

Opportunities For All

Post-16 transitions

Data Practice Framework

**Supporting all young people to participate
in post-16 learning, training or work**

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Introduction

The Data Practice Framework (“the Framework”) aims to provide guidance for those involved in supporting post-16 transitions, and the planning and delivery of education, training and careers information advice and guidance (CIAG) for young people in Scotland. Partners’ roles and responsibilities within the Framework are outlined in later sections.

The Framework sets out the policy context for information sharing to support post-16 transitions and outlines the roles and responsibilities for each partner in this regard. Specifically the Framework contains the statutory guidance for those partners who are mandated to share information through the Post-16 Education (Scotland) Act 2013 (“the 2013 Act”) and the Young People’s Involvement in Education and Training (Provisions of Information) (Scotland) Order 2014 (“the Order”) made under it.

The following partner organisations are mandated to share information and must adhere to the Statutory Guidance section of the Framework:

- colleges
- local authorities
- Scottish Further and Higher Education Funding Council
- Scottish Ministers – The Student Awards Agency Scotland
- Skills Development Scotland

Not only will a robust system for information sharing enable delivery of Scottish Government’s expectations for post-16 transition planning, it will allow the creation of a system of working that appropriately supports each and every transition a young person makes from age 16 up until their 20th birthday. This system of working is central to delivery of *Opportunities for All* and will significantly reduce the risk of a young person disengaging with learning and/or training.

Policy Background

A model for post-16 transition planning was introduced by the Scottish Government in December 2008 to support young people furthest from the labour market. The model provides a framework for supporting young people to stay in learning beyond age 16 and progress to positive and sustained destinations after school. The 16+ Learning Choices Policy and Practice Framework was published in April 2010 to support partners to implement and deliver this model as a universal approach for all young people as they move on beyond the statutory school leaving age.

That framework was updated in November 2012 – *Post-16 Transitions: Policy and Practice Framework: Supporting all young people to participate in post-16 learning, training or work* - and positions 16+ Learning Choices within the context of the delivery of both *Curriculum for Excellence* and *Opportunities for All*. It clarifies the Government’s expectations for delivery and the roles and responsibilities for the partners involved in supporting young people into further learning and training which in turn will help them to progress towards and into work. As such, it offers local partnerships a useful framework for extending existing approaches to post-16

transitions to ensure that all 16 to 19 year olds have an appropriate offer of learning or training.

The Post-16 Transitions Policy and Practice Framework makes it clear that effective post-16 transition planning requires robust data management: the identification, monitoring and tracking of young people and their learning choices.

These robust, practical improvements to delivery have resulted in significant improvements in post-16 transition planning in recent years and indicate that the planning model is having a positive impact for individual young people.

The Scottish Government consultation – *Putting Learners at the Centre* – called for more efficient and flexible learner journeys to help deliver its ambitions for post-16 education. *Opportunities for All* gives a commitment to a suitable place in learning or training for every 16-19 year old not in employment, education or training - a core component of Scotland's Youth Employment Strategy. Delivery of this commitment demands that partners know and understand the young people they are responsible for: whether they are participating or not and what provision they are accessing, at any time in the period from their 16th up until to their 20th birthday. The 2013 Act and the Order set out the legal framework and responsibilities for this to happen.

The Scottish Government's ambition is that every young person has access to an offer of further learning, training or a Modern Apprenticeship as they move toward and into employment. This ambition is supported by the endorsement from the Scottish Parliament, on 19 March 2014, of the principles and aims of the European Youth Guarantee to reduce youth unemployment in that all young people under the age of 25 would receive a good quality offer of employment, continued education, an apprenticeship or a traineeship. The 2014 refresh of the Scottish Government's youth employment strategy - *Action for Jobs - Supporting Young Scots into Work* will look at this further.

Move from Destinations to Participation

It is essential that Scottish Ministers and partners are able to determine the impact of their policies and, to enable the impact of *Opportunities for All* to be measured, a more appropriate system of measurement is being developed. The current focus on initial and sustained 'destinations', as defined by the School Leaver Destinations Return ("SLDR"), concentrates activity around the first transition a young person makes on leaving school and is not designed to acknowledge and record less formal learning options and support. The Scottish Government needs to ensure its system of measurement has the capacity to capture every transition that a young person makes, as well as all positive engagement, including remaining in school. As such, the Scottish Government will recognise all the activities young people are participating in between the ages of 16 and 19. This participation measure is currently being developed and is scheduled to go live in 2015.

The Scottish Government definition of "participation" is as follows:

A young person is deemed to be participating when they are actively engaged with an organisation for the purpose of learning, training or work – work includes volunteering.

Within the context of *Opportunities for All*, all participation is positive and should be regarded as transitional - education and training are important phases in a young person's life that can improve their job options but are not destinations in themselves. The jobs that young people have on entering the labour market should be viewed in a similar fashion - they are the first step on a young person's career path.

Moving to measuring participation not only allows Scottish Government to formally recognise the wide range of provision and support available from all partners but also allows staying on at school to be recognised as a positive learning choice. It allows monitoring of progression and the sustainability of provision and support over a longer period of time. In doing so it lets partners better understand the learner journey and inform the future design and availability of provision.

The participation measure will be linked to *Insight* – the on-line statistical tool used to evaluate school performance - and will be able to provide SLDR type statistics to support mainstream School Handbook legislation and analyse the outcomes of their school leavers. It will be the participation rate of 16 to 19 year olds in Scotland that will inform the National Performance Framework, rather than the SLDR, and determine progress towards delivering *Opportunities for All*.

PART 1

Who is the Data Practice Framework for?

The Framework is for all partners who are involved in supporting post-16 transitions, and the planning and delivery of education, training and careers information advice and guidance for young people in Scotland.

- colleges;
- community learning and development;
- local authorities;
- training providers;
- private and other specialist learning providers;
- SAAS
- Skills Development Scotland (“SDS”)
- secondary and special schools;
- third sector organisations; and
- Scottish Further and Higher Education Funding Council

Partners’ roles and responsibilities within the Framework are outlined in later sections.

What is the purpose of the Data Practice Framework?

The Framework makes provision for data sharing that will enable partners to know where all young people are at the various points of their learning journey.

It sets out roles and responsibilities for all partners in relation to the management and sharing of data that is required to enable consistent identification, monitoring, tracking and support for 16 to 19 year olds across Scotland. This is essential clarification that provides the more operational detail that underpins the 2013 Act and the Order.

The Framework provides the practical model for data recording, storing and sharing required to further embed the principles of post-16 transition planning into partners’ systems and practices. It includes parts of the learning system that currently do not systematically share data about individuals with partners. It supports the Scottish Government’s aspiration that these parts of the system will be incorporated to complete the picture and achieve its broad ambitions for truly universal delivery of post-16 transition planning.

It encourages the principle that a process of identifying and recording the participation of young people must be prescriptive and replicated on a national level, with partner organisations sending and receiving data which has common definitions and is in an accessible format. Ultimately, effective data sharing is to ensure the right information is made available to the right professional at the right time to help support young people successfully through learning and training and in to work.

Data Sharing Principles

Young People's Data

The types of data covered by the Framework are those that directly relate to a young person who is over the age of 15 and under the age of 25 in the context of their learning journey: identification and contact information, and information about their past, current and intended future participation in education, training and employment. This information could provide an indication of the existence of barriers or risks which may prevent the young person from fulfilling their potential without the need to provide specific and sensitive personal details about individual life circumstances. As such, information of a medical or criminal nature would generally be outside the scope of the Framework, except in very specific instances where an organisation records such data as necessary to help provide appropriate support for the young person.

Point of Contact

The partner body delivering the learning, training, career information, advice or guidance at the point of direct contact with the young person has responsibility for recording, updating and maintaining the accuracy of their data.

Importance of Accuracy

Partners must only record data about an individual to whom they have, are, will or may provide a service and that they can evidence to be accurate. Recording no data is preferable to recording inaccurate data.

Timely Recording of Information

Partners must ensure any amendment to an individual's record is made as soon as possible after the event which is being recorded.

Data Protection and Privacy

The recording, storing and sharing of personal data is subject to the provisions of the Data Protection Act 1998. In addition, organisations have a responsibility to consider the privacy implications of how they use a young person's data. All organisations who work with young people are experienced in handling their personal data and have their own policies and procedures in line with this.

Basis of Data Sharing

In most cases where information is shared a data sharing agreement (or equivalent document) will be in place as the most appropriate way of ensuring that the sharing partners have given due consideration to, and are acting on, the data protection and privacy considerations of the data sharing. However, where the data is required to be provided by the Order made under the 2013 Act, it will be sufficient for partner organisations to agree that they are sharing data under the legislation.

The other, and longer established, type of sharing is that of 'casework' where trusted professionals share 'round the table' more detailed information on an individual young person where this is necessary in order to provide the young person with the services they need. This type of information sharing is not subject to this Framework.

How the Information Sharing System Works

The information sharing system works on the principle that a person who has attended a publicly funded school in Scotland will, by the age of 15, have a record created and stored in SDS's customer records system.

This record will be used as the central record which will be automatically updated to reflect the individual's learning and training journey until their 25th birthday. The record is updated by SDS staff directly recording information from their engagement with the young person, and by importing the information received from partners, usually through the 16+ Data Hub. The Data Hub is a conduit through which information passes into SDS customer management system and also back from that system to partners.

When partners work and provide services to individuals they will share agreed information with SDS. This ensures the activity that the person is undertaking is recorded and allows a chronological order of events, or learner journey, to be built up for each individual.

Any person who did not go to a publicly funded school in Scotland can have a record created with SDS at any time as a result of their contacting SDS directly.

This information sharing system, working effectively, will enable SDS and partners to know the current activity of each person on whom they hold a record. In doing so it will identify those who are not participating in education and training and may need support.

Data Sharing - Roles and Responsibilities

This section sets out the roles and responsibilities for each organisation and institution when recording and sharing data. The actions for each partner indicate the types of information to be recorded and shared.

Those subject to the Order made under the 2013 Act must comply with its requirements in relation to the provision of information. Mandatory guidance on these specific legal duties is set out in Section 2 of the Framework.

For all Partners

It is important that all partners recognise that, in terms of the purposes set out in this document, only the type of data that is named within the Order or agreed Data Sharing Agreements or equivalent documents (e.g. Scottish Government funded Training Programmes contracts) can be shared with partners and that this data can only be shared for the purposes and aims agreed by partners. Information being shared under the Order can only be shared for the purposes set out in section 20 of the 2013 Act.

Skills Development Scotland (SDS)

SDS has the overarching responsibility for compiling and maintaining, on behalf of partners, an integrated set of data for each young person. This role relies on partners accurately and timeously fulfilling their data roles as specified under the roles and responsibilities and statutory guidance of this Framework. SDS is responsible for integrating all partners' data, (usually through the Data Hub) together with SDS customer data into SDS's customer management system. Additionally, SDS and partners will require to establish secure and straightforward ways for partners to access the integrated data that is appropriate to their needs.

Actions

- Maintain a complete customer record for each young person

Local Authorities

Within local authorities there are a number of business areas that record data on young people. The primary route for data being shared with SDS is through the school's management information system (MIS). This therefore requires all business areas within the Local Authority to ensure they share the appropriate data with the school which has the young person on the school roll.

It is important to note that the Local Authority remains responsible for all of its young people as defined in the Education Scotland Act 1980. It is the Local Authority's responsibility to ensure that, where provision is delivered by other organisations on its behalf, that all required data, is collected and shared appropriately.

Mainstream Secondary School and Local Authority Special School

In line with Getting it Right for Every Child (GIRFEC), each school must maintain an accurate pupil roll and ensure that their MIS is updated so partners know when a young person is planning to, and has actually left, school. This will require local authorities to do the following:

Actions:

- Maintain a complete school record including any Local Authority specific risk assessment process;
- Record and notify SDS of each pupil's anticipated (expected) leaving date;
- Record and notify SDS of each pupil's actual school leaving date;
- Record and notify SDS of the education, training or employment participation each pupil progresses into where this is definitely known.

SDS will then update the young person's record in their MIS.

If a school does not know what a young person will be participating in on leaving school they must leave this field blank. No data is preferable to inaccurate data.

Special School – Local Authority Purchased Places

To assist the planning and support process to ensure, where a young person is not on the roll of a mainstream secondary school, that the Local Authority knows every young person on the special school roll, when they plan to leave and when they actually leave. This will require local authorities to do the following:

Action:

- Each Local Authority is required to store and make available to partners individual data in the same way as is required for mainstream education

Specialist placement providers will be required to do the following:

Actions:

- Record and notify the Local Authority when a young person is on the register of the special school;
- Record and notify the Local Authority when a young person plans to leave the special school;
- Record and notify the Local Authority when a young person leaves the special school.

College – Delivering provision to young people on a school roll

To assist the planning and support process for young people still at school who are attending a college course as part of their curriculum, the college has to ensure that partners know when a young person begins a course of education or training within

the institution and when the young person completes or leaves the course. It is expected that the parent school will be informed of the young person's attendance at college but this process sits out with the purposes of this Framework.

Other Providers – Delivering provision to young people on a school roll

To assist the planning and support process for young people still at school who are attending education or training delivered by any other provider as part of their curriculum, the provider has to ensure the school in which each young person is enrolled knows when that young person begins a course of education or training with them and when the young person completes or leaves the course. This will require other providers to do the following:

Actions:

- Record and notify the parent school when a young person starts a course with the college
- Record and notify the parent school when a young person completes or leaves their course with the college

Student Awards Agency for Scotland (SAAS)

To assist the planning and support process for young people who are seeking to participate on an HE course, partners need to know which young people have applied for a higher education course, who have accepted a place, who actually takes up that offer of learning and when they leave. This will require SAAS to notify SDS of the following:

Actions:

- Record and notify SDS when an individual young person has accepted an offer;
- Record and notify SDS when an individual young person has taken up an HE place;
- Record and notify SDS when an individual young person has withdrawn from or completed their course, or otherwise left. SDS will then update the young person's record in their MIS.

Colleges

To assist the planning and support process for young people seeking to participate on a college course, partners need to know which young people have applied for a college course, who has accepted a place, who actually takes up that offer of learning and when they leave. This will require colleges to do the following:

Actions:

- Record and notify SDS when an individual young person has enrolled at college;
- Record and notify SDS when an individual young person has withdrawn from, or completed their course, or otherwise left. SDS will then update the young person's record in their MIS.

JobCentre Plus/Department for Work and Pensions

To assist the planning and support process, partners need to know when a young person who is eligible for support under *Opportunities for All* has registered to claim benefit. There exists good information sharing practice for 16 and 17 year olds between DWP and SDS. This technical route focuses on 18 and 19 year olds and will consist of a regular data transfer from DWP to SDS which will highlight young people who have claimed and ceased to claim benefits in the preceding two week time period.

Local Authority Community Learning and Development (“CLD”)

To assist the planning and support process, partners need to know when a young person begins their engagement with the CLD organisation and when they end that engagement. CLD partners should utilise their own management information systems to record engagement with young people and work with SDS to ensure appropriate and proportionate data sharing and notification procedures are in place. This will require CLD partners to do the following:

Actions:

- Record and notify SDS when a young person begins their engagement with CLD. SDS will then update the young person’s record in their MIS.
- Record and notify SDS when a young person ends their engagement with the CLD organisation. SDS will then update the young person’s record in their MIS.

Third Sector Organisations

To assist the planning and support process, partners need to know when a young person begins their engagement with a Third Sector organisation and when their engagement ceases. This will require Third Sector organisations to do the following:

Actions:

- Record and notify SDS when a young person begins their engagement with the respective Third Sector organisation. SDS will then update the young person’s record in their MIS.
- Record and notify SDS when a young person ends their engagement with the respective volunteering organisation. SDS will then update the young person’s record in their MIS.

Implementation of the Data Practice Framework

This section outlines the timetable within which the Scottish Government expects and, where there is a duty to share data under the Order, requires partners to adopt the practices outlined within the relevant section of the Framework.

The Order

The Order commenced on 1 May 2014. The relevant text of the 2013 Act and the full text of the Order can be found at Annex A and B respectively.

Partners who have a duty placed on them by the Order to share information are required to implement the Framework and Guidance from 1 May 2014. Those partners are colleges, local authorities, the SFC, Scottish Ministers and SDS.

Local Authorities

Local authorities are required to share data with SDS (including Local Authority Special Schools, Local Authority purchased places in Special Schools and those young people on the school roll but attending college) from the commencement of the Order (1 May 2014).

Independent and Grant Aided Schools

Independent and Grant Aided Schools are a separate workstream and the Scottish Government will develop a solution to embedding this data set with the schools themselves and SDS.

University Sector

The Framework and the Order do not apply to the University Sector. SDS will receive the relevant information through SAAS. As such this Framework will not require universities to change their current data recording or sharing practices.

College Sector

Similarly to local authorities, colleges have been developing and implementing data sharing practices with SDS as part of the wider Post-16 Reform Programme. The Order requires information to be shared from 1 May 2014.

Department of Work and Pensions

DWP are currently providing data to SDS for young people in Scotland on benefits under arrangements agreed between DWP and the Scottish Government.

Community Learning and Development Providers

Discussion to scope and develop any required data sharing solution are at a very early stage, however it is the Scottish Government's aspiration to include community learning and development partners in the wider information sharing system.

Third Sector

Discussion to scope and develop any required data sharing solution are at a very early stage, however it is the Scottish Government's aspiration to include third sector partners in the wider information sharing system.

PART 2

Statutory Guidance for the Young People’s Involvement in Education and Training (Provision of Information) (Scotland) Order 2014

Introduction

This statutory guidance is issued under section 20 of the Post-16 Education (Scotland) Act 2013 (“the 2013 Act”), which places a duty on those persons required to provide information under the Young People’s Involvement in Education and Training (Provision of Information) (Scotland) Order 2014 (“the Order”) to have due regard to any guidance that is issued by the Scottish Ministers. It sets out the statutory framework which is in place to require the sharing of information for the purposes of supporting young people into learning and training and provides guidance on the provision and use of such information.

While the Framework as a whole is intended for use by all organisations that are involved in information sharing, this section of the Framework sets out the statutory guidance that is mandatory for those persons who have a duty imposed on them by the Order.

The Statutory Framework

Section 20 of the 2013 Act allows the Scottish Ministers, by order, to require persons to provide information about a young person to The Skills Development Scotland Co. Limited (“SDS”) for the following purposes:

- (a) to monitor that young person’s involvement in education or training,
- (b) to provide advice or support as regards that young person’s education or training,
- (c) to exercise any of its other functions in relation to that young person.

It also allows Ministers, by order, to require SDS to provide information to persons who provide education and training to young people.

The Order made under section 20 of the 2013 Act sets out the persons who are required to provide information to SDS, the persons to whom SDS should provide information and the types of information that should be provided by each person. The Order also sets out the way that the information should be shared and the frequency it must be provided.

Who is subject to this statutory guidance

The persons who must have regard to this statutory guidance are as follows:

- the governing bodies of colleges of further education¹
- local authorities
- the Scottish Further and Higher Education Funding Council (“SFC”)
- the Scottish Ministers (in practical terms this means the Students’ Awards Agency for Scotland (“SAAS”))
- SDS

Provision of Information

The table below shows who each person, subject to the Order, must provide information to:

Person	Provide information to
Colleges	SDS
Local authorities	SDS
SFC	SDS
Scottish Ministers (SAAS)	SDS
SDS	Colleges, local authorities

How Should Information be Provided

The Order specifies that the information must be provided in electronic format and in the manner detailed in the following table for each person.

Partner	How they share data?	How SDS share data?
LA	Each LA securely uploads their file into the data hub, this data is then processed into SDS's customer management system.	SDS produces the information in different reports which LA's can access via the Data hub using their login details.
College	Colleges provide SDS with their data securely, data is then processed by data hub into SDS's customer management system	SDS produces the information in different reports which colleges can access via the Data hub using their login details.
SDS	SDS advisers update information on the CSS Customer Management System after engagement with a young person.	SDS shares data through its customer management system by updating customer records and through reports.

¹ A college of further education means a college which is a post-16 education body within the meaning of section 35(1) of the 2013 Act.

SAAS	SAAS provide SDS with their data securely, data is then processed by data hub into SDS's customer management system	n/a
SFC	SFC provide SDS with their data securely, data is then processed by data hub into SDS's customer management system	n/a

However, any information provided by each person should be done in a manner that is consistent with the Code of Practice for Data Sharing guidance (or guidance on any replacement code) produced by the Information Commissioner's Office ("ICO") on secure sharing of data.

The ICO Guidance is available in full through the following link -

http://www.ico.org.uk/for_organisations/data_protection/topic_guides/data_sharing

Frequency with which Information is to be Provided

How Partners Provide Information to SDS

The Order specifies that persons subject to the Order should provide the required information no less frequently than at monthly intervals. The following table sets out the frequency with which each person must provide information to SDS:

Person	Frequency	Processed by SDS
Local Authority	Fortnightly/Monthly	Fortnightly/Monthly
College	Monthly	Monthly
The Scottish Ministers (SAAS)	Monthly	Enrolment data - Bi-annually All other data - Monthly
SFC	Monthly	Quarterly

Due to the role that local authorities have in supporting young people through the senior phase of Curriculum for Excellence, it would be preferable for them to share information with SDS more frequently at different parts of the year. The preferred frequency that local authorities would provide information to SDS is detailed in the following table:

Month	Frequency/Month
August	Once a month
September	Twice a month
October	Once a month
November	Twice a month

December	Once a month
January	Twice a month
February	Twice a month
March	Twice a month
April	Once a month
May	Twice a month
June	Once a month
July	Once a month

How SDS provide Information to Partners

The Order specifies that information should be provided by SDS to the persons named in the Order by making the required information available in electronic form.

It has been agreed that SDS will put in place a protocol and interface that will enable the information to be accessed by the persons named in the Order. This is currently done through the 16+ Data Hub and individual sharing arrangements. This approach may change, as developments in IT software may present more appropriate means of sharing in future.

Use of Information

SDS

Section 20 of the 2013 Act is clear about what the information provided to SDS should be used for, that being –

- (a) to monitor that young person’s involvement in education or training,
- (b) to provide advice or support as regards that young person’s education or training,
- (c) to exercise any of its other functions in relation to that young person.

In relation to purpose (c), the functions are those that are outlined in SDS’s Articles of Association and Memorandum of Understanding, combined with the Strategic Letter of Guidance from Scottish Ministers which defines its functions.

Local authorities

The information that local authorities receive from SDS should be used, in accordance with the Data Protection Act 1998 to monitor young people’s involvement in education or training and to exercise any of the local authorities’ other functions in relation to providing support to young people to remain engaged in learning, training or work. In addition, local authorities should explore how to use the information received from SDS to support learner journeys and best meet the needs

of students and employers, and to identify areas for continuous improvement in service delivery.

Colleges

The information that colleges receive from SDS should be used, in accordance with the Data Protection Act 1998, to monitor young people's involvement in education or training and to exercise any of the colleges other functions in relation to providing support to young people to remain engaged in learning, training or work. In addition, colleges should explore how to use the information received from SDS to support learner journeys and best meet the needs of students and employers, and to identify areas for continuous improvement in service delivery.

Information to be Provided

Schedules 1 and 2 of the Order set out what information the persons subject to the Order must provide. The Order however only sets out the "*type*" of information that is required, as opposed to the specific pieces of information that persons will hold under each type. This part of the statutory guidance sets out the specific pieces of information that are to be provided under each of these types of information.

For example, in Schedule 1 of the Order, local authorities are required to provide information that relates to the "identification and contact information in relation to a young person". Some of the specific pieces of information that would be provided under this type of information are:

- Forename
- Surname
- Preferred forename
- Address
- Postcode
- Telephone Number
- Date of Birth

The information that as a minimum must be shared to meet the policy aims of the Order is listed in the tables below. The tables list the data fields which should be provided under each type of information that is set out in the Order and which partners are required to provide them.

Fields to be provided by colleges to SDS

Personal Information

- Forename
- Surname
- Address
- Postcode
- Telephone number
- Date of Birth
- Scottish Candidate Number

Institution Information

- Institution Identifier

Student Identifier (College)

Status Fields

Course Title

Course Code

Course Level

Year of Course

Course start date

Length of Course

Mode of attendance

Status

Date of confirmed withdrawal from college

Date of actual completion of course

Fields to be provided by each local authority to SDS

Personal Information

Forename

Surname

Preferred Forename

Address

Postcode

Telephone Number

Date of Birth

Gender

Scottish Candidate Number

Local Authority Name

Local Authority Code

Institution Information

School Name

Scottish Executive Education Department

Code

School MIS Reference

School Roll Status Code

Year Group

Status Fields

Admission date

Anticipated (expected) school leaving date

Actual school leaving date

Conditional or unconditional nature of status
(post school) (where this status is education
or training)

Status (post school) (where this status is
education, training or employment)

Status (post school) – organisation name
(where this status is education or training)

Status (post school) – employer name
(where this status is employment)

Status (post school) – start date (where this
status is education, training or employment)

Status (post school) – job title (where this
status is employment)

Flagging Fields

Additional support needs [y/n]
Coordinated support plan [y/n]
Individual Education Program [y/n]
Integrated Assessment Single Plan or Child's Plan [y/n]
Looked after at home [y/n]
Looked after away from home [y/n]
Preferred occupation
Preferred route (Intended destination)
Transition plan [y/n]
Young carer [y/n]

Fields to be provided by Scottish Funding Council to SDS**Personal Information**

Forename
Surname
Preferred Forename
Address
Postcode
Date of Birth
Gender
Scottish Candidate Number

College Information

Institution Name
Institution Identifier
Student Identifier

Status Fields

Course title at date of starting course
Date of course starting
Date of confirmed withdrawal from course
Date of confirmed completion of course
Status (post college)
Status (post college) – start date
Status (post college) – job title (where this status is employment)
Status (post college) – employer name (where this status is employment)
Status (post college) – course title (where this status is education or training)
Status (post college) – course level (where this status is education or training)
Status (post college) – organisation name (where this status is education or training)
Status (post college) – end date

Fields to be provided by Scottish Ministers to SDS

Personal Information

Forename
Surname
Preferred Forename
Address
Postcode
Date of Birth
Gender
Scottish Candidate Number

College Information

Institution Name
Institution Identifier
Student Identifier

Status Fields

Course title at date of starting course
Course level
Date of course starting
Date of confirmed withdrawal from course
Date of confirmed completion of course

Fields to be provided by SDS to colleges

Personal Information

Forename
Surname
Preferred Forename
Address
Postcode
Date of Birth
Gender
SDS Client Reference
Scottish Candidate Number
Local Authority Name
Local Authority Code

School Information

School name
Scottish Executive Education Department
Code

Status Fields

Status
Status (post college) – start date
Status (post college) – organisation name
(where this status is education or training)
Status (post college) – course title (where
this status is education or training)
Status (post college) – course level (where
this status is education or training)
Status (post college) – employer name

(where this status is employment)
Status (post college) – job title (where this status is employment)
Status (post college) – end date

Flagging Fields

Additional support needs [y/n]
Coordinated support plan [y/n]
Individual Education Program [y/n]
Integrated Assessment Single Plan or Child's Plan [y/n]
Looked after at home [y/n]
Looked after away from home [y/n]
Preferred occupation
Preferred route (intended destination)
Transition plan [y/n]
Young carer [y/n]

Fields to be provided by SDS to local authorities

Personal Information

Forename
Surname
Preferred Forename
Address
Postcode
Telephone number
Date of Birth
Gender
SDS Client Reference
Scottish Candidate Number
Local Authority Name
Local Authority Code

School Information

School Name
Scottish Executive Education Department Code
SDS calculated current school year start date
Anticipated School Leaving Date

Status Fields

Status
Conditional or unconditional nature of status (post school) where this status is education or training
Status (post school) – start date
Status (post school) – organisation name (where this status is education or training)
Status (post school) – course title (where this status is education or training)
Status (post school) – course level (where this status is education or training)

Status (post school) – employer name
(where this status is employment)
Status (post school) – job title (where this
status is employment)
Status (post school) – end date
Duration since last period of participation in a
positive status (weeks)

Flagging Fields

Date of last engagement with SDS
Looked after at home [y/n]
Looked after away from home [y/n]
Preferred occupation
Preferred route (intended destination)
Young Carer [y/n]

End of Statutory Guidance for the Post-16 Education (Scotland) Act 2013

Section 20 of the Post-16 Education (Scotland) Act 2013

Information about young people's involvement in education and training

20 Duty to provide information to Skills Development Scotland

- (1) The Scottish Ministers may, by order, require a person to provide information the person holds about a young person to The Skills Development Scotland Co. Limited for the purposes of enabling or assisting it—
- (a) to monitor that young person's involvement in education or training,
 - (b) to provide advice or support as regards that young person's education or training,
 - (c) to exercise any of its other functions in relation to that young person.
- (2) Such an order may specify—
- (a) the persons who are to be required to provide information,
 - (b) the information, or type of information, which must be provided, and
 - (c) the form and manner in which it is to be provided.
- (3) The Scottish Ministers may, by order, require The Skills Development Scotland Co. Limited to provide information it holds about a young person to such persons who provide education or training to young persons as may be specified in the order.
- (4) Such an order may specify—
- (a) the information, or type of information, which must be provided, and
 - (b) the form and manner in which it is to be provided.
- (5) The Skills Development Scotland Co. Limited and any person who is required to provide information by virtue of this section must have regard to any guidance issued by the Scottish Ministers about the provision or use of such information.
- (6) In this section, "young person" means a person aged over 15 and under 25.
- (7) The Scottish Ministers may, by order, modify this section—
- (a) by replacing the references in subsections (1), (3) and (5) to the person to whom information is to be provided in pursuance of subsection (1) and who may be required to provide information in pursuance of subsection (3) with references to such other person as they consider appropriate, or
 - (b) where that person changes its name, by modifying references to that person in subsections (1), (3) and (5) to reflect that change of name.
- (8) An order under this section may make different provision for different purposes.
- (9) An order under subsection (1) or (3) is subject to the affirmative procedure.
- (10) An order under subsection (7)(a) is subject to the negative procedure.

Young People's Involvement in Education and Training (Provisions of Information) (Scotland) Order 2014

SCOTTISH STATUTORY INSTRUMENTS

2014 No. 116

EDUCATION

The Young People's Involvement in Education and Training (Provision of Information) (Scotland) Order 2014

Made - - - - - *30th April 2014*

Coming into force - - - - - *1st May 2014*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 20(1), (3) and (8) of the Post-16 Education (Scotland) Act 2013⁽²⁾ and all other powers enabling them to do so.

In accordance with section 20(9) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Young People's Involvement in Education and Training (Provision of Information) (Scotland) Order 2014 and comes into force on 1st May 2014.

(2) In this Order—

“the 1980 Act” means the Education (Scotland) Act 1980⁽³⁾;

“the 2004 Act” means the Education (Additional Support for Learning) (Scotland) Act 2004⁽⁴⁾;

“college of further education” means a college which is a post-16 education body—

(a) by which fundable further education or fundable higher education is provided; and

(b) which is not a higher education institution;

“fundable further education” and “fundable higher education” have the meanings given in section 5 of the 2005 Act⁽⁵⁾;

“higher education institution” means an institution which is a post-16 education body and which is—

(a) a university; or

(b) a designated institution within the meaning of section 44(2) of the 1992 Act⁽⁶⁾;

⁽²⁾ 2013 asp 12.

⁽³⁾ 1980 c.44.

⁽⁴⁾ 2004 asp 4.

⁽⁵⁾ 2005 asp 6.

⁽⁶⁾ 1992 c.37.

“post-16 education body” has the meaning given in section 35(1) of the 2005 Act⁽⁷⁾; and
“Skills Development Scotland” means The Skills Development Scotland Co. Limited⁽⁸⁾.

(3) In this Order, any reference to information in relation to a young person’s support needs includes—

- (a) information relating to whether a young person⁽⁹⁾ has or had—
 - (i) any additional support needs as construed in accordance with section 1(1) of the 2004 Act;
 - (ii) any co-ordinated support plan within the meaning of section 2 of the 2004 Act; and
 - (iii) any other plan or arrangement made by or agreed with a school or education authority to support a young person;
- (b) information relating to whether a young person is being or has been looked after within the meaning of section 17(6) of the Children (Scotland) Act 1995⁽¹⁰⁾; and
- (c) information relating to whether a young person is a carer providing care and support to a family member on a regular basis.

(4) In this Order, any reference to the governing body of a post-16 education body means—

- (a) in the case of a post-16 education body conducted by a body corporate, that body corporate;
- (b) in the case of a post-16 education body not falling within sub-paragraph (a), the executive body which has responsibility for the management and administration of the revenue and property of the post-16 education body and the conduct of its affairs; or
- (c) in any other case, any board of governors of the post-16 education body or any person responsible for the management of the post-16 education body, whether or not formally constituted as a governing body or board of governors.

(5) In this Order the following expressions have the meanings given in section 135(1) of the 1980 Act⁽¹¹⁾—

“education authority”;

“school”; and

“school education”.

(6) In this Order, references to a young person for whose school education an education authority is responsible is to a young person who is being, is about to be or has been provided with school education—

- (a) in a school under the management of an education authority; or
- (b) in pursuance of arrangements made or entered into by the education authority.

(7) For the purposes of this Order where arrangements are made or entered into by an education authority in respect of the school education of a young person with another education authority, the authority responsible for that school education is the authority for the area to which the young person belongs despite the education being, or about to be, provided in a school under the management of another authority.

(8) In this Order, references to young person belonging to an area are to be construed in accordance with section 23(3) of the 1980 Act⁽¹²⁾.

⁽⁷⁾ Section 35(1) was amended by paragraph 8(23)(a) of the schedule to the Post-16 Education (Scotland) Act 2013 (“the 2013 Act”).

⁽⁸⁾ Registered in Scotland under company number SC 202659.

⁽⁹⁾ ‘Young person’ is defined in section 20(6) of the 2013 Act as a person aged over 15 and under 25.

⁽¹⁰⁾ 1995 c.36; section 17(6) was amended by the Adoption and Children (Scotland) Act 2007 (asp 4), schedule 2, paragraph 9(4)(b); the Children’s Hearings (Scotland) Act 2011 (asp 1), schedule 5, paragraph 2(4); and S.S.I. 2013/211.

⁽¹¹⁾ Section 135(1) has been relevantly amended by the Registered Establishments (Scotland) Act 1987 (c.4), section 2(2); the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13, paragraph 118(9); and the Standards in Scotland’s Schools etc. Act 2000 (asp 6), schedule 3.

⁽¹²⁾ Section 23(3) was amended by the Education (Scotland) Act 1981 (c.58), Schedule 7, paragraph 6 and the Education (Additional Support for Learning) (Scotland) Act 2004 (asp 4), schedule 3, paragraph 3(4)(e).

Provision of information to Skills Development Scotland

2.—(1) Subject to paragraph (2), the persons listed in column 1 of Schedule 1 to this Order must provide to Skills Development Scotland the information described in the corresponding entry in column 2 of that Schedule which those persons hold about a young person.

(2) In the application of paragraph (1) to an education authority, the reference to a young person is to be read as a reference to a young person for whose school education the education authority is responsible.

(3) The information which is to be provided pursuant to paragraph (1) is to be provided—

- (a) in electronic form; and
- (b) no less frequently than at monthly intervals.

Provision of information by Skills Development Scotland

3.—(1) In the circumstances specified in paragraph (2), Skills Development Scotland must provide to the persons listed in column 1 of Schedule 2 to this Order the information described in the corresponding entry in column 2 of that Schedule which Skills Development Scotland holds about a young person.

(2) The specified circumstances for the purposes of paragraph (1) are—

- (a) in relation to a governing body of a college of further education, that that young person is undertaking or has undertaken a programme of learning or course of education at that college of further education; or
- (b) in relation to an education authority, that the education authority is responsible for that young person's school education.

(3) The information which is to be provided pursuant to paragraph (1) is to be provided by making it available in electronic form.

ANGELA CONSTANCE
A member of the Scottish Government

St Andrew's House,
Edinburgh
30th April 2014

SCHEDULE 1

Article 2

<i>Column 1</i> <i>Person required to provide information to Skills Development Scotland</i>	<i>Column 2</i> <i>Information which must be provided</i>
Governing bodies of colleges of further education	<ul style="list-style-type: none"> — identification and contact information in relation to a young person — information about any programme of learning or course of education being undertaken by a young person at the college of further education — information about a young person's withdrawal from any programme of learning or course of education being undertaken by a young person at the college of further education prior to completion of that programme of learning or course of education — information about the completion by a young person of any programme of learning or course of education being undertaken by a young person at the college of further education — information about a young person's participation in education, training or work after completion by that young person of any programme of learning or course of education being undertaken by that young person at the college of further education
Education authorities	<ul style="list-style-type: none"> — identification and contact information in relation to a young person — information in relation to any school attended by a young person — information in relation to a young person's support needs — information about a young person's intended participation in education, training or work after leaving school — a young person's anticipated school leaving date — a young person's school leaving date

<p><i>Column 1</i> <i>Person required to provide information to Skills Development Scotland</i></p>	<p><i>Column 2</i> <i>Information which must be provided</i></p>
<p>The Scottish Further and Higher Education Funding Council</p>	<ul style="list-style-type: none"> — identification and contact information in relation to a young person — information about any programme of learning or course of education being undertaken by a young person at a college of further education or higher education institution — information about a young person's withdrawal from any programme of learning or course of education being undertaken by that young person at a college of further education or higher education institution prior to completion of that programme of learning or course of education — information about the completion by a young person of any programme of learning or course of education being undertaken by that young person at a college of further education or higher education institution — information about a young person's participation in education, training or work after completion by that young person of any programme of learning or course of education being undertaken by that young person at a college of further education or higher education institution
<p>The Scottish Ministers</p>	<ul style="list-style-type: none"> — identification and contact information in relation to a young person — information about any programme of learning or course of education being undertaken by a young person at a college of further education or higher education institution — information about a young person's withdrawal from any programme of learning or course of education being undertaken by that young person at a college of further education or higher education institution prior to completion of that programme of learning or course of education — information about the completion by a young person of any programme of learning or course of education being undertaken by that young person at a college of further education or higher education institution

SCHEDULE 2

Article 3

<i>Column 1</i> <i>Person to whom Skills Development Scotland is required to provide information</i>	<i>Column 2</i> <i>Information which must be provided</i>
Governing bodies of colleges of further education	<ul style="list-style-type: none"> — identification and contact information in relation to a young person — information in relation to a young person's support needs — information about a young person's intended participation in education, training or work after leaving school — information about a young person's participation in education, training or work after that young person is no longer undertaking any programme of learning or course of education at that college of further education
Education authorities	<ul style="list-style-type: none"> — identification and contact information in relation to a young person — the young person's anticipated school leaving date — information in relation to a young person's support needs — information about a young person's intended participation in education, training or work after leaving school — information about a young person's participation in education, training or work after the education authority is no longer responsible for that young person's school education

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision under section 20 of the Post-16 Education (Scotland) Act 2013 in connection with the provision of information held about a young person.

Article 2 requires the persons listed in column 1 of Schedule 1 to provide to The Skills Development Scotland Co. Ltd (“Skills Development Scotland”) the corresponding information listed in column 2. Article 2(3) requires those persons to provide the information to Skills Development Scotland in electronic form and no less frequently than at monthly intervals.

Article 3 requires Skills Development Scotland to provide to the persons listed in column 1 of Schedule 2 the corresponding information which is listed in column 2. Article 3(2) ensures that Skills Development Scotland must provide information about a young person only to those colleges at which a young person has undertaken a programme of learning or course of education and to those education authorities responsible for a young person’s school education. Article 3(3) requires Skills Development Scotland to provide the information to those persons by making the information available in electronic form.



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