures in place for ensuring continuity of students' education during a fixed period exclusion; and promptly informing the local authority of any student who is excluded.

Safeguarding

Further Education colleges have substantial experience in this area, in relation to their current cohorts of students under 18, including whether they should always be taught separately or with post-16 students, and have in place appropriate policies and responsible persons, together with a system for CRB checks. Checks on the suitability of the physical estate will be addressed via the readiness to open checklist.

Special Educational Needs

Colleges will ensure that they have an SEN policy in place and a co-ordinator/manager who will ensure the effective implementation of the SEN policy. This will form an element in the readiness to open checklist.

Workforce

Further Education colleges are major employers and have well established Human Resource policies and functions. Depending on the model they choose to adopt, i.e. working in collaboration with local schools or to deliver the full curriculum offer within the college existing policies will address recruitment requirements and remuneration, with the expectation that colleges' existing operational pay arrangements will not be affected by these developments. All teaching staff will be appropriately and fully qualified, and through the Wolf recommendations from April 2012 FE staff with QTLS will have equal status to teachers with QTS.

Readiness to Open Self-Assessment for Direct Entry at 14 to FE Colleges from September 2013.

1. ADMISSIONS AND EXCLUSIONS
<ul style="list-style-type: none"> - Does the college have a clear admissions policy for recruitment at 14 and is there a right of appeal to an independent and impartial Appeal Panel clerked by someone with an understanding of the Schools' Admission Appeals Code (notwithstanding the appeal process may not rigidly follow that prescribed in the Code)? - Does the exclusions policy take account of the different needs of 14-16 year olds and give details of appeal to an equivalent of an Independent Review Panel and timely referral to the Local Authority?
2 LEADERSHIP AND STAFFING
<ul style="list-style-type: none"> - Are the staff suitably qualified to teach all statutory subjects? - Is there a designated, suitably qualified manager in place to lead the provision? - Is there a coordinator in place for SEN provision?
3 CURRICULUM ENTITLEMENT
<ul style="list-style-type: none"> - Is there a broad curriculum entitlement covering all statutory subjects including access to an EBacc option? - Are there plans for wider enrichment including the statutory entitlement to RE and Sex Education?
4 QUALITY ASSURANCE
<ul style="list-style-type: none"> - Is there an appropriate Management Information System in place to track attendance and students' progress on an on-going basis? - Is there a robust self-assessment process in place which focusses on continuous improvement and drives up standards in teaching and learning?
5 SAFEGUARDING
<ul style="list-style-type: none"> - Has the college got clear safeguarding policies and measures in place including break time and lunch-time supervision? - Is the college estate suitable for 14-16 year olds? Will section 52A FHEA 1992, and relevant regulations, be complied with? If not what adjustments needs to take place and by when?
6 STUDENT CARE, GUIDANCE, SUPPORT AND BEHAVIOUR
<ul style="list-style-type: none"> - Is there a sufficient pastoral entitlement and level of expertise to deliver? - Has the behaviour policy been reviewed and, where necessary, developed to ensure it is suitable for 14-16 year olds?

Annex B:

College logo

College Address Details

Date

Dear Parents and Carers

Pupil premium for 14 – 16 year old students at colleges

The government is giving money to schools and colleges to help improve the attainment of certain groups of pupils – this funding is called pupil premium. The government is also offering additional funding for the children of parents who are serving in the armed forces so these children can be provided with additional pastoral care.

With this money we could *[add in here specific examples how the college plans to use the pupil premium and service child premium]*.

The pupil premium eligibility criteria include students:

- who are in care or have recently left care
- who are currently registered as eligible for free school meals (FSM); or
- who are no longer eligible for FSM but have been recorded as eligible in the last six years (“Ever 6” FSM).

In addition, the service child premium is awarded for students:

- whose parents are currently serving in the Armed Forces and exercising parental care and responsibility; or
- who were eligible for the Service Premium in 2011-12 and/ or 2012-13 but would otherwise cease to be eligible in 2013-14; or
- whose parent has died in Service and the student is in receipt of pensions under the Armed Forces Compensation Scheme (AFCS) and the War Pensions Scheme (WPS).

Please notify us if your child qualifies for the pupil premium or the service child premium by completing the form overleaf - make sure the college doesn't lose funding which can be used to benefit your child.

No one will know you have registered and it will not affect any benefits you may be claiming.

Yours sincerely,

[Principal name]

Pupil Premium - Do you qualify?

Please complete the following form and return to us by *[insert date]*.

Pupil name:

Pupil home address:

Pupil date of birth:

Please tick any/ all that apply:

- My child is not currently entitled to free school meals (FSM) but I would like to apply.
[College can then follow this up]
- My child is currently entitled to FSM – please provide the date when they first became entitled:
- My child is currently/or has been in care.
From date: To date:
- My child has been entitled to FSM in the past six years but is no longer currently entitled to FSM. Please specify the periods of FSM eligibility:
Start date: End date:
Start date: End date:
Start date: End date:
Start date: End date:
- I am currently a serving member of the armed forces and exercise parental care and responsibility for my child.²⁰
- My child was eligible for the Service Premium in 2011-12 and/ or 2012-13 but I am no longer a serving member of the armed forces so my child would not qualify for the Service Premium under any other criteria.

Parent/ guardian name:

Parent/ guardian signature:

Date:

²⁰ To be recorded as a Service Child the parents must be designated as Personnel Category 1 or 2. The category descriptions can be found here:

<https://www.gov.uk/government/publications/personal-status-category-definitions>

Annex C: Electively home educated 14-15 year olds

77. Colleges sometimes admit children aged 14 or 15 who are being electively home educated, to take courses on an infill basis by arrangement with the local authority or with the parents. Where these courses are at level 3, they are funded by entering the student on the ILR and the student then counts for lagged funding in just the same way as if they were aged 16-18.
78. Up to now, students on courses below level 3 have been funded directly by the local authority, or sometimes the parents, paying a fee to the college. These arrangements are changing with effect from September 2013. Colleges will now be able to enter these students on the ILR and they will count towards the college's student numbers for lagged funding in the following year. Local authorities and parents should no longer be expected to pay fees for this provision.
79. Colleges should make such local arrangements as they deem appropriate. There is no national prescribed model for provision to these students and they do not form a part of the arrangements for the full-time enrolment of 14 -16 year olds in Further Education and Sixth Form²¹

²¹ <http://www.education.gov.uk/schools/pupilsupport/parents/involvement/homeeducation/a0073322/funding-for-home-education>

Frequently Asked Questions

Q: Can a school transfer a 14 year old to FE provision?

A: No. Without the consent of the parent who is legally responsible for ensuring their child receives full-time education, schools or LAs cannot transfer pupils to another educational institution (even with all good intentions). The parent has to agree that the education that will be provided for their child is suitable to meet their child's ability, aptitude and age. Schools can continue to collaborate with colleges on education provided partly at a college where the young person remains on the school roll.

Q: Where colleges have direct entry students aged 14-16 will there be a requirement to have different centre numbers with the awarding bodies to identify this category of student?

A: No. Awarding organisations provide data to the Department's contractors which include student details and UPN and/or URL (from which we can match them with the appropriate school/college) and exam centre number. Before DfE publish the Performance Tables, we ask schools and colleges to check their provisional data, including whether we have attributed all the correct students to their institution. They can submit amendment requests during this checking exercise.

Q: Where can parents of children with special educational needs get advice and support?

A: Parents can get impartial advice, information and support from their local parent partnership about their child's needs²².

²² Details of the local service can be found at www.parentpartnership.org.uk

Further sources of information

Associated resources (external links)

Review of Vocational Education - The Wolf Report

<http://www.education.gov.uk/childrenandyoungpeople/youngpeople/qandlearning/a0074953/review-of-vocational-education-the-wolf-report>

Other departmental advice and guidance which may be of interest

The Children's Food Trust (formerly known as the School Food Trust) has produced a number of pieces of guidance for schools, which colleges will also be able to use to help them set up a process for dealing with free school meal applications; the Free School Meals Matter Toolkit, and A quick guide to free school meals.

These are both available on the Trust's website: <http://www.childrensfoodtrust.org.uk/resources>.

National curriculum

requirements: <http://www.education.gov.uk/schools/teachingandlearning/curriculum/a00224489/further-info-stat-curric-req>



Department
for Education

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