

Post 16, further education



This is a developing issue on which we are still gathering information. Therefore this page may be subject to further edits.

Since 2013 young people between the ages of 16 and 17 have had the legal right to attend some form of education or training even if they have employment. This will rise to their 19th birthday in 2015.

It should be noted however that young people cannot be forced to enrol at a collage, simply that the LA must make sufficient free places available. Employers and voluntary groups with young people aged 16-19 who volunteer for 20 hours or more a week, should make available the opportunity for young people to undertake education or training. Education can be in the form of either:

- ⊙ Full-time education, such as school, college or home education.
- ⊙ Work-based learning, such as an apprenticeship.
- ⊙ Part-time education or training if they're employed, self-employed or volunteering for 20 hours or more a week.

Those who are already home educated can continue to do so and, providing the children are in full time education (that is not working), parents can continue to claim child benefit in the same way as for children attending college.

However, if you have not been home educated prior to 16 years of age, things may be a little more complicated. Certainly Child Benefit appears to be un-claimable. We don't yet have enough data to know how the authorities are responding to families who begin home education at this point. It appears that the option to do so has not been considered by the authorities when drafting legislation.

Other than being asked what they intend to do post 16, there have been no reports from home educators in any part of England and wales being 'harassed' in any way.

For those with special needs:

The Learning and Skills act 2001 s139a places a duty on local authorities to arrange for a Learning Disability Assessment for all persons with an SEN statement, even if they are over 16 and no longer registered at a school. They also have the power, under certain circumstances, to conduct an LDA for any young person without an SEN who appears to have learning difficulties up to the age of 25 if they are receiving or is likely to receive post 16 education or training.

Local authorities have a responsibility for securing sufficient places to meet the needs of all young people aged 16-18 and 19-25 if they have an LDA assessment. They also have a duty to assessment monitoring and provision, in much the same way as they do for those aged 5-16.