



PERSPECTIVE

Raising the leaving age to 18

Symbol or substance?

Mick Fletcher, Mark Corney and Geoff Stanton

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Executive Summary

“*The proposal to offer the entitlement of an apprenticeship place for any young person who wants one is bold but unattainable.*”

Symbol or substance?

The aim of this paper is to explore the implications of the recent proposal to increase the age at which young people can leave recognised education and training in England to 18. In particular, the paper explores an apparent paradox: on the one hand, if voluntary measures increase participation significantly then bringing in the systems of enforcement required for raising the statutory leaving age to 18 could be a sledgehammer to crack a nut; on the other hand, if voluntary measures fail then these systems will have to be applied to more young people than the government is anticipating. In this context, the report asks whether raising the leaving age will be:

- a symbolic gesture to signal that the objective of increasing participation has largely succeeded, or whether it will need to be;
- an initiative of substance in order to ensure that the objective is achieved.

The government's approach

The government is adopting a twin track approach to boosting participation. It is seeking to manage downwards the number of 16–17 year olds not in recognised education and training, and at the same time, it plans to target interventions – year-on-year – on today's nine and ten year olds who will be the first cohorts to be covered by raising the leaving age to 17 in 2013 and to 18 in 2015.

Over-optimism about voluntarism?

We believe the government is over-optimistic about the potential of its reform programme substantially to affect the participation rate. Reforms over the past decade have had little effect on participation and major elements of the reform programme such as the specialised diplomas and the Foundation Learning Tier are substantially untried.

Moreover early evidence about the nature of the diplomas and the Foundation Learning Tier do not give confidence that they will offer the flexibility or the vocational relevance that is needed to engage the disaffected. Neither is it

clear that plans recognise the significant extra costs involved in making provision that is both more vocational and more highly tailored to individual needs.

The proposal to offer the entitlement of an apprenticeship place for any young person who wants one is bold but unattainable. An apprentice has to be employed and government cannot require employers to offer jobs. This strengthens the case for a clear vocational route within Further Education (FE) alongside and not displaced by the diplomas.

Additional measures to increase voluntary participation should be considered

There is more that the government could and should do to make progress through voluntary means.

These could include:

- Allowing young people to take GCSEs when they are ready and not all at the same age;
- Addressing the fact that post-16 learners on Levels 1 and 2 provision receive less funding per capita than those at Level 3;
- Requiring every local authority to hold a central fund to cover the full cost of vocational provision delivered by FE colleges and work-based learning providers to 14–16 year olds;
- Asking the Sub-National Review of Economic Regeneration to consider in detail the balance of advantages of local authorities funding all provision from age 11–19, since local authorities are already the strategic lead partner for the 14–19 phase, the funder of the 14–16 phase and will soon be responsible for funding the Connexions Service which has specific targets to reduce the Not in Education, Employment or Training (NEET) category.

Even if the government is right in its confidence that existing measures will reach the 90% participation target, it needs to explain why the above reforms – or reforms similar to them –

would not take voluntary participation so close to 100% as to make compulsion unnecessary. On the other hand, given the possibility that it is being over-optimistic government needs to plan for compulsion mechanisms that are realistic when applied to more than the 10% of the cohort than it is currently anticipating.

Where compulsion might fail

There are several circumstances in which compulsory participation in learning could make little sense. For example a young person might achieve a Level 2 qualification within weeks of their 18th birthday. A young person might achieve a Level 2 Apprenticeship at age 17 in a firm that has no Level 3 opening for them.

Considerable flexibility will also be required when, for example, a young employee on day release loses a job but actively seeks another; or when, for example, they suffer a temporary reduction in hours.

There is a need to revisit the proposal that participation should mean full-time study for all those not in full-time work including the unemployed. Government should also recognise that jobs without training are not necessarily jobs without learning and that some young people can learn skills that employers value outside accredited programmes.

Monitoring

The success of any attempts at compulsion will depend on the effective operation of a large scale IT system in real time. The track record of government in relation to IT systems is not encouraging.

The government's proposals seem seriously to underestimate the degree of 'churn' in the youth labour market which will make tracking young people and providing effectively for them expensive and problematic.

Regulation of the labour market

International evidence, mainly from the USA and Canada suggests that the impact of raising the leaving age by itself is relatively slight. A key reason appears to be the weakness of attempts to enforce participation and a reluctance to regulate the labour market.

While the Green Paper appears to have learned from overseas it seems to underestimate the extent to which it is necessary to impose a firm duty on employers, both to notify any changes in relation to the employment of young people and to check before giving them any offer of employment however slight or casual. The extent of churn in the youth labour market may make this burdensome.

Providers of last resort

The participation of those who are currently disengaged will require providers who are willing and able to make appropriate provision for them. There is currently no way of forcing schools or colleges to make provision; and since the participation of reluctant learners is likely to depress success rates much provision may end up with low status 'providers of last resort'.

The countdown to compulsion

The government is right to put curriculum reforms in place before introducing compulsion but therefore needs to ensure that those elements of the diplomas, the Foundation Learning Tier and apprenticeships designed for 14 and 15 year olds are in place in 2011, not 2013.

The scale of the task

The government's view that voluntary means will take participation rates from 75% to 90% and possibly beyond is worryingly optimistic. Even additional voluntary measures might not get there. It may be that the powers of compulsion, seen as a last resort, will instead have to be applied to large numbers of uncommitted young people. Clearly, the exercise of compulsion on a large scale makes the curriculum, monitoring, enforcement challenges significantly greater. There must be doubts about whether the government of 2013 facing such circumstances would even try.

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Introduction

“...bringing in the systems of enforcement required for raising the statutory leaving age to 18 could be a sledgehammer to crack a nut...”

‘Now is the time to make the next bold step: extending compulsory education or training, in school or in the workplace, full- or part-time, for all children up to the age of 18.’

Alan Johnson, Secretary of State for Education and Skills. Speech to the Skills for Business Annual Conference, 6th March 2007

‘We will move from 16 to 17 in 2013 and then from 17 to 18 in 2015. We have already factored in a public service agreement target of a 90 per cent participation rate by 2015, which means that there is another 10 per cent to cater for – around 80,000 students.’

Alan Johnson, Secretary of State for Education and Skills, Hansard, House of Commons, 6th March 2007

1. The aim of this paper is to explore the implications of the recent proposal to increase the age at which young people can leave recognised education and training in England to 18. In particular, the paper explores an apparent paradox: on the one hand, if voluntary measures increase participation significantly then bringing in the systems of enforcement required for raising the statutory leaving age to 18 could be a sledgehammer to crack a nut; on the other hand, if voluntary measures fail then these systems will have to be applied to more young people than the government is anticipating. In this context, the report asks whether raising the leaving age will be:

- a symbolic gesture to signal that the objective of increasing participation has largely succeeded, or whether it will need to be;
- an initiative of substance in order to ensure that the objective is achieved.

2. The structure of the report is as follows:

- In section 1 we set out the proposals in the Green Paper and explore the thinking that lies behind them;
- In section 2 we look in detail at the participation of young people in learning and in work and consider the implications of this data for the leaving age proposals;
- In section 3 we analyse the government’s approach to increasing participation on a voluntary basis, and suggest some further measures that might be undertaken;
- In section 4 we consider a range of issues that arise from the introduction of compulsion, many of which do not seem fully to be appreciated in the Green Paper;
- In section 5 we outline the timetable that we see offers the best hope of successfully raising the leaving age;
- Finally, in section 6 we assess whether the proposals represent a symbol or are a matter of substance.

1 Raising post-16 participation in England – the government’s approach

“...the learning leaving age will rise to 17 in 2013 and to the 18th birthday in 2015.”

Background

3. 86% of 16 year olds and 76% of 17 year olds participate in recognised education and training in England today. The central aim of the Green Paper ‘Raising Expectations: staying in education and training post-16’ is to increase this participation and increase it more quickly than would otherwise be the case. The government has a participation target of 90% for 17 year olds by 2015. It is confident that this can be achieved through voluntary measures.

4. The government believes that moving significantly beyond 90% participation at 17 will require compulsion. It clearly intends that in addition to staying on at school various forms of part-time learning in FE colleges and the workplace will count as participation. In other words, the government is seeking to raise the learning leaving age rather than the school leaving age. It is proposed that the learning leaving age will rise to 17 in 2013 and to the 18th birthday in 2015. It is not clear whether by 17 is meant the individual’s 17th birthday, or whether – by analogy with the situation at 16 – the individual will not be able to leave until the end of the year in which they reach this age.

5. The Green Paper does not explicitly state that the aim of raising the learning leaving age is to achieve 100% participation. However, the intention seems to be to cater for as many of the remaining 10% of 17 year olds as possible.

Definitions

6. The Green Paper proposes the following definitions of learning in the context of raising the leaving age:

- participation in learning would need to be full-time (at least 16 hours of guided learning per week) for those who are not in employment for a significant part of the week;

- where a young person is employed for at least 20 hours per week, participation could be part-time but would need to be the equivalent of at least 280 hours of guided learning¹ per year.

7. The Green Paper proposals apply to England. Since education is a devolved responsibility, Scotland, Wales and Northern Ireland will need to make their own decisions. However, the government will need to consult with the devolved administrations on related issues which might impact on them, such as statutory regulation of the youth labour market and changes to the benefit system, both of which apply UK-wide.

8. In summary, the Green Paper has sought to define the debate on post-16 participation in terms of:

- achieving the current 90% target through voluntarism, and
- using compulsion to help move participation beyond 90%.

9. The government acknowledges that the size of the 16–17 year old cohort will be significantly smaller during the decade starting at 2010 compared to the current decade. As a consequence, the number involved in moving from 90% to 100% will be lower, and the potential number who are ‘truants’ (and therefore under threat of legal action) could be relatively small.

10. There are two different cumulative approaches which the government might adopt in relation to raising the leaving age to 18. They can be referred to as: (1) Steady Growth and (2) Accelerating Change. An alternative ‘Big Bang’ approach which focuses all hopes on the legislative change in 2013 is implicitly ruled out.

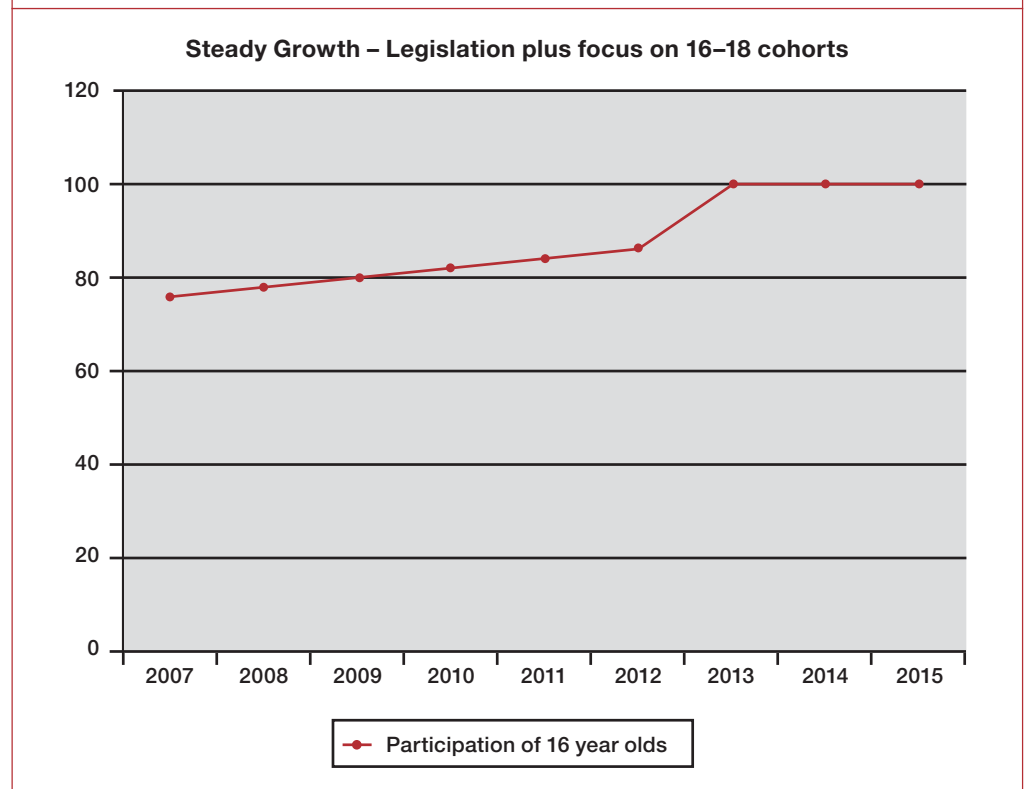
¹ Guided learning means time with a teacher, trainer or instructor, and not private study

The Steady Growth approach

11. Between now and 2013, the government could take action to move towards and even beyond the 90% target and therefore reduce the size of the step needed when the new leaving age takes effect. In other words, it could work to improve the offer to young people aged 16–17 so that more of them stay on voluntarily in advance of compulsion. As Figure 1 suggests, this reduces the gap in 2013, though it does not eliminate the need to devise enforcement measures to apply to the remaining non-participants.

12. This seems to be the approach contemplated by the Leitch Review in making legislation to raise the leaving age conditional on the successful² introduction of specialised diplomas. It is also implied by the roll-out of Learning and Activity Agreements targeting those Not in Education, Employment or Training (NEET) and in Jobs without Training (JWT) as set out in the 2007 Budget, and it is the approach adopted in the Green Paper. While offering a better basis for moving forward than a ‘Big Bang’ approach there remains the risk that those least engaged by current plans will fail to be motivated by a revised offer.

Figure 1: The Steady Growth approach



BOX 1

The Leaving Age

‘Once the government is on track to successfully deliver diplomas, with rising participation at 17 and significant improvement in the OECD rankings, it should implement a change in the law, so that all young people must remain in full- or part-time education or workplace training up to the age of 18.’

The Leitch Review of Skills, December 2006

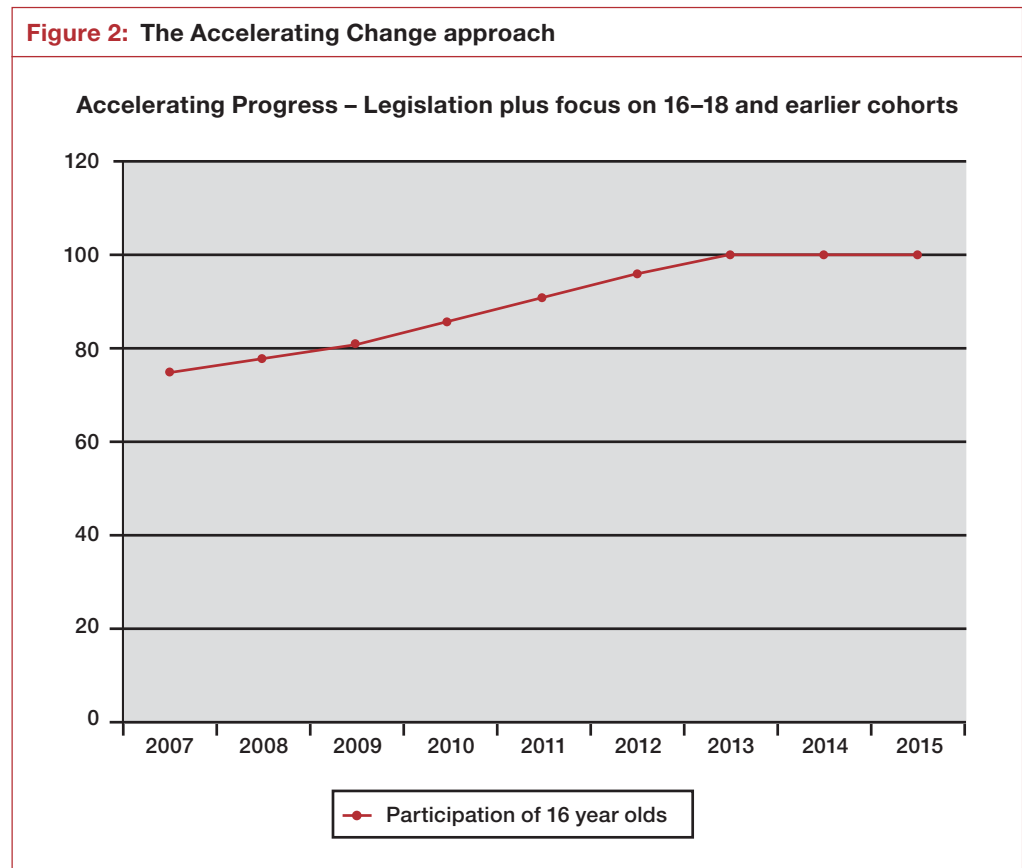
²Significantly this word is omitted in the Green Paper

The Accelerating Change approach

13. The second approach requires the government to focus on two things at once. On the one hand, the legislation for raising the leaving age and improving provision for 16 and 17 year olds needs to be put in place. On the other, the government needs to target interventions on today's 9 and 10 year olds – and their parents – as they will be the first cohorts affected by raising the learning age.

14. Under this approach, shown diagrammatically in Figure 2, those who have been introduced to the idea of not leaving learning until 18 from the age of 10 in 2008 are assumed to be increasingly committed to the improved range of choices on offer. Of course, there will always be some who will not participate without a legal requirement to do so but the step change between current arrangements and the new regime becomes much more manageable.

Figure 2: The Accelerating Change approach



BOX 2

Today's 9 and 10 year olds and raising the leaving age

We need every secondary school in England to be preparing every young person to stay within the system – making sure they have the experience, opportunities and guidance that will help them to make a successful choice. We want every school to assume that every one of the students joining them at 11 will stay in education and training beyond the age of 16 to achieve worthwhile qualifications that will prepare them to succeed in life, work and further learning – and to work with its pupils to make sure this happens. We want all providers of education and training for 16–18 year olds in each part of the country to know that between them they must offer something that will engage every young person in their area and lead them to the successful achievement of qualifications.

We need every school and college in England to be working with all young people to raise their aspirations, to show them that they can succeed and to help them to understand the opportunities they will have in life – and how important success in education and training can be to enabling them to take up those opportunities. And we want every parent, even if they themselves had a poor experience of school, to be able to help their children to understand that for them, continuing in education and training will be essential to preparing for life.

Paragraph 2.23, Green Paper

15. The cost of increasing participation to 90% through voluntary measures will be met out of the Comprehensive Spending Review (CSR) 2007 until 2010/11 and out of the subsequent CSR until the process of raising the leaving age starts in 2013.

16. The impact assessment attached to the Green Paper estimates that the recurring revenue cost of moving from 90% to 100% will be £733m and the capital cost will be £200m. Whilst the revenue cost will not start until 2013, the Green Paper indicates that the capital funding will come on stream earlier so that buildings are ready for use. The extra participation costs are estimated to be £593m. This excludes financial support costs which are expected to rise but on a limited basis.

17. Even in the context of moving from 90% to 100%, the government needs to model very carefully the extent to which raising the leaving age shifts both tuition and training costs, and financial support and wage costs, from employers to public spending. This could arise from transforming employer-funded training into publicly funded work-based learning, offering work-based learning on an unwaged basis, and offering day release where wage compensation is available.

18. The cost per capita of provision needed to raise participation from 90% to 100% is likely to be significantly higher than for those currently engaging voluntarily. It will also be necessary to remedy the current imbalance between funding at Level 1 and Level 2 and the more generously funded Level 3 provision. These considerations do not seem to have been taken into account in the Green Paper.

2 Analysing participation

“Government targets and the Green Paper, however, exclude EFT because much of the training is of short duration and low quality.”

16–17 participation in education and training

19. Defining participation is a tricky business. Some government statistics define it as full-time education, work-based learning, other education and training (OET), and employer funded training (EFT). Government targets and the Green Paper, however, exclude EFT because much of the training is of short duration and low quality.

20. Participation of 16 year olds in recognised education and training in England – excluding EFT – has only risen modestly since 1997, up from 84% to 86%. Participation at 16 is higher than the OECD average (data refers to the UK); but the figures also show that once 16 year olds leave learning it is hard to get them back later on.

21. Participation of 17 year olds in recognised education and training has stalled since 1997. It was 76% in 1997 and it is 76% now: and it is at 17 that participation in the UK is lower than the OECD average.³ More importantly perhaps, it is at 17 when those in jobs without training (JWT) triple in percentage terms (from 3% at 16 to 9% at 17). Those not in education, employment and training (NEET) also increase substantially (from 7% at 16 to 11% at 17).

22. This means the government is seeking to increase participation at 17 by 14 percentage points between 2005 and 2015, an average increase of 1.4 percentage points each year.

Table 1: Participation of 16 year olds in education and training by labour market status in 2005 (provisional data; figures are percentages)

	Employed	ILO Unemployed*	Inactive	Not in employment**	All
FT Education	26	7	43	50	76
Work Based Learning	6	0	0	0	6
Employer Funded Training	3	0	0	0	3
Other Education and Training***	1	1	2	3	4
Not in any Education or Training	3	4	3	7	11
ALL	40	12	48	60	100
Population (thousands)	0.259	0.079	0.316	0.394	0.653

Source: DfES SFR 21/2006

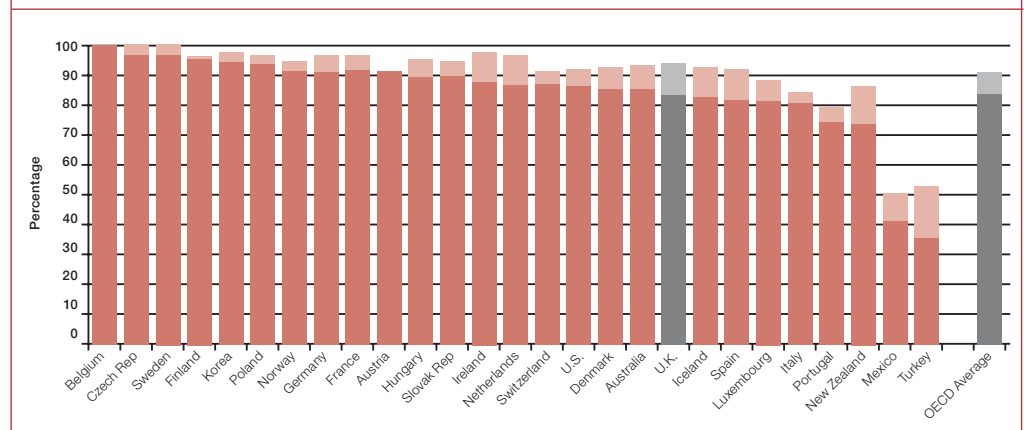
*ILO (International Labour Organisation) Unemployed is defined as 'Available to start work in the next two weeks and has either looked for work in the last four weeks or is waiting to start a job already obtained'.

**The sum of those young people who are ILO unemployed or Inactive, i.e. the NEET total.

***OET includes part-time education not funded by employers or through work-based learning; also full- or part-time education in independent FE and HE institutions.

³The government's participation target of 90% of 17 year olds by 2015 refers to the total of full-time education, work-based learning and part-time learning.

Figure 3: Net enrolment rates in secondary education at 16 and 17



Source: OECD, Education at a Glance 2006, Table C1.3; www.oecd.org.

Note: darker shade indicates age 17, lighter shade indicates age 16.

Table 2: Participation of 17 year olds in education and training by labour market status in 2005 (provisional data; figures are percentages)

	Employed	ILO Unemployed	Inactive	Not in employment	All
FT Education	28	4	31	35	63
Work Based Learning	8	0	0	0	8
Employer Funded Training	4	0	0	0	4
Other Education and Training	2	1	2	3	5
Not in any Education or Training	9	7	4	11	20
ALL	51	12	37	49	100
Population (thousands)	0.341	0.081	0.250	0.331	0.671

Source: DfES SFR 21/2006

BOX 3 Current participation targets

Increase participation by 17 year olds to 90% by 2015

The 14–19 Implementation Plan sets out the long-term ambition to transform participation, so that 90% of 17 year olds are participating by 2015. On the most comparable measure, 17 year olds' participation in education and work-based learning was 76% at the end of 2005, up by around 2 percentage points over the year.

PSA Target: NEET category

The PSA Target is to reduce the proportion of young people not in education, employment and training (NEET) by 2 percentage points by 2010. The provisional 2004 baseline is currently 10% – the final figure will be confirmed next year. The provisional 2005 NEET figure is 11%.

Source: DfES SFR 21/2006

NEETs and Jobs without Training

23. Although part-time education and training counts towards the target, according to the Green Paper, EFT will need to be linked to recognised qualifications to count. Of the rest, what grabs the headlines is the NEET category. However, as we have seen, the number of those in the JWT category is also significant. Around 250,000 16 and 17 year olds – 19% of the 16–17 cohort – are not in full-time education, part-time education or publicly funded work-based learning. However, there is significant churn between the NEET and JWT categories. Only 1% of the NEET category are the same young people when ‘snapshots’ are taken at the ages of 16, 17 and 18. This has important implications for the introduction of compulsion.

category in the UK, 52% do not have a Level 2 (from Initial Regulatory Impact Assessment of the Green Paper. DfES, March 2007).

26. Level 2 achievement increases by around 9 percentage points by the time 16 year olds become 17 year olds. However, achievement of a Level 2 between 16 and 17 is more likely to arise from staying on in full-time education than from work-based learning. Nearly 60% of 16–18 year olds without a Level 2 in full-time education at 16 do achieve Level 2 by 18. This compares with fewer than 50% for work-based learning, just over 40% for OET, and 10% for the JWT and NEET categories (from Initial Regulatory Impact Assessment of the Green Paper. DfES, March 2007).

Table 3: Participation of 16 and 17 year olds in education and training by labour market status in 2005 (provisional data; figures are percentages)

	Employed	ILO Unemployed	Inactive	Not in employment	All
FT Education	27	5	38	43	70
Work Based Learning	7	0	0	0	7
Employer Funded Training	4	0	0	0	4
Other Education and Training	2	1	2	3	5
Not in any Education or Training	6	6	3	10	15
ALL	46	12	43	55	100
Population (thousands)	0.600	0.160	0.566	0.725	1.32

Source: DfES SFR 21/2006

Qualification levels and 16–17 participation

24. Just over nine tenths of the 59% of 16 year olds who gain a Level 2 by this age stay on in full-time education or work-based learning. By comparison, only two thirds of the 41% of 16 year olds who do not gain a Level 2 by this age stay on.

25. Of the 11% of 16–18 year olds in the NEET category in the UK, 72% do not have a Level 2. Of the 13% of 16–18 year olds in the JWT

27. Level 2 achievement by 16 is a good predictor of participation post-16. This implies there are three aspects of the participation challenge:

- to boost Level 2 achievement pre-16, since Level 2 achievement is a good predictor of post-16 participation;
- to increase participation among the 10% or so of 16 year olds who do have a Level 2 but who nevertheless do not participate in education and training post-16, and

- to increase participation among the 33% or so of 16 year olds who do not achieve a Level 2 by 16 and who do not participate in education and training post-16.

28. There is an important caveat to make about the participation challenge. Strictly speaking, GCSE attainment rather than Level 2 attainment is a good predictor of staying on post-16. The vast majority of Level 2 attainments by age 16 comprise 5 GCSEs A*–C rather than full vocational qualifications at Level 2. GCSE attainment at Level 2 by the end of Key Stage 4 results in post-16 participation because there are

clear progression routes to Level 3, including Advanced Apprenticeships, and vocational Level 3 qualifications but primarily A levels.

29. However, the vast majority of additional Level 2 qualifications gained by age 17 are vocational qualifications rather than 5 GCSEs A*–C. The dip in participation from 16 to 17 in large part may reflect the fact that having achieved a vocational qualification at Level 2, many young people quite reasonably decide to find a job. The question becomes, therefore, why so many of the jobs they enter do not offer recognised training.

3 Voluntary measures to increase participation

“Many of these reforms are as yet untested.”

The government's proposals

30. The government is rightly taking forward a series of reforms to raise participation on a voluntary basis. Listed in the Green Paper are:

- Key Stage 3 reform;
- 14–19 qualifications and curriculum reform including:
 - 14–19 specialised diplomas,
 - the 14–19 Foundation Learning Tier and
 - an entitlement to 14–19 apprenticeships;
- a September guarantee of a learning place for 16 year olds from this year;
- expansion of learning agreements and activity agreements for 16–17 year olds;
- accrediting EFT where appropriate including the use of 'contracts of apprenticeships' and units of qualifications through the Qualifications and Credit Framework;
- exempting EFT linked to apprenticeships and appropriate qualifications from the National Minimum Wage (NMW);
- paying employers' wage costs under learning agreements to support time off for training leading to a Level 2 qualification;
- offering a mix of financial support through universal Child Benefit and means-tested Child Tax Credit and EMAs for unwaged trainees.

31. In addition, the 'School, early years and 14–16 funding' consultation paper acknowledges that the cost of vocational provision for 14–15 year olds will be more expensive than academic provision, though appears to underestimate its cost.⁴ It outlines a preference by the DfES for local authorities to decide whether each school or the authority funds those elements of the pre-16 Diplomas and Youth Apprenticeships delivered outside schools – by FE colleges and work-based learning providers.

Issues with the proposals

32. Most of these reforms are as yet untested. Given the fact that the substantial number of

previous government initiatives over the past decade have had limited impact on participation rates, and none on those for 17 year olds where the main problem lies, it would be wise to be cautious about the outcome of new measures.

33. Given that Level 2 attainment is the best predictor of staying on post-16, it could be argued that the safest approach to secure further post-16 participation is higher achievement of five good GCSEs. In turn, this shines the spotlight on the Key Stage 3 reforms. But with 60% of 16 year olds already achieving five good GCSEs, further increases in attainment might be limited. Something different will be required for the 'other third' of 14–15 year olds.

34. A problem might occur even if the pre-16 vocational reforms set out in the Green Paper result in increased Level 2 achievement by 16. Whilst an increase in Level 2 achievement pre-16 in the form of five good GCSEs might result in higher post-16 participation, it cannot be assumed that achievement of a Level 2 in the form of a vocational qualification – such as a Level 2 Diploma or Youth Apprenticeship – will result in higher staying on at 16. On the contrary, 16 year olds with a vocational Level 2 might simply wish to find a job, as many 17 year olds do after achieving a Level 2 vocational qualification. This would be perfectly rational since:

- they would have undertaken a vocational qualification to prepare themselves for the labour market;
- the UK labour market offers many Level 2 jobs to young people.

35. This would be no problem in terms of continued learning if the jobs they obtained offered accredited training. But at present it seems that most employers see no need to offer such training. The young people could of course be offered day release for a course not connected with their job, but what would be their motivation for taking it seriously?

⁴See Styles, Fletcher and Valentine 'Funding 14–16 provision – a focus on schools'. LSN 2006

36. Bearing in mind, however, the need to focus on the needs of the 14 and 15 year olds with below-average attainment, many might find achieving a Level 2 Diploma or completing a Youth Apprenticeship by 16 too difficult. Nevertheless, many will try, because of the many advantages that follow. At present those achieving GCSEs below Grade C can move on to Level 2 vocational provision that is interestingly different. Careful thought will have to be given to what can be offered to those who have already switched to vocational provision pre-16 but still do not do well.

37. For the least able, the Green Paper proposes the new Foundation Learning Tier spanning Level 1 qualifications (including Level 1 Diplomas, Pre-Apprenticeship programmes) and work below Level 1 (through pathways that include both vocational skills, and personal and social development). At first sight the proposed development of the FLT appears to offer a way forward for those who need really tailor-made provision, but the Green Paper also says *'we expect that from 2008 the main offer within the FLT for 14–19 year olds at Level 1 will be one of the Diplomas.'* (Paragraph 4.21) This places a high premium on the ability of the Diplomas to offer the necessary flexibility.

38. As the Green Paper makes clear, increasing post-16 participation requires more than just curriculum reform pre-16. Another key issue is flexible funding to facilitate participation on pre-16 Diplomas and Youth Apprenticeships. The current 'schools purchaser' model of 14–15 provision, whereby schools pay for provision made by FE and work-based learning providers, is ineffective. Headteachers have a financial incentive to keep pupils in school based provision and, as happens at present, to offer funding to FE colleges and other providers at levels well below the actual cost of provision.

39. Since Diplomas will not be fully available until 2013, public funding of existing vocational qualifications such as BTEC and OCR Nationals will be required until at least then. Indeed, they are recommended by QCA as appropriate replacements for GNVQ Level 1 and 2 provision, which ceases in 2007. If these qualifications do not make a successful contribution to raising participation before 2013, then the step change required at that

point will be difficult to manage. If they do prove successful, the greater will be the potential dip in post-16 participation as and when the LSC is required to turn off the funding tap, as signalled in the 14–19 White Paper.

40. The Green Paper states that there will be a new apprenticeship entitlement.

'And we believe that every young person who wants to continue learning on a work-based route should be able to do so. We will therefore create a system where there can be an Apprenticeship place for every young person who wants one and meets the entry requirements for the sector.'

Paragraph 4.13

41. But to be effective, apprenticeships require substantial employer involvement. Many would argue, as the Green Paper itself does, that *'Of course, an Apprentice has to be employed.'* (Paragraph 4.15) Since in a voluntary system neither employer involvement nor employed status are within the government's gift, it may be highly misleading to talk in terms of entitlement, and over-optimistic to assume a significant contribution to raising participation.

42. Indeed the proposal which offers an entitlement to an apprenticeship is accompanied by the recognition that *'at the moment there are more young people who would like to take up an Apprenticeship than there are places available'* (Paragraph 4.13), but it is not at all clear that the measures mentioned for increasing employer involvement will be any more effective between now and 2013 than they have been in the past. What is more, there is a danger that the expansion of 19+ apprenticeships as proposed by the Leitch Review of Skills might crowd out expansion of employer-led 16–17 apprenticeships.

43. The Green Paper confuses work-based learning and apprenticeships and is unhelpful in referring to 16–18 year olds rather than 16–17 year olds (since raising the leaving age will only apply to the latter). Around 99,000 16–17 year olds participate in work-based learning (6% of the cohort). Of these, nearly 19,000 are on Entry to Employment and NVQ training whilst 80,000 are on apprenticeships. Indeed, participation in work-based learning has declined considerably

BOX 4

What the Green Paper says about apprenticeship participation

There will be an Apprenticeship entitlement

Apprenticeships offer young people the opportunity to earn money while they learn, get excellent vocational training and build a sustainable career. They help employers to build a professionally skilled workforce, equipped with the knowledge and experience that their business needs to succeed and compete. There are currently 160,000 16 to 18 year olds amongst a total of 250,000 apprentices in training, up from 75,000 in 1997, and over 130,000 businesses are involved.

Paragraph 4.10, Green Paper

in recent years. When Labour came to office in 1997, there were 9.8% of 16 year olds and 11.9% of 17 year olds in work-based learning. By 2005, the figures were 6.5% and 8.4% respectively.

44. However, only 16,000 of 16–17 year olds on apprenticeships today are on Advanced Apprenticeships at Level 3. The vast majority are therefore learning at Level 2.⁵ Insofar as this reflects employer needs, it raises problems about progression for young people who complete their Level 2 Apprenticeship before their 18th birthday. One aspect of this is that at Level 2 apprenticeships can be very short. For instance, the final report of the Apprenticeship Task Force argued the value of apprenticeship training in the retail sector, for example, because apprentices could be fully productive in six to eight months. This does not, of course, meet the participation requirements proposed in the Green Paper.

Further voluntary measures that could be taken

46. The government could be too confident about the effectiveness of current voluntary measures in reaching the 90% participation target of 17 year olds by 2015. At the very least, further voluntary measures need to be considered.

47. The DfES proposes in the schools funding consultation paper that each local authority should decide, whether to retain the school purchaser approach to 14–15 provision in FE and work-based learning (see paragraph 37) or to hold funding centrally. This is wrong headed. All local authorities should hold a central budget covering the full costs of such provision to facilitate pre-16 student choice and remunerate vocational providers fairly.

BOX 5

The length of time on apprenticeships

The time you spend studying can be anything from 100 to 1,000 hours, depending on your occupation.

Source: Direct.gov.uk, accessed April 2007

45. Not all the ‘apprentices’ in the present figures are employed. Data on 16–19 year olds on apprenticeships published in a report by the Treasury indicated that 14% were non-employed (‘Supporting young people to achieve’, March 2004). But whereas only 4% on Level 3 Apprenticeships were not employed, 20% were non-employed on Level 2 Apprenticeships.

48. It is also necessary to address the fact that post-16 learners in colleges on Levels 1 and 2 provision receive less funding per capita than those at Level 3.

49. The government is right to target EFT with multiple interventions, including the use of ‘contracts of apprenticeship’ and units of qualifications, exempting appropriate EFT from

⁵It should be noted that in many other countries (including Scotland) an Apprenticeship has to be at Level 3.

the NMW and encouraging employers to trade up to work-based learning. However, there is no reason to make the proposed extension of Train to Gain brokerage to employers with 16–17 year old employees conditional on the introduction of compulsion.

50. The Green Paper proposes that a new apprenticeship entitlement should be introduced and made available from 2013. Once again, there is no need in principle to hold this back until this date when it becomes linked to raising the leaving age on a compulsory basis. But the critical issue is the need for a national employer engagement strategy to enhance the availability of 16–17 apprenticeships, and to consider means to avoid these being crowded out by the proposed expansion of adult apprenticeships as outlined in the Leitch Review of Skills.

51. Alongside these reforms to existing measures, the government should consider a set of new initiatives to reach voluntarily the 90% participation target for 17 year olds by 2015.

52. The ability to offer sufficient places on occupationally specific routes may require

more than getting extra apprenticeship places via better employer engagement. It has been suggested in some quarters that it is no accident that some areas of industry and commerce have never offered many apprenticeships to young people. It may be that the apprenticeship model is not appropriate for them. This particularly applies to some newer sectors, and ones where health and safety factors are paramount. In other areas, current structures of employment limit the availability of places even where they used to be provided. Examples include hairdressing, because of the degree of self-employment even in high-street salons, and construction, because of the extent of specialist sub-contracting.

53. In short, even a big push on employer engagement in 16–17 apprenticeships might still not overcome these structural realities. With employer engagement in apprenticeships still likely to be low and Diplomas not sufficiently vocational, an alternative approach to occupationally specific training might be required, in the form of college based provision. If the public is not to be confused, however, the college-based alternative should not be called an apprenticeship.

BOX 6

Additional interventions before considering a learning leaving age of 18

- Enabling learners to take GCSEs when ready rather than at a fixed date (the present arrangements serve the interests of school league tables, not those of learners).
- Further reforms of the general education route, along the lines of the proposals of the Tomlinson group, so that general education can share the responsibility for increasing post-16 participation.
- Integrating responsibilities for managing planning and funding of the 14–19 phase in local authorities or some other body.

BOX 7

What the Green Paper says about apprenticeship participation

Of course, an Apprentice has to be employed. If a young person wants to undertake an Apprenticeship in a particular sector not represented in their local labour market, they may have to either travel to find an Apprenticeship place, begin a college-based programme-led apprenticeship and look for a placement later, or choose instead to follow a college course such as a diploma in the same sector in preparation for employment later.

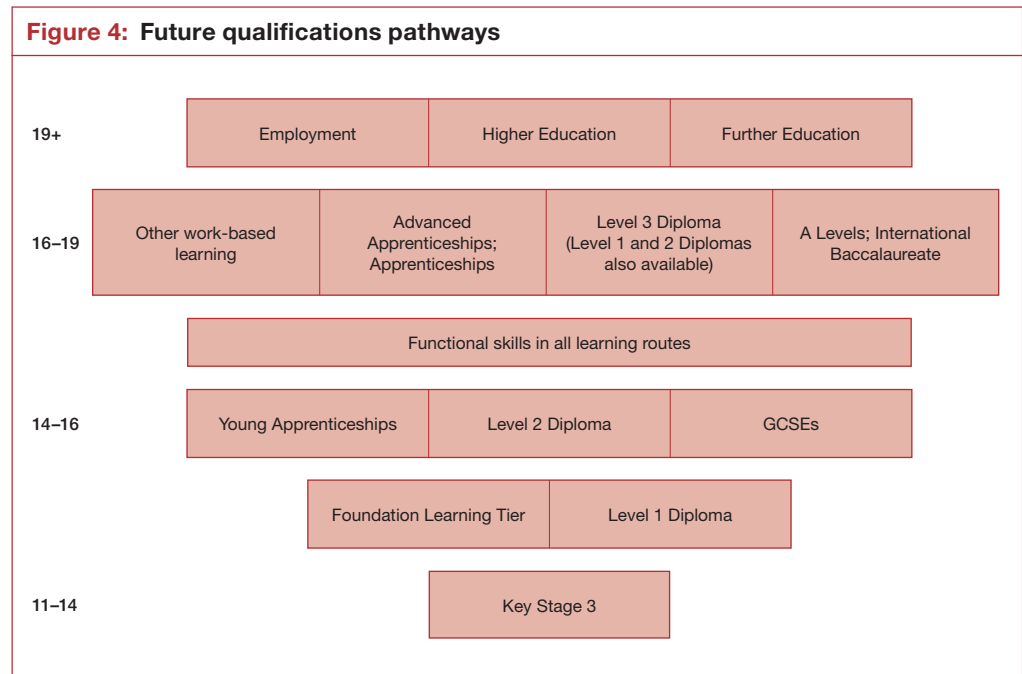
Paragraph 4.15, Green Paper

54. It is important to realise that the college-based alternative needs to be strongly vocational, as is the case with much current provision. The new 14–19 Diploma does not match this specification and is unlikely to be seen as an acceptable alternative by people unable to obtain an apprenticeship place, or by firms whose size or technology makes the apprenticeship model unsuitable.

55. The future qualifications pathways set out in the Green Paper are incomplete.

government should not dismiss the case for integrating 16–19 LSC funding within local authorities. It should be re-considered as part of the sub-national review of economic regeneration.

58. If the government is right in its confidence that existing voluntary measures will reach 90% participation, it needs to go on to consider whether reform of existing voluntary measures or a new set of voluntary interventions could achieve comprehensive



56. This diagram does not show institution-based alternatives to apprenticeships post-16, or the need to extend the Foundation Learning Tier post-16. It also suggests that all post-16 learning will be at Level 3. In fact, of course, most of the additional participants post-16 will need to be studying at Levels 1 and 2.

57. Local authorities are responsible for reducing the NEET category monitored through local Connexion services. The Connexions Service is being devolved to Children’s Trusts which are also led by local authorities. Local authorities are the strategic lead partner for 14–19 education and skills. At the same time the funding of provision for 16–19 year olds remains with the LSC. The

participation without compulsion. If not, it would be helpful to identify why, since this would help in planning further initiatives.

59. If, however, the government is simply too confident about existing voluntary measures reaching 90% participation, and indeed the combination of reforming current measures and the introduction of new ones only boosts projected participation to, for sake of argument, 83%, half the rate of increase assumed in the Green Paper, compulsion will be necessary. But the government will need to accept that compulsion will then cover a significantly bigger proportion of the 16–17 cohort than it appears to assume in the Green Paper.

4 Issues raised by an increase in the leaving age

“...the UK is not seriously out of line in terms of minimum learning leaving ages.”

Evidence from overseas

60. Evidence from overseas shows that the UK is not seriously out of line in terms of minimum learning leaving ages. However, the UK has significantly lower participation in education and training at 17 than many OECD countries.

61. Evidence on raising the learning leaving age is mixed. Evidence mainly from a large number of states in the USA and Canada suggests that it has had little impact on

participation. Some evidence from Western Australia indicates that they have recently been successful in raising the leaving age from 15 to 16, but this may not carry many lessons for an increase to 18.

62. The conclusion for policy in England is that a lack of enforcement and perhaps a lack of labour market regulation results in minimal impact on participation. This point has been rightly picked up in the Green Paper.

Table 4: Years of education and leaving age

	Minimum Leaving Age	Duration of Compulsory Education
England	16	11
Ireland	15	9
N. Ireland	16	12
Scotland	16	11
Wales	16	11
France	16	10
Germany	18	9/10 FT + 3 PT
Hungary	18	12
Italy	15	9
Netherlands	16	12 FT + 1 or 2 PT
Spain	16	10
Sweden	16	9
Switzerland	15/16	9
Australia	15/16	9/10
Canada	15/16	9/10
Japan	15	9
Korea	15	9
New Zealand	16	10
Singapore	16/17	10
USA	16	10

Derived from 'Key Data on Education in Europe', Eurydice Network, 2005

63. In North America most discussion of sanctions for truancy has involved the suggestion that driving licences are withheld from non-participants. The suggestion is also floated in the Green Paper, though greater potential weight is accorded to possible financial sanctions. The Green Paper indicates that the government will be exploring how Child Benefit and Child Tax Credit payments paid to parents can be made conditional on participation in recognised learning. This will be complex since compulsory learning will stop at the 18th birthday but Child Benefit and Child Tax Credit extend to at least 19.

64. The current system of Education Maintenance Allowances (EMAs) is used to provide an incentive to participate. Weekly payments are conditional on attendance but bonuses are also paid for good attendance. On the face of it, a statutory learning leaving age of 18 brings into question the principle of EMAs as incentives since young people must be in recognised learning until that age. However if EMAs were to be removed without a substitute it could lead to increased truancy.

65. Payments of Job Seeker's Allowance and Income Support for 16–17 year olds estranged from their parents might also be made conditional on compulsory participation. However, the government needs to consider extremely carefully applying such conditionality in view of the risk of young people in these circumstances being lost to the learning and welfare systems altogether.

Age or attainment?

66. The Green Paper proposes two approaches. One proposal is for the extension of the learning leaving age to cover only 16 year olds who have not achieved a Level 2, some 40% in today's terms. The other proposal is to include all 16 year olds.

67. There is a third possibility not considered by the Green Paper. The current leaving age is the end of June of the academic year in which an individual reaches their 16th birthday. This is to ensure that they are able to sit the public examinations that take place at the end of the year. If the government is concerned to increase attainment as well as just participation this option ought seriously to be considered with regard to 18 year olds, and certainly with regard to 17 year olds.

68. The Green Paper suggests that covering only those 16 year olds without a Level 2 would suggest that raising the leaving age was a punishment and this would be counterproductive. There is no evidence provided for this assertion and it is not clear that it is true. If the aim is to improve attainment then a focus on those who have not attained might be preferable to antagonising many who achieve a Level 2 and then wish to use it in the workplace.

69. In effect, the government has concluded that the learning leaving age should be defined by achievement of a Level 3 or the 18th birthday, whichever is the sooner. This means that the 1% of 16 year olds and the 17% of 17 year olds achieving Level 3 – mainly but not entirely A levels – can leave. This overcomes the problem highlighted by Alison Wolf among others.

BOX 8

Age or attainment?

'At 17, I had finished my A-levels and left school. I was snapped up for a typical office job, which could be mastered very quickly given good English and reasonable arithmetic. I then set off for Europe to do some more pre-university growing up. If Mr Johnson and Mr Brown have their way, I would have been barred from employment and turned back at the border into the arms of the truancy police. This arrogant and condescending proposal would infantilise young people, waste their and everyone else's time and endanger future education standards. Quite a feat.'

**Alison Wolf, 'The harm in forcing children to stay on at school'.
Financial Times, 17/1/2007**

70. Overall, the Green Paper is expecting participation for a certain amount of time in recognised learning for 16–17 year olds who: are mothers or expectant mothers with time away from learning before and after giving birth; work in family businesses or are self-employed; are volunteers; are in care or leaving; are young offenders. The only groups not expected to participate are those actually in custody and the homeless. Whilst targeted support is planned for these groups, the Green Paper does not make clear if, and when, enforcement will apply to them.

71. Under the current proposals, participation only counts if 16 and 17 year olds are working towards accredited qualifications. This has critical implications for raising the learning leaving age. Young people who today are classified as in Employer Funded Training will only be able to combine a job and workplace training if the employer trades up existing training into recognised qualifications or turns it into publicly funded work-based learning.

72. If raising the leaving age is about the participation of the last 10% of 17 year olds as the government believes, it must be recognised that the standard package of GCSEs, A levels, the International Baccalaureate, Diplomas and Apprenticeships will not meet their needs. The Foundation Learning Tier (FLT) offers the promise of a personalised package to the last few per cent of 16–17 year olds below Level 2 who must participate in future until 18. To motivate some 16–17 year olds, the FLT might need to offer provision not necessarily linked to qualifications.

73. A difficulty posed by the proposals is the issue of what 16 and 17 year olds who achieve a first Level 2 before their 18th birthday will subsequently do in terms of studying for recognised qualifications. Although they will be able to work towards recognised qualifications at the next level before they become 18, they will not have time to achieve them. The issue is particularly stark for 16 year olds who have achieved a Diploma or Youth Apprenticeship at Level 2 and now want a job but cannot find one. Although they could progress to a Level 3 Diploma they may not see its relevance in terms of ultimately getting a job. Vocational Level 2 rather than vocational Level 3 qualifications are what some employers are demanding.

74. Of today's 16 and 17 year olds, 4% are in Employer Funded Training, 6% are in Jobs without Training, and 2% are employed but in part-time education. Unfortunately, the official destination statistics do not indicate how many are working part-time in one or more jobs each equivalent to less than 20 hours per week). Past youth cohort studies, however, indicate that around a quarter of all 16 and 17 year olds in employment hold part-time jobs. As a rule of thumb, therefore, around 3% of today's 16 and 17 year olds would have to move from part-time learning and part-time employment to full-time learning and part-time employment. This might not meet their needs or wishes. Only in the unlikely event of their employer offering them more hours – up to 20 per week – could they still study part-time.

75. Around 1% of 16 and 17 year olds are ILO unemployed (i.e. have looked for work in the previous four weeks) and in part-time education (OET). Under a learning leaving age of 18, this group will have to be in full-time learning (at least 16 hours per week), something which might not meet their needs. In addition, 6% of today's 16 and 17 year olds are ILO unemployed and do not participate in learning full-time or part-time. Once again, this group will have to be in full-time learning, and even if their main priority is to get a part-time job to get a foot into the labour market, they must still study full-time.

76. Around 5% of today's 16 and 17 year olds are economically inactive and not in employment or full-time education, with 2% in part-time learning and 3% not in any learning. The Green Paper implies that many of the groups who are not in full-time learning and are also economically inactive will be able to study part-time (less than 16 hours per week). This includes mothers and expectant mothers who make-up approximately 1% of the NEET group.

77. Volunteers, on the other hand, will be treated differently. Full-time volunteers – volunteering for 20 hours or more – will be able to study part-time in line with those who are in full-time work, namely 280 guided learning hours per year (which is equivalent to 7 hours per week over 40 weeks). However, volunteers volunteering part-time (less than 20 hours per week) or combining part-time work and part-time volunteering will need to study full-time (16 hours or more).

78. A one-size-fits-all diet of full-time learning of 16 hours or more per week offered from day one to 16 year olds who are ILO unemployed or seeking a part-time job to get a foot in the labour market is likely to result in truancy. Flexible learning hours and a personalised curriculum will be required to minimise truancy. The government will need to balance participation in full-time learning with part-time employment and part-time volunteering.

79. One way forward might be to set a common definition of minimum participation at 280 guided learning hours – equivalent to 7 hours per week for 40 weeks – across provider and workplace settings, and different labour market circumstances. The potential downside to this is that existing full-time learners in institutional settings might trade down to part-time learning. But whilst this might happen at the margin the effect is unlikely to be significant. After all, current voluntary participation in full-time learning is driven largely by a desire for qualifications and progression, particularly GCSEs and A levels and the prospect of university entry.

80. A danger of defining the raising of the learning leaving age until the 18th birthday is that it signals this is when learning by young people ends. Indeed, it could be misconstrued that learning is an activity until adulthood but not during adulthood.

81. We need also to take into account the fact that young people in the UK start school earlier than in most other countries. Therefore the total amount of time spent in compulsory learning is already above average.

82. Equally, a view might emerge that free education and work-based learning in the State system, and grants for financial support also end on the 18th birthday. In fact, all forms of support continue until the 19th birthday or in some cases the achievement of a Level 3 qualification. Raising the leaving age until the 19th birthday would however increase the potential cohort in scope by 600,000 and would raise a host of further complications.

83. A complication in the Green Paper is the reference to functional maths and English without any detailed explanation of their role. If the Green Paper is implying that 17 year olds with a Level 3 must also achieve functional maths and English (at say Level 2), many 17 year olds with their A levels or other Level 3 will not be able to leave.

Issues for employers

84. So long as 16 year olds are in full-time or part-time learning an employer can hire them on a full-time or part-time basis and offer accredited employer funded training, participate in work-based learning or offer day release. They may also do none of the above if the young person is engaged in approved education elsewhere. To make this system work the government is considering the option of *'making a young person's appointment conditional on engagement in education and training, for example requiring employers to check that 16 and 17 year olds are engaged in training before hiring them.'* (Paragraph 6.13)

BOX 9 Two approaches to employer obligations

Statutory obligation on employers only to employ 16–17 year olds in recognised training

Employers can only employ 16–17 year olds if they are in recognised education and training, participating for a defined length of time and seeking to achieve a qualification up to a defined level.

Statutory obligation on employers to offer time off for study for 16–17 year olds

Employers are obliged by statute to provide time off for 16–17 year olds to study during working hours for one day per week to achieve a qualification up to a defined level.

85. In relation to day release, the Green Paper indicates that the government expects employers to accommodate 'reasonable requests for young people to attend their structured training.' This sounds too weak. The government must make it clear that the proposal is not just a right to request day release on the part of 16 and 17 year old employees, and a duty to consider the request on the part of employers, who may turn the request down. Nor should it be the responsibility of an employee to take an employer to a tribunal to enforce their entitlement, as it is under the existing statutory Right to Study measure. It should be a clear statutory obligation on employers to offer day release.

86. The Green Paper makes clear that the government intends to consult widely on the balance between the restriction on the ability of employers to hire those under the age of 18 without statutory day release and its wish not to place excessive burdens on business. Even so, the legislation on employers must not be so weak as to make raising the learning age ineffectual.

87. Employers could respond to their statutory obligations in a number of ways. For employers interested in training these include getting their own training externally recognised, becoming involved in publicly funded work-based learning and apprenticeships, or offering day release for part-time study. But for employers not interested in training, the options would be only offering part-time jobs to 16–17 year olds who are already studying full-time or part-time elsewhere, or else not offering

jobs to this age group at all. Indeed, the Green Paper emphasises the need for the government to consult with business to ensure raising the learning leaving age does not result in loss of jobs for 16–17 year olds.

88. The Green Paper assumes that jobs without formal training are jobs without learning. In fact many young people learn from such jobs the very skills that employers say they require – the ability to turn up punctually, present themselves well and deal with customers appropriately. The pressure to force all learning into the mould of accredited qualifications risks reducing rather than increasing the opportunities for disengaged young people to gain the real skills they need for employment.

89. There is a danger that raising the learning leaving age to 18 could continue the long-term trend of passing the cost of learning for 16 and 17 year olds from employers to the State. Tuition, off-the-job and workplace learning – including day release and accredited employer funded training – will be free up to Level 3. At the same time, wage costs under day release will be met through wage compensation as the Learning Agreements are extended, and employers moving into work-based learning for the first time could insist that 16 and 17 year olds are un-waged trainees able to claim Child Benefit, Child Tax Credit and reformed EMAs.

Where will the new learners go?

90. The move from 90% to 100% participation associated with a leaving age of 18 is modelled in the Green Paper. FE⁶ is assumed to be the winner, with an increase of nine percentage

Provider	2005/06	2013/14	2016/17
Schools	32%	37%	39%
FE & HE	37%	42%	46%
Part-time education	5%	3%	3%
Work-based learning	7%	12%	12%
Total	80%	94%	100%

Source: Green Paper

⁶The statistical label used is actually 'FE & HE', but in practice participation will be almost all in FE.

points. This is higher than is forecast for schools where participation is assumed to increase by seven percentage points, and work-based learning, five percentage points. It is unclear, however, whether part-time education refers to day release and accredited employer-funded training only, and whether FE includes part-time as well as full-time education. This modelling also shows that the net effect on participation, during the period when raising the learning leaving age becomes effective for 16 year olds and then 17 year olds, is greater for 'FE & HE' and work-based learning together (+4 percentage points) than schools (+2 percentage points).

91. Prior to the publication of the Green Paper there had been speculation in the press that raising the learning leaving age would create an army of apprentices. This is debatable. In fact, an army of part-time FE students under these circumstances is more likely than an army of apprentices.

92. To reiterate points made earlier, since 1997 participation in work-based learning by 16–17 year olds has been constantly falling from around 11.5% to 7.5% today. The Green Paper seeks increase participation back-up to pre-1997 levels of 12%. However, a third of work-based learning is Entry to Employment programmes rather than NVQ training or apprenticeships. On the one hand, increasing 16–17 apprenticeships to 12% will be difficult since the structure of employment has changed considerably since the time when apprenticeships were more common. On the other hand, many of the final 10% of the 16–17 year old cohort might require Entry to Employment style programmes rather than real apprenticeships.

93. Bearing in mind the needs of the final 10% of the 16–17 cohort, the difficulty in growing apprenticeships and a potential one-size-fits-all offer of full-time learning of 16 hours or more for those who are ILO unemployed, there is a critical role for voluntary providers. They are more likely to be in a position both to encourage this group through personalised packages on pre-qualification programmes, and to reach out to those who might reject the overall offer of studying full-time at 16 and who in effect become truants.

Labour market churn and policy design

94. Overall, however, the Green Paper fails to appreciate the nature and magnitude of labour market churn on many of the practical issues raised in relation to the enforcement of an increased leaving age. One aspect of labour market churn is shown in the ebb and flow between today's categories of NEET and JWT. But churn also occurs between EFT/OET and JWT, and EFT/OET and NEET. In addition, changes between full-time and part-time employment can affect the obligations on the learner and employer, which will be compounded by differences between permanent and temporary jobs. Some illustrative examples are set out in Box 10.

95. The degree of churn in the labour market has critical implications for the curriculum offer even if the focus is on full-time jobs. However, there are lessons to be learned from the Unified Vocational Preparation Pilot Schemes operated in the 1970s aimed at school leavers who entered jobs that had no structured training attached. Some very effective approaches were developed, which emphasised the learning needs arising from first entering the adult world of work, rather than from the skills and knowledge required for specific jobs. Currently, some adult education tutors are experienced in managing groups with diverse needs and backgrounds. But it is difficult to match these programmes with learning that leads to accredited qualifications, and the required flexibility comes at a cost in terms of learning resources and staff time.

96. Many providers may conclude that since working with more disaffected groups produces lower success rates, to get involved with new programmes for the NEET category in particular will damage their reputation. Since local authorities or the LSC are unable to direct providers to take on such learners there is a need to plan carefully how such provision might be secured. There is a real risk that a new set of low-status 'providers of last resort' will be established for the purpose of teaching reluctant and low-performing participants.

BOX 10

Curriculum and labour market churn

Scenario A – Sacked from a full-time job

A 16 year old takes up a full-time job with accredited training after his GCSEs but is sacked for poor time-keeping at work after 6 months. He then is required, and is entitled, to enrol on full-time provision of at least 16 guided learning hours per week. This may be in mid-February, well after the course has begun and without sufficient time remaining to have a realistic chance of successful completion.

Scenario B – Taking up a full-time job without training

A 16 year old leaves a full-time course at Easter in order to take up a full-time job without training. He is required to enrol for part-time study for a minimum of 280 hours per annum. He has already studied for 24 weeks of 16 hours (i.e. 384 hours). The question is whether he is required to study part-time for the rest of the academic year.

Scenario C – Completing a Level 2 Apprenticeship before 18

An individual is on an apprenticeship with employed status. He is successful, and achieves Level 2 by Christmas in his second year. His company has no Level 3 jobs in the same employment area that would allow him to progress to a Level 3 apprenticeship. Even if there was a full-time equivalent available, he is not willing to give up his job and his salary in order to take it. He therefore needs part-time provision of some kind.

Scenario D – Tailored provision for each day release student

A group of 16 year olds are in full-time jobs without training, and are attending a course of one 7-hour day per week, which if followed for 40 weeks a year will reach the minimum requirement of 280 hours. There are several factors operating which mean that each learner will need flexible and tailored provision.

- (i) The group have a variety of jobs in several sectors, and in any case their jobs require little if any training.
- (ii) They also vary in levels of previous attainment.
- (iii) They are joined after Easter by the 16 year old from scenario B, who wishes to continue with the kind of learning that he began on his full-time course.
- (iv) They are joined after Christmas by the individual from scenario C, who has just completed his Level 2 apprenticeship.

Institutional arrangements

97. Local authorities will shortly be responsible for the funding and managing of the Connexions Service. The Green Paper assigns the role of monitoring participation under raising the learning leaving age to the Connexions Service. Additional funding must be made available for this new responsibility of local authorities.

98. The system identified to monitor participation is the Client Caseload Information System (CCIS) managed by Connexions. Its functionality will be extended to meet the

requirement of the learning leaving age. The monitoring system will record amongst other things (i) where a young person is studying and (ii) notification of when a young person drops out. Given the degree of turbulence in the 16–17 labour market and churn between the JWT and NEET categories, the monitoring system will need to be highly sophisticated. As an alternative system, the government might wish to consider utilising the Child Index. Either way, both options represent another big IT system to make a public policy work. The track record of big government IT solutions is not good.

BOX 11

The Child Index

- The government has outlined details of regulations that will enable it to begin trialling a new information-sharing index for children.
- The index, one of the measures contained in the 2004 Children Act, is intended to facilitate the sharing of information between different agencies on children who may be in need of particular services or welfare support.
- It will hold basic identifying information on all children in England and contain the names and contact details of practitioners providing specialist and targeted services to a child.

99. The Green Paper states that a duty will be placed on all providers, including private schools, to provide information and monitor participation. However, the key challenge will be employers and recording drop-out from either employment or employer funded training. Whilst the government is right not to hold employers responsible for the participation of young people in learning, it must consider placing a duty on employers to notify drop-out. Again, the government should not underestimate the burden on business because of the degree of chum in the youth labour market.

100. The government proposes that the legal responsibility for ensuring participation post-16 should rest with the students themselves, not their parents. This seems wise though there may need to be obligations on parents not to assist or encourage truancy.

101. The Green Paper rightly emphasises the need to identify drop-out early, offer support through the Connexions Service and others including employers to re-engage young people, but ultimately local authorities will be responsible for enforcing participation. This is an obvious choice bearing in mind the strategic lead partner role of local authorities, their involvement in truancy in the earlier phase of education and the lack of involvement in, and experience of, the LSC in truancy issues pre-16 and post-16.

102. The restriction on employers only to hire 16–17 year olds who are in learning and the duty to offer day release if they are not offering recognised workplace training are critical to the effectiveness of raising the leaving age. Employer compliance must be enforced. A possible enforcement agency could be

HMRC (Her Majesty's Revenue and Customs) which is responsible for enforcing the national minimum wage.

103. The Green Paper outlines a system of Attendance Orders applied by local authorities for non-participation after a period of attempted re-engagement. The government is considering whether breaches of Attendance Orders should be linked to further civil and/or criminal proceedings placing 16–17 year olds within the youth custody system, or other sanctions such as the removal of driving licences. The extension of Pupil Referral Units to the 16–19 sector has been ruled out. Clearly, the government seems to have recognised the need to avoid significant recourse to the criminal justice system as it is both hugely expensive and of limited efficacy.

104. Although the Green Paper signals that the government expects the level of truancy and as a consequence the application of sanctions to be limited because of re-engagement policies and a falling 16–17 cohort, it should not underestimate the problems. Young people who want a job but are unable to find one may only participate reluctantly or sporadically in full-time education; a shock to the youth labour market may restrict the option of day release and lead to further forced full-time education.

105. Consideration also needs to be given to the position of parents. It is probably right that, as in New Brunswick, favourably referred to by UK politicians, there are no sanctions proposed for parents in respect of truants over the age of 16. There is however an issue of 'aiding and abetting' non-participation. Very many existing truants are found to be with their parents when apprehended.

106. The Green Paper clearly extends the role of local authorities in the context of raising the learning leaving age. There are grounds for unifying 14–19 funding within local authorities outside the decision to raise the learning leaving age. However, the Lyons Review of Local Government specifically asks the government to reflect on the advantages of local authorities becoming a single 11–19 funding council specifically in light of the proposal to raise the learning leaving age. On both grounds, transferring LSC funding to local authorities should be discussed by government as part of the sub-national review.

BOX 12

The role of local authorities

Achieving the 90% participation target

- Funding bodies for 11–16 provision
- Funding of 14–15 provision delivered by FE colleges and work-based learning providers (depending upon outcome of Schools Funding Consultation)
- Responsible for managing 14–15 truancy
- Responsible for the Every Child Matters agenda
- Strategic Lead Partner for the 14–19 phase
- Responsible for funding and managing the Connexions Service which in turn has a duty to reduce the NEET category
- Responsible for publishing 3–16 and 16–19 transport strategies

Beyond 90% participation and raising the learning leaving age

- Responsible through Connexions for monitoring compulsory 16–17 participation and managing locally the necessary IT system
- Ensuring employer information is collected and linked to the monitoring system
- Managing 16–19 truancy and serving attendance orders

BOX 13

What the Lyons Review says about 16–19 LSC funding

There is a debate about whether merging funding and responsibilities within local authorities would help to secure more seamless provision. There are certainly some potential advantages to such a move, though as has been pointed out, integrating responsibilities in the local authority could simply create a new division at 19, and the Leitch Review recommended against further structural reorganisation in this area. The government will want to keep current arrangements under review, especially if it decides to require all young people to remain in full- or part-time education or workplace training up to the age of 18, as discussed in the Leitch Review.

Paragraph 4.196, Green Paper

5 The countdown to compulsion

“ If an improved curriculum offer is to be in place before the introduction of compulsion the government needs to ensure that the full range of diplomas is available for 14 year olds in 2011, and not just for 16 year olds in 2013 as envisaged. ”

107. One of the difficulties in considering the leaving age is being clear about which age groups it applies to. We sometimes talk in terms of pupils’ ages, at other times of school years or of Key Stages. Figure 5 below seeks to align all the various ways of describing the stages of the learning process.

108. At the moment pupils can leave school at the end of Year 11, specifically at the end of June in the academic year in which they reach their 16th birthday. The Year 11 group are therefore 15 and 16 year olds. In the language of the specialised diplomas those in Years 10 and 11 are in the 14–16 phase, and aged 14, 15 or 16.

109. Academic years span two calendar years so discussion of the leaving age needs to relate to this measure. The Green Paper

proposes that in 2015/16 pupils will not be able to leave learning until their 18th birthday so those **required** to remain in Year 13 will be aged 17. Many who reach the age of 18 in this year already stay on voluntarily and will continue to do so.

110. Extrapolating back from 2015 the first group of young people to be affected by this change will start Year 5 in this September and will be aged 9 and 10.

111. The Green Paper also proposes that the leaving age is raised to 17 in 2013. It does not say whether this means the 17th birthday or the end of the academic year in which they reach 17. However it is clear that it affects those young people who will be in Year 6 this September.

Figure 5: The countdown to compulsion

Phase	School Year	Age	Key Stage	Diploma stages	Countdown to 17	Countdown to 18
Primary	5	9 and 10	KS2			2007/8
	6	10 and 11	KS2		2007/8	2008/9
Secondary	7	11 and 12	KS3		2008/9	2009/10
	8	12 and 13	KS3		2009/10	2010/11
	9	13 and 14	KS3		2010/11	2011/12
	10	14 and 15	KS4	14–16	2011/12	2012/13
	11	15 and 16	KS4	14–16	2012/13	2013/14
FE System	12	16 (and 17?)		16–18	2013/14	2014/15
	13	17		16–18		2015/16

BOX 14

Cohort by cohort

‘From the start of the new policy in 2007/08, we had to look at its implementation cohort-by-cohort. We had to make sure they arrived at age 16 with better results, a better attendance record, less bad behaviour and more motivation. Quite literally, we had a tailored national plan for each age cohort.’

Michael Barber, former Adviser to the DfES. TES, 14/4/2007

112. Following a decision to raise the learning leaving age to 17 in 2013 and the 18th birthday in 2015, policy makers will have the best chance of success if they intervene each year between now and then. They need to work simultaneously to increase the participation of 16 and 17 year olds, and to make appropriate interventions targeted on today's nine and ten year olds each year until they become 16/17 year olds.

113. As 2013 approaches, the government will need to make a strategic decision over whether the financial arrangements under national Activity and Learning Agreements are the most appropriate intervention to boost participation or whether it needs to (i) consider extending child benefit, child tax credit and EMAs to 16–17 year olds in part-time education, or (ii) introduce a comprehensive youth allowance.

114. 2007 will be a critical year. Introducing the necessary legislation in Parliament in 2007 still only leaves six years for the education and skills system to plan for the change in 2013. A political consensus is essential. Time to build such a consensus is short.

115. 2008 is the year when today's nine and ten year olds start secondary education and it will be important to signal to these pupils and their parents, as well as the parents of younger children, that compulsory education and training will last until 18 in future. In addition, by September 2008, the planned reforms of Key Stage 3 will need to be place if they are to affect the first cohorts to be covered by a leaving age of 18. Similarly, 2008 is the year in which the government will need to take in-principle decisions over whether local authorities or some other body should be the single agency responsible for monitoring and enforcing 16–18 participation, commissioning all 14–19 provision, and acting as the strategic lead partner for both NEET, JWT and EFT targets.

116. In 2010, two years later, the government will need to ensure that good progress is being made on introducing specialised diplomas, and these elements of the Foundation Learning Tier and Youth Apprenticeships are in place. In addition, the Connexions Service needs to be ready to offer advice about these options to Year 9. 2010 is also probably the time when government will need to decide whether for this

cohort GCSEs can be taken when they are ready rather than necessarily in the May of a pupil's 15th year, with all the implications that will have for school league tables.

117. In 2011 14–15 year olds will need to be able to choose where they study as well as what they study. Therefore, by 2011, the government will need to have in place a mechanism agreed between DfES and local authorities for the funding of 14–15 year olds who are spending one or two days per week in FE colleges or with work-based learning providers. If an improved curriculum offer is to be in place before the introduction of compulsion the government needs to ensure that the full range of diplomas is available for 14 year olds in 2011, and not just for 16 year olds in 2013 as envisaged.

118. If a system is in place to monitor the participation of 14–15 year olds at different providers, this could be the basis for an integrated monitoring system for 16–17 participation. Systems should also be tested with respect to the checks employers need to make to see if a young person is in recognised learning or not.

119. By 2013, the full monitoring system will need to be place. By then, the government will need to have decided whether Learning and Activity Agreements should continue to be available for 16–17 year olds, and, in the light of the take-up of the first Diplomas and the Foundation Learning Tier whether further personalised learning programmes are required for 16 year olds now having to stay on.

120. By 2013, regulations for the legal responsibilities of parents, providers, strategic agencies and employers will need to be in place. Sanctions for young people, parents and employers will also need to be determined. 2013 is also the year in which the government needs to finally decide whether to retain the existing system of financial support – including child benefit, child tax credit and EMAs – and whether to support learners in part-time education – or introduce an all embracing Youth Allowance.

121. By 2015, regulations will need to be in place for raising the leaving age until the 18th birthday.

6 Conclusions: symbol or substance?

“Almost certainly, pressure would mount on the whole education and skills system to make sure that every pupil knows they must stay-on in education and training.”

If the government's confidence is correct

122. If current reforms and perhaps additional voluntary measures achieve a 90% participation rate, raising the learning leaving age could be seen simply as a symbolic gesture. It could only bring about, at the most, an increase in participation of 10 percentage points at a time when 16–17 numbers will be falling; and in practice it would have a smaller effect since 100% is an unattainable figure. It would however be a symbol of success and perhaps also an insurance against any future dip in participation below 90%, should circumstances change.

123. It could be argued however that in these circumstances the government is proposing a sledgehammer to crack a nut, especially in terms of the monitoring and enforcement systems needed to keep truancy to a minimum.

If the government's confidence is misplaced

124. If, however, the government is over-confident and current, or indeed additional, voluntary measures fall well short of the target, raising the leaving age potentially becomes a policy of substance. It could cover perhaps one in six rather than one in ten of all 17 year olds. Indeed, the lower the voluntary participation rate in 2013 when raising the leaving age takes effect the greater the scale of potential 'truancy' and burdens on business.

125. Almost certainly, pressure would mount on the whole education and skills system to make sure that every pupil knows they must stay on in education and training. There will be more intense targeting and sequencing of interventions at each stage until they become 16 in 2013. But the critical political issue is whether the government would proceed with compulsion if participation has not already increased substantially through voluntary action.

It is clear that raising the leaving age could be a symbol of success in circumstances where it is not needed. Could it however be a policy of substance if voluntarism fails?

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