

Overview & Scrutiny

Children and Young People Scrutiny Commission

All Members of the Children & Young People Scrutiny Commission are requested to attend the meeting of the Commission to be held as follows

Thursday, 20th September, 2018

7.00 pm

Hackney Town Hall, Mare Street, London E8 1EA

Contact:

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Tim Shields

Chief Executive, London Borough of Hackney

Members: Cllr Margaret Gordon (Vice-Chair), Cllr Sophie Conway (Chair),
Cllr Katie Hanson, Cllr Soraya Adejare, Cllr Ajay Chauhan,
Cllr Humaira Garasia, Cllr Clare Joseph, Cllr James Peters,
Cllr Clare Potter and Cllr Caroline Woodley

Co-optees: Graham Hunter, Michael Lobenstein, Liz Bosanquet, Jane Heffernan, Jo
Macleod, Ernell Watson, Shuja Shaikh and Sevdie Sali Ali

Agenda

ALL MEETINGS ARE OPEN TO THE PUBLIC

- 1 Apologies for Absence
- 2 Urgent Items / Order of Business
- 3 Declarations of Interest
- 4 Executive Response - Unregistered Educational Settings in Hackney (Pages 1 - 58)
- 5 Executive Response - Recruitment and Support to Foster Carers review (Pages 59 - 70)
- 6 Controlling Migration Project: Building foundations: Meeting the needs of unaccompanied asylum seeking children (UASC) (Pages 71 - 76)
- 7 SEND funding Co-design Group - update (Pages 77 - 82)

- 8 **Outcomes of Exclusions in Hackney - DRAFT Terms of Reference** (Pages 83 - 136)
- 9 **Minutes of the Previous Meeting** (Pages 137 - 152)
- 10 **Children and Young People Scrutiny Commission - 2018/19 Work Programme** (Pages 153 - 162)
- 11 **Any Other Business**
To include updates on children and young people related issues from other scrutiny commissions

Access and Information

Getting to the Town Hall

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Induction loop facilities are available in the Assembly Halls and the Council Chamber. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

Further Information about the Commission

If you would like any more information about the Scrutiny Commission, including the membership details, meeting dates and previous reviews, please visit the website or use this QR Code (accessible via phone or tablet 'app')

<http://www.hackney.gov.uk/individual-scrutiny-commissions-children-and-young-people.htm>



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The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting. Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting room. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.



Children and Young People Scrutiny Commission 20 th September 2018 Item 4 – Executive Response to Unregistered Educational Settings in Hackney	Item No 4
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Outline

In 2016/17 the Children and Young People Scrutiny Commission started an investigation into unregistered educational settings.

For this investigation the Commission set itself the following objective:

“Is the Council doing all it can to ensure the quality of education, the safety and the safeguarding of children in unregistered educational settings in Hackney?”

Enclosed:

- (i) The London Borough of Hackney Executive’s response to the Commission’s investigation – Unregistered Educational Settings in Hackney,
- (ii) The Strategy for dealing with UES (appendix 1 of the executive response)
- (iii) Guidance for parents and carers (appendix 2 of the executive response) and
- (iv) The recommendation tracker

Link to full investigation report: <https://hackney.gov.uk/cypsc-reviews>

Action

The Commission is asked to note the response.

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**Cabinet Response to the Children & Young People’s Scrutiny Commission
Investigation into Unregistered Educational Settings in Hackney**

<p>Response to the Children & Young People Scrutiny Commission Report into Unregistered Educational Settings</p> <p>Cabinet: 16 July 2018</p>	<p>Classification Public</p>	<p>Enclosures</p>
	<p>Ward(s) affected All</p>	

1. INTRODUCTION – DEPUTY MAYOR’S INTRODUCTION

- 1.1. This report provides a full and considered response to the recommendations in the Children & Young People Scrutiny Commission report into unregistered educational settings. This will be submitted to the Scrutiny Commission in the autumn.
- 1.2. The Mayor and I welcomed the Children & Young People Scrutiny Commission report into unregistered educational settings (UES), when it was published. The Commission worked hard on this challenging subject and the subsequent discussion of the issues raised has been largely constructive.
- 1.3. Council officers and political leaders in Hackney have worked tirelessly behind the scenes for a number of years to try to make progress on the issues identified by the Scrutiny Commission. This report sets out a clear strategy for engaging with unregistered educational settings. To date, our efforts have been hampered by the fact that legislation on UES is completely inadequate. This report renews the case for the Government changing the law. In the absence of legislative changes councils will continue to find it very difficult to intervene in unregistered settings to ensure that children are safe.
- 1.4. We recognise that the issue of UES is a particularly sensitive one for many residents from our Charedi Orthodox Jewish communities, who want to educate their children within the traditions of their community. I welcome the input that Charedi leaders have made in this debate and review. However, as the Local Authority, we have a safeguarding duty to every child in this borough, and it would be a dereliction of that duty to overlook our ability to safeguard any child or group of children.
- 1.5. As a Council, we are proud of Hackney's diversity. We want the Charedi community to prosper in Hackney. There does, however, need to be a discussion about how a more fully rounded approach to education could make the community more economically sustainable in the long term. Both the Council and the community must continue to reflect on the content of the Scrutiny Commission’s report, and this considered response to the recommendations. The Government must act to address the issue of UES, and do so as a matter of urgency.
- 1.6. I commend this report and the strategy for engaging with unregistered educational settings to Cabinet.

2. GROUP DIRECTOR'S INTRODUCTION

- 2.1 This report provides Cabinet with a detailed executive response to each of the recommendations contained within the Children & Young People Scrutiny Commission report into unregistered educational settings (UES).
- 2.2 The strategy sets out a considered approach to working with UES in the borough. It brings together in one strategy many strands of work that were already being carried out across various Council departments. This strategy recognises the value of co-production and constructive engagement with community groups. It also sets out our determination to ensure that every child in Hackney receives the appropriate educational opportunities in a safe, secure and suitable environment.
- 2.3 In each of our responses to the Commission's recommendations we have taken seriously our commitment to doing everything within our power to ensure the safety and wellbeing of all children and young people in Hackney.
- 2.4 Ultimately, as we make clear in this report, it is for the Government to provide the necessary legislative powers to enable the Council to fulfil our responsibilities, including intervening in UES to ensure children are safe and well and receiving an appropriate education.

3. RECOMMENDATION

- 3.1 The Cabinet is asked to note this response to the recommendations within the Children and Young People Scrutiny Commission report on Unregistered Educational Settings.
- 3.2 The Cabinet is asked to note the strategy for working with unregistered schools and settings.

4. BACKGROUND

- 4.1 Following the publication of the Children and Young People Scrutiny Commission report into unregistered educational settings the Council's Chief Executive asked the Group Director for Children, Adults & Community Health to form a working group to prepare a detailed response to each of the 10 recommendations.
- 4.2 The detailed responses to each recommendation are provided below (please see section 7).

5. SUMMARY OF THE RESPONSES TO THE CHILDREN & YOUNG PEOPLE SCRUTINY COMMISSION'S RECOMMENDATIONS

5.1 Unregistered Educational Settings Strategy

- 5.1.1 The Working Group has developed a strategy to provide a coherent and transparent relationship with unregistered educational settings. This strategy is attached as Appendix 1 to this report.
- 5.1.2 The vision that informs this strategy is clear:
 - (i) All educational settings in Hackney should be registered,
 - (ii) All educational settings should have clear safeguarding processes in place and these should be open to external validation,
 - (iii) All children and young people in Hackney should receive appropriate educational opportunities in safe and suitable environments.
 - (iv) They should be supported to have the best possible start in life and to learn the skills that enable them to make a successful transition to adulthood within a modern Britain.

- 5.1.3 The strategy sets out, as key priorities:

- (i) Local ambitions and priorities for UES and those children that attend, and which clearly describe the expected benefits of registration and compliance with the regulatory framework in respect of health and safety, safeguarding, educational outcomes and community cohesion.
- (ii) The roles and responsibilities of Hackney Council and its partners are clear with regard to the regulatory and enforcement framework for UES, to ensure that children in the borough are taught in safe, hygienic conditions, that rigorous safeguarding protocols are in place, that pupil wellbeing is promoted and that the taught curriculum conforms to agreed standards.
- (iii) How Hackney Council will engage with the Charedi Orthodox Jewish Community and its representatives to promote a coherent approach to compliance and adherence to the regulatory framework.

5.1.4 The overarching aim is to ensure children and young people who attend any setting in Hackney are safe and receive an appropriate education. The strategy makes clear the benefits of registration for educational settings and why the Council will continue to encourage UES to register as schools. The Council recognises the importance of collaboration and co-production with community groups in the borough to ensure these ambitions are realised.

5.1.5 An action plan setting out how this strategy will be developed, based on the next steps identified in the strategy. This will be implemented from the Autumn of 2018, monitored by the Working Group and reported to the Children & Young People Scrutiny Commission.

5.2 Working with the Charedi Orthodox Jewish Community

5.2.1 The Council is committed to working with all community groups and settings to develop and implement recognised safeguarding processes within unregistered institutions, for example Disclosure and Barring Service (DBS) checks for staff, and safeguarding audits through City and Hackney Safeguarding Children Board

5.2.2 Central to the recommendations in the Scrutiny Commission's report was the importance of establishing co-operation between the Charedi Orthodox Jewish Community, in order to develop a safeguarding process. The Independent Chair of the City & Hackney Safeguarding Children Board, Jim Gamble QPM, welcomed this recommendation and actions have been undertaken to establish a contact group that can engage relevant partners and individuals. The strategy makes clear our willingness to engage constructively with community groups.

5.2.3 Enabling parents within the Orthodox Jewish Community to provide challenge to UES was a specific recommendation in the Scrutiny Commission's report.

5.2.4 A document providing guidance for parents and carers has been developed. This guidance covers key issues relating to the safety of children in a range of different settings. This guidance will not be unique to UES, but is relevant in the context of setting out a range of issues that parents and carers should be aware of, and alert to, whenever they are leaving their children in the care of an organisation.

5.2.5 With regard to the curriculum, we are committed to ensuring that the curriculum taught in UES is balanced, of sufficient quality and provides outcomes for children which

enable them to achieve better outcomes for themselves and their families. Hackney Learning Trust has established a positive working relationship with maintained Orthodox Jewish schools and will offer support to any setting that wishes to secure the status of a registered independent school. HLT will continue to encourage and broker, where appropriate, contact between the DfE and the Orthodox Jewish Community so that unregistered settings work to deliver a curriculum that meets statutory requirements and become registered schools.

5.3 The need for Government legislation

- 5.3.1 The need for an effective legislative framework within which UES can operate is acknowledged in the Scrutiny Commission's recommendations. Without Government legislation to set out statutory responsibilities and powers, local authorities, Ofsted and partner agencies will continue to be in an invidious position, having responsibility without power.
- 5.3.2 Since the Scrutiny Commission published its report, Hackney Learning Trust has submitted two responses to DfE consultations, using this as the opportunity to lobby the Government to accept the need for a more effective legislative framework and take action.
- 5.3.3 In response to DfE's call for evidence – Operating the Independent School regulatory System – Hackney Learning Trust emphasised the importance of any guidance resulting from this consultation being statutory, as opposed to DfE's proposal that guidance be non-statutory.
- 5.3.4 In response to the DfE's call for evidence regarding Elective Home Education, officers from HLT have worked with London Councils to emphasise the following points:
- (i) HLT respects the right of parents to educate at home; many provide a suitable educational programme, insofar as this is possible to assess and determine, given the vague nature of the existing guidance.
 - (ii) The role of the Council is significantly undermined in this area, with all rights conferred on parents, but very few responsibilities.
 - (iii) The latest guidance remains passive in nature and still falls far short of what HLT and other agencies regard as being required to ensure that all children are adequately safeguarded.
 - (iv) That the lack of legal definition in regard to efficient, suitable and full time education is unacceptable. Again, this undermines the role of the Council.
 - (v) That the learning and recommendations from Serious Case Reviews in Birmingham and Pembrokeshire and the Laming Review are contrary to the Department's view that '.... there is no proven correlation between home education and safeguarding risk'
- 5.3.5 Furthermore, the Independent Chair of the City and Hackney Safeguarding Children's Board has lobbied the Government to introduce effective legislation since December 2014, when he suggested that the issues arising from UES should be addressed by specific, focused legislation. Subsequently, the Chair has escalated this matter to the Secretary of State for Education, and has raised it with Lord Agnew of Oulton, Parliamentary Under Secretary of State for the School System.

6. Conclusion

- 6.1 This executive response and the strategy for working with unregistered educational settings will be submitted to the CYP Scrutiny Commission in the autumn term. An action plan for implementing the strategy will be established.
- 6.2 The strategy sets out a considered approach to working with unregistered educational settings in the borough. It recognises the value of co-production and constructive engagement with community groups. It also sets out our determination to ensure that every child in Hackney receives the appropriate educational opportunities in a safe, secure and suitable environment.
- 6.3 The strategy makes clear - as does each of our responses to the Commission's recommendations - that we take seriously our commitment to doing everything within our power to ensure the safety and wellbeing of all children and young people in Hackney.
- 6.4 We are committed to implementing the strategy. Ultimately, however, as we make clear in this report, it is for the Government to provide the necessary legislative powers to enable the Council to fulfil our responsibilities, including intervening in unregistered schools and settings to ensure children are safe and well.

7. EXECUTIVE RESPONSE TO SCRUTINY COMMISSION RECOMMENDATIONS

Recommendation	Response
<p>Recommendation One: Unregistered Educational Settings Strategy</p> <p>To formalise and build on the work that has already been undertaken locally, it is recommended that the Council develop and publish a strategy that clearly sets out its approach to UES in the borough. Such a strategy will help to develop a comprehensive, consistent and transparent approach to UES, particularly within the Orthodox Jewish Community in Hackney</p>	<p>A strategy has been developed, setting out the Council's approach to Unregistered Educational Settings (UES) in the borough. This is attached as Appendix 1 to this report.</p> <p>The aim of the strategy brings together many strands of work ongoing across the Council.</p> <p>Its aim is for all educational settings in Hackney to be registered, and have clear safeguarding processes in place that are open to external validation, in line with other settings in the borough.</p> <p>The Council and partner agencies have legal duties to ensure that children in Hackney are taught in safe and hygienic conditions, that there are rigorous safeguarding protocols in place, that their well-being is promoted and that the curriculum taught conforms to agreed standards. It makes clear the Council recognises the importance of collaboration and co-production with community groups in the borough.</p> <p>The Council will work with partner agencies and community groups to ensure that all children and young people in Hackney receive appropriate educational opportunities in safe and suitable environments, and are supported to have the best possible start in life, learning the skills to support their transition to adulthood within a modern Britain.</p> <p>To this end, the Council will continue to follow its legal duties to liaise with Ofsted and the Department for Education regarding unregistered educational settings.</p> <p>The strategy outlines the benefits of registration for educational settings, and how these help achieve the overarching aim that children and young people who attend any setting in Hackney are safe and receiving an appropriate education.</p> <p>The Council will continue to encourage unregistered educational settings to register as schools to:</p> <ul style="list-style-type: none"> (i) Operate legally as education establishments, (ii) Be open to independent external validation, for example through inspections by the Independent Schools Inspectorate (ISI) or Ofsted,

Recommendation	Response
	<p>(iii) Be clear about expectations regarding safeguarding,</p> <p>(iv) Ensure the curriculum taught conforms to agreed standards which will support with raising educational outcomes for children and young people,</p> <p>(v) Ensure educational settings share information with the local authority about the number of pupils and pupil destinations (in line with other schools in the borough) to allow for improved planning, safeguarding and support for children,</p> <p>(vi) Ensure schools and settings in any community meet national safeguarding standards and processes that other schools comply with (for example as outlined in the statutory guidance documents - Working Together to Safeguard Children and Keeping Children Safe in Education).</p>
<p>Recommendation Two: Charedi Orthodox Jewish community developing cooperation with the Local Safeguarding Children Board to establish a safeguarding process</p> <p>Whilst the Commission acknowledges the challenges in developing meaningful engagement and involvement with the Charedi Orthodox Jewish community, this remains the only way to secure consensual and lasting change and to bring UES into regulatory compliance in Hackney. The Commission therefore recommend that engagement efforts are renewed, and that a contact group be established between Community leaders, including the Union of Orthodox Hebrew Congregations, Interlink, Head Teachers of Registered Independent Schools and Chief Rabbis of all Charedi sects operating yeshivas in Hackney, and the City and Hackney Safeguarding Children Board (or its equivalent successor organisation) to support the development of a safeguarding reassurance process.</p> <p>The establishment of such a contact group would help to build trust and confidence, and demonstrate a commitment to improve understanding of those issues pertaining to UES and to develop shared solutions to improved safeguarding arrangements for children that attend such settings. It is recommended that the contact group:</p> <p>a. Is led by the Independent Chair of the Safeguarding Board and therefore free from</p>	<p>The Independent Chair of the City & Hackney Safeguarding Children Board, Jim Gamble QPM, has agreed to this recommendation. Actions are underway to establish the contact group and engage relevant partners/individuals.</p> <p>The Chair and Senior Professional Advisor, Rory McCallum, have met with Mr Myer Rothfeld to further discuss the proposals for a safeguarding reassurance process in UES, which, consistent with this recommendation, will form the basis of the functions and outcomes that the contact group will seek to achieve.</p> <p>Mr Rothfeld is a member of the Union of Orthodox Hebrew Congregations (UOHC) executive committee. In a letter from the Registrar of the Rabbinate of the UOHC, the CHSCB was advised that Mr Rothfeld had been nominated to “circularise all Synagogues, Hasidic Congregations and Study Centres, and to provide logistical advice.....and to ensure that everyone is aware of your requirements.”</p> <p>The meeting was helpful and Mr Gamble has subsequently written to Mr Rothfeld with the proposals originally shared with community leaders in March 2018. Mr Gamble remains keen to develop these with input via the contact group, but has requested Mr Rothfeld have an early discussion with relevant stakeholders and that a further meeting is arranged to consider this framework in more depth. Mr Gamble has also</p>

Recommendation	Response
<p>involvement of any other statutory body including e.g. Hackney Council, the Metropolitan Police or Ofsted;</p> <p>b. Should develop a clear remit and terms of reference which should:</p> <ol style="list-style-type: none"> i. Set out those measures that will build confidence between and among various representative including how UES will be engaged and involved; ii. Agree the nature of safeguarding standards to be established in UES (for example DBS checks on staff, staff awareness and training in safeguarding, anti-bullying, complaints procedures, whistleblowing, health and safety); iii. Identify those systems and processes that will provide assurance that identified safeguarding standards are being met within UES (e.g. health checks, piloting and peer assessment and assurance) and acknowledge that this will be an incremental process; iv. Agree key milestones and outcomes (both process and safeguarding practice) and the timeframe for their implementation within UES in Hackney. <p>c. Report back progress of its work twice yearly to the Children and Young Peoples Scrutiny Commission and annually within the City and Hackney Safeguarding Children Board Annual Report.</p>	<p>requested an opportunity to visit an UES.</p> <p>Jim Gamble attended the meeting at the DfE on 5 July. This was chaired by Lord Agnew and included Lord Pollock, Amanda Spielman and a delegation from the Charedi community, accompanied by Mr Rothfeld and a lawyer, Mr Greenberg. At this meeting, Lord Agnew made clear that legislation requiring unregistered settings to register was coming, although he did not put a timescale on when this would be introduced.</p> <p>Having established a relationship with Mr Rothfeld, the CHSCB will engage with him to encourage the community to work with LBH on safeguarding matters.</p> <p>After several follow up letters, Mr Rothfeld has agreed to meet with Jim Gamble and Rory McCallum after the Jewish holidays of Rosh Hashanah, Yom Kippur and Tabernacles. Mr Greenberg will also be contacted with an offer to discuss ways in which engagement with the Charedi community can be constructively pursued.</p> <p>Jim Gamble has agreed to the <i>Jewish Chronicle's</i> request for an interview, in which he will address the issues and progress to date.</p> <p>The guidance to parents (appendix 2 of the Cabinet Response) will be placed in the public domain.</p>
<p>Recommendation Three: Lobbying for an effective legislative framework for UES</p> <p>It is recommended that the Mayor and Chief Officers within the Council continue to robustly press the Secretary of State for Education for a more effective legislative framework for UES. Government should review its legislative timetable and produce a 'statement of intent' about how it plans to close the evident legal loopholes that allow UES to operate with impunity. Specific improvements required of such new legislation would be to:</p> <ol style="list-style-type: none"> a. Extend the definition of a school, or a part-time school, to include settings where only religious studies are taught and this is a child's main educational experience; b. Expand the powers of entry, inspection and enforcement of UES to give local authorities greater powers to regulate and improve such settings, particularly in relation to health and safety and the safeguarding of children; 	<p>The Independent Chair of the CHSCB has continued to lobby the government to introduce effective legislation. As noted above, he met with Lord Agnew at the DfE on 5 July. Lord Pollock, Amanda Spielman and a delegation from the Charedi community, accompanied by Mr Rothfeld and a lawyer, Mr Greenberg also attended. At this meeting, Lord Agnew made clear that legislation requiring unregistered settings to register was coming, although he did not put a timescale on when this would be introduced.</p> <p>For the record, this has included the Chair originally suggesting to the DfE, in December 2014, that this matter could most appropriately be addressed by drafting a specific and focused legislative instrument. Mr Gamble subsequently escalated this matter to the Secretary of State, Lord Nash and more recently, Lord Theodore Agnew, who was appointed Parliamentary Under Secretary of State for the School System on 28 September 2017.</p>

Recommendation	Response
<p>c. Improve regulation around home schooling, specifically making it a legal requirement for parents to notify the local authority if their child is being electively home educated, and additional powers for the local authority to ensure the quality of education where children are home schooled;</p> <p>d. Improved statutory guidance for how local statutory agencies work in partnership to improve safeguarding of local children (sharing of inspection data, shared intelligence);</p> <p>e. Improve statutory guidance and powers to help local authorities track those children missing from education – with a duty of cooperation among partners (see recommendation 6);</p> <p>f. Provide further clarification about the introduction of a system of regulation for out of-school settings (including for example, the maintenance of a central register and being subject to inspection and sanctions for those not meeting required standards).</p>	<p>Hackney Learning Trust has submitted a response to the DfE’s call for evidence – ‘Operating the Independent School Regulatory system’ (closing date 5th June 2018). In this submission, HLT made clear that any such guidance must be statutory in nature, and opposed the DfE’s proposal that this guidance be non-statutory. The issues regarding engagement and registration for unregistered educational settings is referenced within the HLT’s response to the call for evidence.</p> <p>With regard to the specific recommendations raised by the CYP Scrutiny Commission:</p> <p>a. Extend the definition of a school, or a part-time school, to include settings where only religious studies are taught and this is a child’s main educational experience:</p> <p>This definition would need to include all children and young people engaged in activities during what would constitute a recognised school day, and that such establishments are subject to a requirement to register. Associated challenges in regard to Elective Home Education are also considered as part of the recommendation (see section c below).</p> <p>The Working Group agreed that it was for the Government to provide a definition of a school.</p> <p>The following passage from page 33 of the Government’s Integrated Communities Strategy Green Paper published in March 2018 expresses the intent of the CYPS Scrutiny Commission’s recommendation, and locates responsibility with the government to introduce statutory guidelines:</p> <p><i>We believe that all full time independent education settings should be registered and regulated, no matter what curriculum they offer. Currently, some cannot be registered because of the restricted range of their curriculum. This is unacceptable given the need to protect the welfare and education of the children involved. We intend to amend the registration requirement for independent education settings so that all such settings which children attend full- time during the school day have to register, and we will consult in due course on detailed proposals.</i></p> <p>What is clear is that unregistered settings are operating as if they were schools. When visits to such establishments have been undertaken by officers from Ofsted and HLT, they have witnessed:</p> <p>(i) Large numbers of boys congregated</p>

Recommendation	Response
	<p>throughout the recognised school day, some of whom are clearly engaged in study;</p> <p>(ii) Evidence which would suggest the operation of a classroom – for example, desks and chairs arranged in rows; and</p> <p>(iii) Staff who appear to be managing pupils in the context of a class timetable.</p> <p>Despite this, officers from Ofsted’s Unregistered Schools Team state that they are hampered by the fact that they cannot clearly define such operations as educational activity. Hackney Learning Trust officers have been advised by the Ofsted Unregistered Schools Team that, upon further legal advice, no prosecution in regard to operating an unregistered school can take place, unless there is a clear admission from a proprietor that he is operating a school.</p> <p>b. Expand the powers of entry, inspection and enforcement of UES to give local authorities greater powers to regulate and improve such settings, particularly in relation to health and safety and the safeguarding of children:</p> <p>This recommendation needs further consideration. The local authority must be able to exercise appropriate powers in regard, for example, to safeguarding, and health and safety issues. These powers will be available to a range of Council services – Children’s Social Care, Environmental Health, Planning Enforcement, Building Control etc. However, in regard to curricular /educational matters, HLT has no powers that can be appropriately directed to this work. Ofsted, therefore, must continue to play a key role as the main agent providing intervention in this area.</p> <p>c. Improve regulation around home schooling, specifically making it a legal requirement for parents to notify the local authority if their child is being electively home educated, and additional powers for the local authority to ensure the quality of education where children are home schooled:</p> <p>Partner agencies in Hackney (HLT, Children & Family Services and CHSCB) would welcome improved regulation in this area. We are hopeful that the current Elective Home Education (EHE) Bill may go some way to addressing the long standing concerns that are shared by all local authorities, which have yet to be satisfactorily addressed.</p> <p>HLT continues to exercise a range of interventions in this area, including joint work with Children’s</p>

Recommendation	Response
	<p>Social Care where families are resistant to engagement, and School Attendance Orders (s.437 Education Act 1996) in situations where parents have no viable evidence of an effective educational programme and are resistant to placement in an appropriate mainstream setting.</p> <p>As noted, HLT has submitted a response to the DfE call for evidence in regard to Elective Home Education. HLT officers have also met with London Councils in order to inform and assist the consultation response from that group on this issue.</p> <p>In this response, HLT emphasised the following points:</p> <ul style="list-style-type: none"> • HLT respects the right of parents to educate at home; many provide a suitable educational programme, insofar as this is possible to assess and determine, given the vague nature of the existing guidance • The role of the Council is significantly undermined in this area, with all rights conferred on parents, but very few responsibilities. • The latest guidance remains passive in nature and still falls far short of what HLT and other agencies regard as being required to ensure that all children are adequately safeguarded • That the lack of legal definition in regard to efficient, suitable and full time education is unacceptable. Again, this undermines the role of the Council. • That it is impossible to know how many children may be in Elective Home Education without mandatory registration. • That (yet again) the voice of the child is not adequately referenced. • That the learning and recommendations from Serious Case Reviews in Birmingham and Pembrokeshire and the Laming Review are contrary to the Department's view that '<i>.... there is no proven correlation between home education and safeguarding risk</i>' <p>d. Improved statutory guidance for how local statutory agencies work in partnership to improve safeguarding of local children (sharing of inspection data, shared intelligence):</p> <p>There are currently Government reviews being undertaken on both Working Together and Keeping Children Safe in Education (KCSIE). Both of these will address these concerns.</p>

Recommendation	Response
	<p>e. Improve statutory guidance and powers to help local authorities track those children missing from education – with a duty of cooperation among partners (see recommendation 6):</p> <p>Effective partnerships in regard to Children Missing, and Missing from Education are already in existence and have been tested over the last several years, through a pilot Joint Targeted Area Inspection in 2015 and Hackney’s Ofsted inspection under the Single Inspection Framework in 2016.</p> <p>The HLT Children Missing Education Team continues to ensure that Hackney Learning Trust is meeting its statutory responsibilities in regard to the identification, monitoring and tracking of Children Missing/not receiving a suitable education.</p> <p>The Hackney CYPS Single Inspection Framework June/July 2016 noted:</p> <p><i>The local authority has a clear and detailed knowledge of whether children are missing from education. Local authority staff go to great lengths to identify and investigate children who are missing education and use data well to understand the key issues and monitor progress of these investigations. They also respond immediately to evidence about safeguarding issues for children missing education and involve children, families and the local authority designated officer well.</i></p> <p>CME activity is reported to HLT SLT on a Bi-annual basis</p> <p>In September 2016 amendments were made to the Pupils Registration Regulations. As a result, all schools – including Academy / Independent / Free – are required to inform the LA when they are about to remove a pupil’s name from the admissions register. Additionally, schools must also inform the LA within 5 days of registering new pupils (including at reception and the start of year 7, for independent schools only). http://www.legislation.gov.uk/ukxi/2016/792/contents/made</p> <p>f. Provide further clarification about the introduction of a system of regulation for out-of-school settings (including for example, the maintenance of a central register and being subject to inspection and sanctions for those not meeting required standards).</p> <p>We await the outcome of the Government’s consultation: <i>Operating the Independent School regulatory System</i>. In its response, HLT</p>

Recommendation	Response
	<p>emphasised the importance of any guidance resulting from this consultation being statutory, as opposed to DfE's proposal that guidance be non-statutory. The Government will need to consider the following areas:</p> <ul style="list-style-type: none"> ▪ Registration with appropriate bodies; ▪ Disclosure and Barring checks on staff; ▪ Safer Recruitment and Safeguarding policies; and Pupil to staff ratios.
<p>Recommendation Four: Development of a local authority alliance</p> <p>It is recommended that the Council should take the lead in developing an alliance with those authorities which experience similar issues with UES. Such an alliance will facilitate the sharing of good practice and help to develop a common approach to resolving those concerns with UES. In addition, such an alliance will aid the collection of evidence and strengthen the position of those authorities to lobby for legislative change with the Secretary of State for Education and other governmental departments. To support this recommendation the Council should consider hosting a UES conference for local authorities as this will help to maintain the public profile of this issue, assist in identifying the legislative reforms required and help to identify common ways forward for local authorities</p>	<p>Hackney Council will continue to build on and develop the work currently undertaken to share information and good practice with other local authorities in England who also have experience of dealing with the particular circumstances of unregistered educational settings.</p> <p>The Council has hosted at least three discussion forums with a range of authorities to share experiences and will continue to play an instrumental role in ensuring this networking continues to find ways to share good practice, through regular on-line exchanges and, where appropriate, through focused workshops.</p> <p>Following the publication of the Scrutiny Commission's report, the Local Government Association (LGA) co-hosted with Hackney a conference on unregistered schools and home schooling. This was held on 14 June, with an opening address from the Deputy Mayor, Councillor Bramble. Sir Alan Wood chaired the event.</p> <p>This was well attended, with representatives from Ofsted and local authorities, as well as representatives from the Home Education sector. The event comprised of two panel discussions and workshops which focussed on:</p> <ul style="list-style-type: none"> (i) Integration and dealing with isolated communities and, (ii) Dealing with illegal schools. <p>The LGA will follow up some of the key findings and concerns with Government and will continue to liaise with the Council over this.</p>
<p>Recommendation Five: Improved partnership working among regulatory partners</p> <p>The Commission noted evidence of positive collaboration among regulatory partners, though it is apparent that such partnerships between the Council (Planning, Learning Trust, Children & Families and Food Safety) and statutory partners (Health & Safety Executive, Fire Service, Ofsted) could be improved and formalised to help</p>	<p>The overriding aim of partnership working must be to ensure the safeguarding of young people.</p> <p>Consequently, it has been agreed that until such time as a yeshiva becomes recognised as a separate entity from schools, the Council should use integrated multi agency approaches to:</p> <ol style="list-style-type: none"> 1. Encourage known unregistered settings to register, and 2. Require and enforce compliance with

Recommendation	Response
<p>strengthen and improve the regulatory framework for UES. To support this process, it is recommended that a Memorandum of Understanding or similarly agreed protocol is developed across these agencies to:</p> <ol style="list-style-type: none"> Identify a common approach and priorities for UES – e.g. child safeguarding; Share data and intelligence about UES across statutory partners (e.g. location, number of children in attendance, health and safety concerns etc.); Undertake joint holistic inspection and assessments of UES; Develop a coordinated response and interventions where such settings are uncovered, and do not meet regulatory standards. 	<p>statutory requirements e.g. safeguarding, health and safety, fire regulations.</p> <p>It is proposed that a small group of representatives is co-ordinated, from Police, London Fire Brigade, HLT, Hackney Planning Control, Children & Family Services (CFS) and CHSCB to discuss how each agency will work cohesively.</p> <p>The working party on unregistered educational settings will co-ordinate the work of partner agencies to address the perceived lack of statutory education, and substantial concerns about wellbeing and safety for young people attending premises that appear hazardous and unhygienic.</p> <p>This issue can only be progressed effectively if agencies work collectively, and that proprietors of unregistered establishments understand that statutory agencies are working in partnership to address this issue</p> <p>Such an approach should help proprietors of unregistered establishments, and the parents of those children who are attending such establishments better understand that they are in contravention of the law in regard to a) registered educational establishments and b) the requirement under s.7 of the Education Act 1996, in that ‘the parent of a child of compulsory school age shall cause them to receive efficient full time education suitable to age, ability, aptitude and any special educational needs that they may have, either by regular school attendance or otherwise’.</p> <p>Should parents seek to educate their child other than at school, Hackney Learning Trust will seek to establish the identity of those children so that it can assess the suitability of the educational provision and where this is not appropriate, to consider whether School Attendance Orders (s. 437 Education Act 1996) are applicable.</p> <p>The working party on unregistered educational settings will co-ordinate the work of partner agencies to address the perceived lack of statutory education, and substantial concerns about wellbeing and safety for young people attending premises that appear hazardous and unhygienic.</p>
<p>Recommendation Six: Children Missing Education</p> <p>Understanding that a significant number of Charedi Orthodox Jewish children are able to</p>	<p>a. Lobby for legislative change that legally requires parents to notify their local authority if their child is electively home educated (as in 3 above);</p>

Recommendation	Response
<p>remain outside the registered school sector and therefore unknown to the Council and other regulatory partners, the Commission recommends that the Council must improve those systems for identifying and tracking children missing from education. Improved tracking and identification processes are central to developing an informed and proportionate response to UES, and will help to establish a clearer picture of the nature and scale of UES and the children that attend them, and to guide and support regulatory and enforcement action. To this end it is recommended that the Council:</p> <ol style="list-style-type: none"> Lobby for legislative change that legally requires parents to notify their LA if their child is electively home educated (as in 3 above); In line with statutory requirements, ensure that all local Independent Schools notify the LA of those children that enter or leave the school register at standard transition points; In line with statutory requirements ensure that all local Independent Schools notify the local authority when a child leaves or is placed on the central school register outside transition points; In line with statutory guidance, raise awareness of the Council's children missing education procedures and notification processes with local agencies including schools, GPs, other health professionals (Health Visitors), clinical commissioning groups, police and other emergency services, housing agencies and voluntary sector groups; Given the possible numbers of children involved (1,000-1,500), ensure that the Children Missing Education Service is adequately resourced and supported to undertake systematic identification, tracking and enforcement procedures; With improved detection of those children missing education, introduce a more robust policy of administering enforcement notices and School Attendance Orders. 	<p>The response to recommendation three sets out in detail our position relating to a legal requirement on parents to notify the Council if they are home educating their child.</p> <p>Partner agencies in Hackney (HLT, Children & Family Services and CHSCB) would welcome improved regulation in this area. We are hopeful that the current Elective Home Education (EHE) Bill may go some way to addressing the long standing concerns that are shared by all councils, which have yet to be satisfactorily addressed.</p> <p>With regard to lobbying for legislative change, HLT has responded to the DfE call for evidence in regard to Elective Home Education. HLT has also met with London Councils in order to inform and assist the consultation response from this body on this issue.</p> <p>In drafting this response to the DfE, officers have emphasised the following points:</p> <ul style="list-style-type: none"> HLT respects the right of parents to educate at home. Many parents provide a suitable educational programme, insofar as it is possible to assess and determine this, given the vague nature of the existing guidance The role of the Council is significantly undermined in this area, with all rights conferred on parents, but very few responsibilities The latest guidance remains passive in nature and still falls far short of that required to ensure that all children are adequately safeguarded The lack of a clear legal definition in regard to what constitutes efficient, suitable and full-time education is unacceptable. This, again, undermines the role of the Council when it comes to fulfilling our responsibilities. That it is impossible to know how many children may be Electively Home Education without mandatory registration. That (yet again) the voice of the child is not adequately referenced That the learning and recommendations from Serious Case Reviews in Birmingham and Pembrokeshire and the Laming Review are contrary to the Departments view that '<i>... there is no proven correlation between home education and safeguarding risk</i>' <p>b. In line with statutory requirements, ensure that all local Independent Schools notify the local authority of those children that enter or leave the school register at standard transition points;</p> <p>These powers are already available within the</p>

Recommendation	Response
	<p>amended Pupils Registration Regulations 2016 - http://www.legislation.gov.uk/uksi/2016/792/contents/made</p> <p>Guidance has been sent to all schools within both the maintained and Registered Independent sector, providing advice to schools on the expectations placed upon them.</p> <p>c. In line with statutory requirements ensure that all local Independent Schools notify the local authority when a child leaves or is placed on the central school register outside transition points;</p> <p>These powers are already available within the amended Pupils Registration Regulations 2016 - http://www.legislation.gov.uk/uksi/2016/792/contents/made</p> <p>d. In line with statutory guidance, raise awareness of the Council’s children missing from education procedures and notification processes with local agencies including schools, GPs, other health professionals (Health Visitors), clinical commissioning groups, police and other emergency services, housing agencies and voluntary sector groups;</p> <p>Current procedures for responding to reported cases of Children Missing Education include relevant checks with Partner Agencies to ensure awareness of risk, and also to gather any further intelligence from a multi-agency perspective that will assist in determining the location of children reported as missing from education.</p> <p>e. Given the possible numbers of children involved (1,000-1,500), ensure that the Children Missing from Education Service (CME) is adequately resourced and supported to undertake systematic identification, tracking and enforcement procedures;</p> <p>This service is currently undergoing a restructure and, within that current resource level, is being considered for expansion. Given the potential for significant increases in the numbers known and referred to the Children Missing Education and Elective Home Education services, this issue will be regularly monitored.</p> <p>f. With improved detection of those children missing education, introduce a more robust policy of administering enforcement notices and School Attendance Orders.</p> <p>These powers are already available under section 437 Education Act 1996. It should be noted, however, that these powers were only ever intended to be applied in individual circumstances.</p>

Recommendation	Response
	<p>Given the significant numbers of children and young people who may be attending UES in the borough additional resources are likely to be required to administer enforcement notices on this scale.</p>
<p><u>Recommendation Seven: Relationship with registered schools within the Independent Sector</u></p> <p>Although there are limited statutory duties and responsibilities for the Council in respect of registered schools within the independent school sector, given a) the interrelationship between this sector and the children that attend them and UES and b) the number of local independent schools which are not reaching the required standards or where explicit safeguarding concerns have been raised; it is recommended that engagement and liaison with the local independent school sector by the Council should be strengthened. Improved relationships will help build links, trust, and confidence and help to establish those systems and processes which ensure local children are taught in safe conditions, that their welfare is safeguarded and they obtain the best possible educational outcomes.</p>	<p>Hackney Council will continue to engage with registered schools within the independent sector. We have already sought to establish the means by which a constructive dialogue with independent registered schools can be pursued.</p> <p>There is a standing invitation to Special Educational Needs and Disability Coordinators (SENDCOs) in these schools to attend events such as the termly SENDCO forum and annual conference that SENDCOs from the maintained sector attend. Independent schools are also encouraged to purchase traded services from HLT in the same way that maintained schools do.</p> <p>In addition to these established activities, HLT has contacted registered independent settings to discuss with them the establishment of an independent school forum.</p> <p>This forum's membership would include partner agencies, such as Public Health. The aim of this forum would be to meet – on a termly basis - to discuss issues that are of concern to the settings and which HLT may be able to advise on; and to establish lines of communication by which good practice can be shared.</p> <p>This forum will provide an opportunity for HLT to share information with settings and update them on new initiatives and expectations, such as the requirement to inform the local authority when pupils go on and off roll.</p> <p>The forum also affords independent schools the opportunity to hear of practices within the maintained sector, such as safeguarding audits, that it would be beneficial for them to adopt.</p>
<p><u>Recommendation Eight: Enabling parents within the Orthodox Jewish Community to provide challenge to UES</u></p> <p>Parents are ultimately responsible for the safety and welfare of their child and legally obliged to ensure that they are in receipt of appropriate full-time education. It is recommended therefore that the Council should engage and involve parents within the Charedi Orthodox Jewish community, to inform them of relevant statutory health and safety regulations (e.g. fire safety) and safeguarding standards (e.g. DBS checks) required for their</p>	<p>This action is being taken forward by the CHSCB's community & engagement sub group (CEG).</p> <p>A document providing guidance for parents and carers has been developed in consultation with the CEG.</p> <p>This guidance covers key issues relating to the safety of children in a range of different settings. This guidance will not be unique to UES, but is relevant in the context of setting out a range of issues that parents and carers should be aware</p>

Recommendation	Response
<p>child's schooling, with the intention of supporting parental enquiry and challenge to local UES. It is recommended that the Council should start to engage directly with parents in the Charedi community, rather than relying on intermediary bodies.</p>	<p>of, and alert to, whenever they are leaving their children in the care of an organisation.</p> <p>The Council's Communications team has provided advice on the most effective means by which this guidance note can be disseminated across the borough. It will be translated and made available in settings and in public libraries, and via social media and newspapers.</p> <p>With regard to engaging directly with parents in the Charedi community, the CHSCB hosts a Community Partnership Advisor post. This role has a specific remit to help build relationships and improve child safeguarding within the diverse range of communities that are present in Hackney.</p> <p>Developing opportunities for engagement with parents and carers within the Charedi Orthodox Jewish community has been built into the work plan for the CPA. This approach will be further defined as part of the work of the CEG sub group and the contact group which is being set up to implement the proposed safeguarding reassurance process.</p> <p>As noted to the response to Recommendation 1, Hackney Council has developed a strategy, and associated work plan, to better engage directly with members of the Charedi community on a range of issues, including education and child protection. It will work in partnership with CHSCB to do so.</p> <p>The strategy notes that collaborative work has taken place between the Council and organisations in the Orthodox Jewish community to strengthen safeguarding arrangements in some settings. Following a serious incident in Summer 2016, accredited risk assessment training sessions were run by the Council's Young Hackney Service for community organisations within the Orthodox Jewish community.</p> <p>This training included risk assessment for on and off site activities (including hazardous activities, trips and residential). Young Hackney delivered separate training for male and female cohorts as requested by Interlink, the umbrella organisation representing 200 Orthodox Jewish charities. These took place between August and December 2016. Both the men's and women's sessions were well attended and participants came from the following professional backgrounds: nurseries; primary schools; secondary schools; and auxiliary support staff from an adult SEND group.</p>
<p>Recommendation Nine: Curriculum in UES</p>	<p>The Council has established a positive working</p>

Recommendation	Response
<p>Whilst it was broadly recognised that child safeguarding must take a priority for the Council and other regulatory bodies, there was widespread recognition that specific issues with the curriculum at yeshivas remained which could not be ignored and not addressed given the marked differences in educational attainment and the work and training outcomes that result for the Orthodox Jewish Community (particularly among males).</p> <p>It is the belief of the Commission that there will be a significant benefit for the Charedi Orthodox Jewish community if English and STEM subjects (science, technology, engineering and maths) were taught in parallel with religious studies, and in advance of likely changes to legislation.</p> <p>Specifications and standards for any school curriculum, irrespective of setting, are however determined and regulated by the Department of Education and this is an area over which the Council has no powers. In addition, the Department of Education and Ofsted are responsible for inspection, compliance and enforcement of the curriculum quality and standards within all educational settings.</p> <p>In this context, the Commission recommend that the DfE and Ofsted work with the Charedi Orthodox Jewish Community to identify those processes which can lead to a pathway to compliance for UES, in which the curriculum taught is balanced, of sufficient quality and provides outcomes for children which enable them to achieve better outcomes for themselves and their families. The Commission recognise that the Council has no direct role here, but recommends that the Council should facilitate this work and help to move this issue forward wherever possible.</p>	<p>relationship with maintained Orthodox Jewish schools and will ensure that it offers support to any setting that wishes to secure the status of a registered independent school.</p> <p>HLT will continue to encourage and broker, where appropriate, contact between the DfE and the Orthodox Jewish Community to work towards UES becoming registered schools.</p> <p>In addition HLT will, where appropriate, support settings wishing to register, by signposting relevant information relating to curriculum requirements, for example, and brokering support from registered settings, linking the setting to a potential support network and providing generic advice about safeguarding audit processes.</p>
<p>Recommendation Ten: Stamford Hill Area Action Plan</p> <p>The Commission noted that the Stamford Hill Area Action Plan (SHAAP) is still in the process of development and finalisation, and as such represents an opportunity to address those education and training issues identified for the Orthodox Jewish Community within this review. It is recommended therefore that the Council ensures that the SHAAP makes sufficient provision in respect of:</p> <ul style="list-style-type: none"> ▪ Capacity of educational settings to deal with future demand from the Orthodox Jewish 	<p>The Council published a Towards a Stamford Hill Plan for consultation in 2017 https://hackney.gov.uk/stamford-hill-aap setting out the following objectives for meeting the educational and community needs of the Community in Stamford Hill:</p> <ol style="list-style-type: none"> a. build social cohesion in Stamford Hill and ensure that the plan overall facilitates integration, rather than segregation, between people of different social, ethnic and religious affiliations; b. to provide additional school places for the Stamford Hill community and to provide new opportunities for adult learning and to ensure

Recommendation	Response
<p>community;</p> <ul style="list-style-type: none"> ▪ Availability of potential sites for registered education settings; ▪ Youth employment, training and apprenticeship opportunities for young people in the areas, particularly from the Orthodox Jewish community. 	<p>that people who live and work in Stamford Hill have access to local educational, training, health and community facilities to meet their day-to-day needs.</p> <p>Over 2,000 responses were received to this consultation – these are now being considered alongside other comments made throughout the plan making process. The Council is continuing to work with the Community Panel, which is made up of representatives from the community and local councillors to prepare a further draft of the Plan which will be subject to consultation in 2018. It is anticipated that the Plan will be submitted to the Government for examination early in 2019 with adoption scheduled for later that year.</p> <p>The Plan will set out the need for registered school places, seek to identify and allocate new sites for education use and set out the policies which will be used to assess future planning applications for new registered schools and extensions to existing registered school buildings.</p> <p>Since 2012 the Council, via the Community Grants Programme, has provided funding to Shaarei Parnasah Tovah (SPT), an organisation established within the Charedi community focused on addressing unemployment within the community.</p> <p>The aim of the grant funding has been to provide a level of resource (matched by external funding sources) to enable SPT to support residents into jobs, training, apprenticeships and work placements.</p> <p>This approach recognises that the Charedi community is unlikely to engage with mainstream employment programmes, either those run in-house by the Council (Hackney Works) or run by private providers in the borough, that are commissioned by the Department for Work & Pensions (DWP) and other government agencies. This is due to cultural barriers to attending meetings with mainstream employment advisers, workshops and so on; as well as a strong desire to seek work within the Charedi community itself.</p> <p>More recently SPT, supported by the Council, have focused more specifically on helping unemployed Charedi residents (with a focus on men) to set up their own businesses. This career option is viewed as more desirable within the community than being 'employed' by a larger organisation. SPT's role is to provide a range of support, including one-to-one support and</p>

Recommendation	Response
	<p>mentoring, designed to assist residents to establish new businesses. The wider objective of this approach in economic development terms is to create new businesses in the community - which in turn will create additional employment opportunities.</p> <p>Both Interlink and SPT recognise that there is a need to provide adults (in particular young adults) with a range of vocational and practical skills that they need if they are to succeed in the world of work. Again, the focus with the Charedi community is on those skills required to set up and run their own businesses. This also recognises the significant number of Charedi young men who leave school with a lack of basic skills - specifically in IT, English and Maths.</p> <p>To this end, in recent years Interlink have received funding from HLT's Adult & Community Learning (ACL) team to run accelerated IT courses, which also incorporate basic business skills. Interlink have also previously partnered with New City College (Hackney) to run accredited AAT accountancy courses.</p> <p>Future work: The Council's Employment & Skills team will continue to work to support SPT, Interlink and the wider community to address unemployment in the Charedi community and support local economic development.</p> <p>Based on recent discussions with SPT and Interlink, areas for future development include:</p> <ul style="list-style-type: none"> (i) Increasing and broadening the number of ACL courses being run within the community. For example, to include not only IT courses, but also relevant and vocational focused maths and English courses. (ii) Supporting SPT's work around entrepreneurship and business start-ups in the community. Within the Charedi community there is a focus on businesses in the property, construction and finance sectors. SPT have identified an opportunity to support small businesses in these sectors, based on supply chain and business to business from within the community itself. Given the scale of regeneration and wider construction activities in the north of Hackney, there will also be supply chain opportunities for businesses within the Charedi community. Working with colleagues in procurement and regeneration, the Employment & Skills team will look to open up these opportunities for Charedi run businesses through networking

Recommendation	Response
	<p>and meet the buyer events.</p> <p>(iii) More broadly, the Employment & Skills team will work with stakeholders in the Charedi community, specifically SPT and Interlink, to develop a positive narrative around young people in the community successfully moving into high quality, sustained employment. As discussed above, this will focus on Charedi men who have successfully set up their own businesses which are now successfully growing. The aim of this work will be to communicate and influence the wider Charedi community around opportunities and benefits of employment and economic development.</p>

Lead Councillor: Cllr Anntoinette Bramble, Deputy Mayor

Group Director: Anne Canning, Group Director Children, Adults & Community Health

Appendices

The following documents are appendices to this report:

Appendix 1 – Hackney Council Unregistered Educational Settings Strategy

Appendix 2 - A Checklist for Parents and Carers - Safeguarding Children and Young People

Hackney Council

Unregistered Educational Settings Strategy

June 2018

Introduction

This strategy has been developed following the investigation into unregistered educational settings in Hackney by the Children and Young People Scrutiny Commission in 2017. The strategy builds on the significant work undertaken by a range of partners on this topic and clearly sets out Hackney Council's approach to unregistered educational settings in the borough.

This strategy applies to all unregistered educational settings in Hackney operated by any community group or organisation. It is recognised that currently most of these settings are within Hackney's Orthodox Jewish community.

At present, the powers of a local authority to intervene in an unregistered educational setting are limited. A key part of this strategy will be lobbying DfE to make legislative changes, whilst continuing to work closely with partner agencies and developing our relationship with local communities to convince them of benefits of registration.

Vision

The aim is for all educational settings in Hackney to be registered, and have clear safeguarding processes in place that are open to external validation, in line with other settings in the borough.

The Council recognises the importance of collaboration and co-production with community groups in the borough and will work together to ensure that all children in Hackney receive appropriate educational opportunities in safe and suitable environments to support them to have the best possible start in life and to learn the skills to support them in their successful transition to adulthood within a modern Britain.

The Council will encourage and advise settings to progress towards registration.

Approach

The Council is proud of the borough's cultural diversity and recognises and respects the traditions of all Hackney residents. This will always be balanced with the Council's priority to ensure the safety of all children in the borough. The Council, therefore, will continue to encourage unregistered educational settings to engage with the Department for Education to register as schools, whilst lobbying the government to introduce a clear regulatory framework within which unregistered educational settings can operate.

In the meantime, the Council will work with community groups and settings to develop and implement recognised safeguarding processes within unregistered institutions, for example Disclosure and Barring Service (DBS) checks for staff, and safeguarding audits through City and Hackney Safeguarding Children Board (in line with processes that other schools and settings that children attend adhere to). Parents choose to send their children to these settings and should be confident that they will be safe. The safeguarding guidance for parents and carers will help provide a level of assurance about the safety of children in these settings. This is part of the wider Council approach to engaging with Hackney's Orthodox Jewish community and co-production of safeguarding and engagement processes with the community.

The Council will continue to follow its legal duties to liaise with Ofsted and the Department for Education regarding unregistered educational settings. More details on this process are included in Appendix A. The Council will continue to call for greater clarity from the government so that we can fulfil these responsibilities.

Outlined below are the expected benefits of the registration of educational settings in Hackney. These are included to support transparency in the Council's approach to encouraging unregistered educational settings to register as schools. The overarching aim is to ensure children and young people who attend any setting in Hackney are safe and receiving an appropriate education.

To do this, the Council will continue to encourage unregistered educational settings to register as schools to:

- Operate legally as education establishments
- Be open to independent external validation, for example through inspections by the Independent Schools Inspectorate (ISI) or Ofsted
- Be clear about expectations regarding safeguarding
- Ensure the curriculum taught conforms to agreed standards which will support with raising educational outcomes for children and young people
- Ensure educational settings share information with the local authority about the number of pupils and pupil destinations (in line with other schools in the borough) to allow for improved planning, safeguarding and support for children
- Ensure schools and settings in any community meet national safeguarding standards and processes that other schools comply with (for example as outlined in the statutory guidance documents - *Working Together to Safeguard Children* and *Keeping Children Safe in Education*)

Background

Council officers and political leaders in Hackney have worked behind the scenes for a number of years to try to make progress on unregistered educational settings in the borough. These efforts have been hindered by inadequate legislation on unregistered educational settings, as well as a lack of cooperation and engagement from the proprietors of unregistered educational settings in the borough regarding safeguarding assurance, details of children and young people attending such settings during the

recognised school day, and the requirement to register with the Department for Education.

Relevant agencies in Hackney, including the Council's Children and Families Service and Planning Enforcement team, Hackney Learning Trust, and London Fire Brigade have been working together to clarify roles and responsibilities in relation to unregistered educational settings and to share relevant information. The Council has also been working with the Department for Education and Ofsted to share information, in line with its statutory duties, on identified unregistered educational settings. Joint visits to settings have taken place where appropriate. Information has also been shared with the Council's Designated Officer (formerly known as the Local Authority Designated Officer, or LADO) where relevant. This role manages allegations against people who work with children, whether paid, unpaid or volunteers.

Although there has been close collaboration across local agencies, due to the limitations in current legislation it is very difficult for local authorities and other agencies to check to ensure that children in unregistered educational settings are safe. Current legislation also fails to ensure that the local authority can ascertain which children are attending unregistered educational settings to enable discussions with parents and carers about their legal responsibility to ensure their children receive an appropriate education.

Efforts to engage with the Orthodox Jewish community to provide reassurance on the safeguarding of children and young people in unregistered educational settings have previously been unsuccessful. It is hoped that the focus on this issue through the Scrutiny Commission's report and recommendations will lead to renewed collaboration and communication with the community on unregistered educational settings.

Collaborative work has taken place between the Council and organisations in the Orthodox Jewish community to strengthen safeguarding arrangements in some settings. Following a serious incident in summer 2016, accredited risk assessment training sessions were run by the Council's Young Hackney service for community organisations within the Orthodox Jewish community. This training included risk assessment for on and off site activities (inclusive of hazardous activities, trips and residential). Young Hackney delivered separate training for male and female cohorts as requested by Interlink, an umbrella organisation representing 200 Orthodox Jewish charities. These took place between August and December 2016. Both the men's and women's sessions were well attended and participants came from the following professional backgrounds: nurseries; primary schools; secondary schools; and auxiliary support staff from an adult SEND group.

In addition, a strategic safeguarding project for Orthodox Jewish schools was piloted in 2017/18. This is a joint development between Interlink and the Council's Children and Families service and Public Health service. Content was developed by the Orthodox Jewish community to be used in Orthodox Jewish schools, both maintained and independent schools, around keeping safe and PSHE (personal, social, health and economic education). The project also includes up-skilling teachers to deal with disclosures and understanding of escalation processes and student safety training. The next stage of the project is currently being developed.

Legal duties

Hackney Council has an overriding duty to ensure the wellbeing and safety, as well as fair access to education, of all children and young people in the borough.

Further information about the specific legal powers of individual agencies in relation to unregistered educational settings is included in Appendix B.

Roles and responsibilities related to unregistered educational settings

The sections below outline a summary of the roles and responsibilities of partner agencies in relation to unregistered educational settings.

Further information related to the roles and responsibilities of agencies is included in Appendix A and Appendix B.

Children's Social Care (Hackney Children and Families Service)

It is the role of Children's Social Care to:

- investigate where they have reasonable cause to suspect that a child who lives or is found in their area is suffering, or likely to suffer, significant harm
- accompany Hackney Learning Trust officers/Ofsted in multi-agency visits to establishments where there is reasonable cause that a child is suffering or is likely to suffer significant harm
- manage and investigate allegations against staff or volunteers who work with children (in registered and unregistered educational settings) through the statutory Designated Officer role

Hackney Learning Trust (HLT)

It is the role of Hackney Learning Trust to:

- identify any establishments operating within Hackney as an unregistered provision
- undertake checks to ascertain that such premises do have children attending
- report suspected unregistered educational settings to the Department for Education (DfE). It is not for Hackney Learning Trust to definitively establish that the setting is operating as an unregistered school; that is for DfE to determine.
- ensure that guidance is available for those parents who contact Hackney Learning Trust requiring a school place, or upon notice of the closure of an independent school

The Council has no powers in regard to either registration or closure of unregistered educational settings, but is *obliged* to report any establishment that is suspected as operating as an unregistered school to the Department for Education.

Additionally, the Early Years Service within Hackney Learning Trust works within the parameters of the 'Protocol between Ofsted and Local Authorities on information sharing about child care providers' (Ofsted November 2012) which states that:

Local authorities and Family Information Services will tell Ofsted if they are aware of any provision operating without registration and registered providers who are operating outside the requirements for registration.

Department for Education (DfE)

It is the role of the Department for Education to:

- understand if unregistered educational settings are operating and whether they can be defined as schools
- review the legality of yeshivas
- commission Ofsted to undertake inspections of unregistered educational settings

Ofsted

It is the role of Ofsted to:

- inspect schools and check standards (as commissioned by the Department for Education).
- when receiving local intelligence on suspected unregistered educational settings, Ofsted will investigate, and report findings and compile an advice note for the Department for Education.

Metropolitan Police

It is the role of the Metropolitan Police to:

- assist in persuading proprietors, if necessary, that a multi-agency team should gain entry to the premises
- having gained entry if the Police have other concerns, then depending on the level of severity it may be that the Police have to consider further powers available to them

London Fire Brigade

It is the role of the London Fire Brigade to:

- respond to information provided - and undertake visits to identified premises (information from such visits will be shared with Hackney Learning Trust and Hackney Council Planning Enforcement team)
- take enforcement action, including closure of premises, if deemed unsafe

Planning Enforcement

It is the role of Planning Enforcement to:

- respond where there is a breach of planning permission that has been sought for a particular purpose.
- issue enforcement notices that can lead to prosecution where required

Environmental Health

It is the role of Environmental Health to:

- enforce The Health and Safety at Work Act in all other nursery settings not covered under the powers of the Health and Safety Executive (see below).
- enforce the Food Safety Act 1990, and attendant legislation where a food business is being run for profit or not.
- investigate initial complaints to ascertain whether food is prepared and sold safely and hygienically.
- serve food hygiene improvement notices and evoke closure powers if an imminent risk to health exists.

Health and Safety Executive

It is the role of the Health and Safety Executive to:

- enforce the Health and Safety at Work Act 1974 in all educational establishments, that are deemed a place of work. This includes pre-school, nursery schools for 3-5 year olds, as deemed by the Education Act 2014, and religious activities, including education and training, whether vocational or non-vocational.
- investigate initial complaints and decide whether to visit on appropriateness of safety and risk.
- serve safety improvement or prohibition notices to secure compliance.

Parental responsibility

Section 7 of the Education Act 1996 outlines the duty of parents to secure full time education for children of compulsory school age:

'the parent of a child of compulsory school age shall cause him/her to receive efficient full time education suitable:

(a) to age, ability, and aptitude; and

(b) any special educational needs that they may have, either by regular school attendance or otherwise'

Should parents seek to educate their child other than at school, Hackney Learning Trust will seek to establish the identity of those children so that it can assess the suitability of the educational provision and where this is not appropriate, to consider whether School Attendance Orders (Section 437 of the Education Act 1996) are applicable.

Hackney's *Elective Home Education Guidance (2015)*¹ provides more details about the duties of parents if they choose to home educate their child.

Hackney Learning Trust will provide guidance for parents who contact Hackney Learning Trust requiring a school place, or upon the closure of an independent setting (this process is outlined in Hackney Learning Trust's 2016 *Protocol for the placement of children following the closure of privately funded independent schools*²).

Section 444 of the Education Act 1996 outlines that parents are guilty of an offence if they fail to secure regular attendance at school of a registered pupil:

(1) *If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, his parent is guilty of an offence.*

(1A) *If in the circumstances mentioned in subsection (1) the parent knows that his child is failing to attend regularly at the school and fails without reasonable justification to cause him to do so, he is guilty of an offence.*

City and Hackney Safeguarding Children Board has produced guidance for parents and carers on a range of issues that they should be alert to whenever they are leaving their children in the care of an organisation. This guidance covers key issues relating to the safety of children in a range of settings (an educational setting or other organisation). This guidance will be shared with parents and carers across the borough to support them in asking relevant questions and checking the safeguarding standards of local settings.

Engagement with the community

The aim is to support the community in their commitment to safeguarding standards. Families send their children to unregistered educational settings and they should expect all organisations and settings within the community to meet these safeguarding standards. It is important to conduct a dialogue within the community more generally on safeguarding issues.

The Council is devising a strategy to better engage directly with members of the Orthodox Jewish community on a range of issues, including education and child protection.

Following the recommendations of the Children and Young People Scrutiny Commission review, a contact group is being established to develop shared solutions to improve safeguarding arrangements for children that attend settings within the Orthodox Jewish community and to build trust and confidence between settings, community leaders and the Council and partner agencies. The Scrutiny review recommended that the contact group includes the Union of Orthodox Hebrew Congregations, Interlink, headteachers of registered independent schools and the Chief Rabbis of all Charedi sects operating yeshivas in Hackney. The group will be

¹ <https://www.learningtrust.co.uk/sites/default/files/document/Elective%20Home%20Education%20Policy.pdf>

² <https://www.learningtrust.co.uk/sites/default/files/document/Protocol%20for%20the%20Placement%20of%20Children%20Following%20the%20Closure%20of%20Privately%20Funded%20Independent%20Schools.pdf>

led by the Independent Chair of City and Hackney Safeguarding Children Board (CHSCB).

An independent schools' forum is also being established with registered independent settings in the borough to discuss issues that are of concern to settings which the Council can advise on, to share information on new initiatives and expectations, and to share good practice. It is hoped that learning from this forum can also be used when engaging with unregistered educational settings.

The Council's approach to working with the Department for Education

The Council will continue to work with the community and the Government to achieve a more consistent legislative framework in relation to educational settings. Underpinning this, the Council will contribute to all Department for Education consultations related to independent educational settings and elective home education, in order to press the case for legislative changes to enable LAs to fulfil their responsibilities.

The Council will continue to meet Government and Ofsted representatives to discuss the limitations in the current regulatory framework in relation to educational settings, and to lobby for changes in the legislative framework to support local authorities and regulatory agencies to ensure children and young people are educated in safe and suitable environments.

Next steps

This strategy supports the implementation of the recommendations of the Children and Young People Scrutiny Commission review into Unregistered Educational Settings.

The officer working group will continue to meet quarterly. It will to monitor the implementation of the actions to meet the key priorities outlined in this strategy and ensure alignment with the Council's wider Borough engagement strategy.

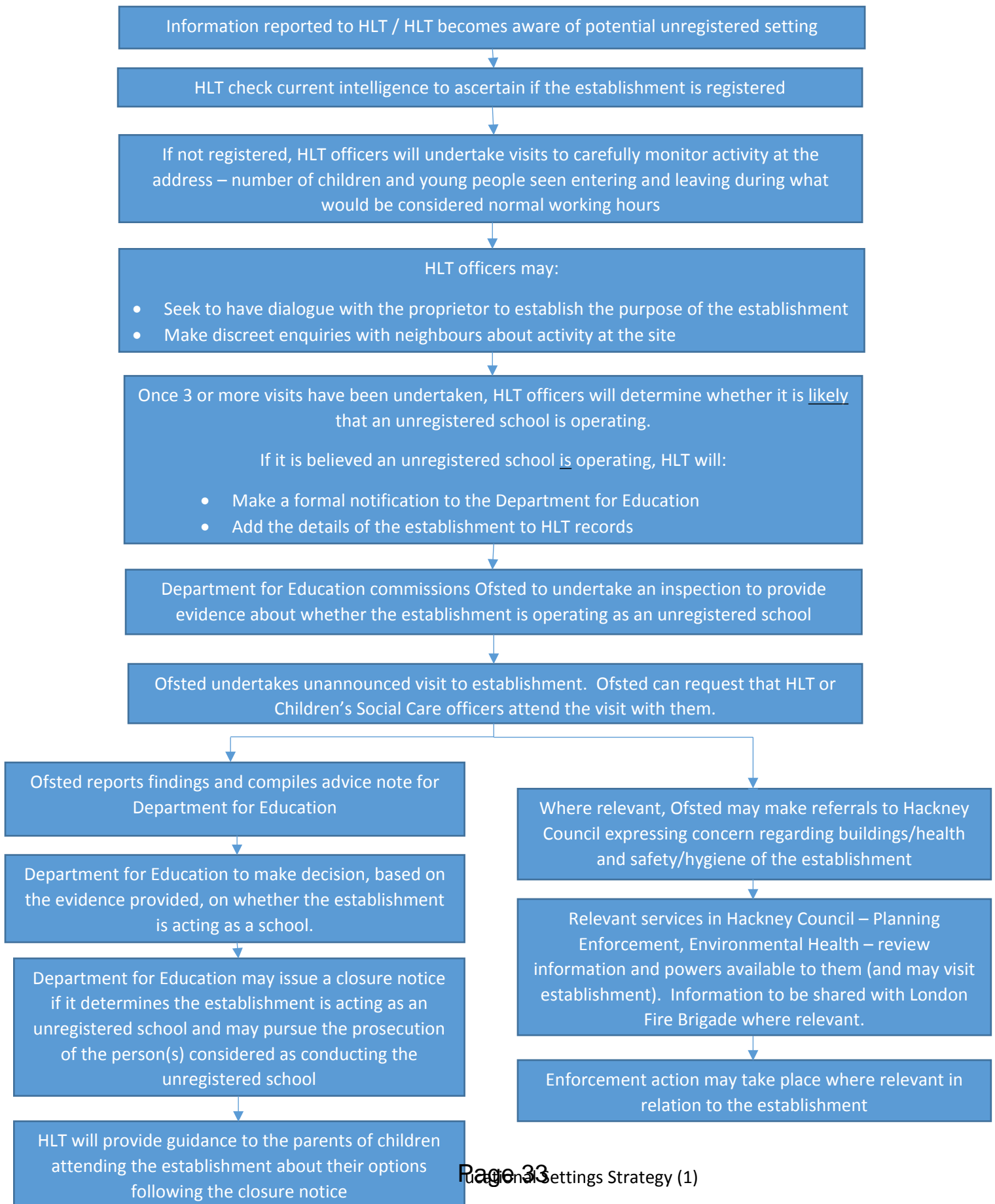
An update on progress will be submitted to the Children & Young People Scrutiny Commission on 30 April 2019.

This strategy was circulated for consultation to the following agencies during the development phase:

- Children and Families Service, LBH
- Hackney Learning Trust
- City and Hackney Safeguarding Children Board
- Policy and Partnerships, LBH
- Legal Services, LBH
- Environmental Health, LBH
- Metropolitan Police
- London Fire Brigade
- Interlink

Appendix A

Protocol when an unregistered educational setting is identified



Appendix B

Outline of legal powers of relevant agencies in relation to unregistered educational settings

Agency	Powers	Role
Ofsted	Under <u>s.97 Education and Skills Act 2008</u> Ofsted have the power to enter and inspect a premises that they believe is operating as an independent school and to establish the identity of the proprietor.	<p>Inspect schools and check standards.</p> <p>When receiving local intelligence on suspected illegal schools, Ofsted will investigate and report findings and compile an advice note for DfE.</p> <p>Responsible for collecting evidence to support prosecutions by the Crown Prosecution Service.</p>
Department for Education	Under <u>s.96 of the Education and Skills Act 2008</u> , in England a person must not conduct an independent educational institution unless it is registered. A person who does so is guilty of a criminal offence; this currently carries a maximum penalty of 6 months imprisonment and/or an unlimited fine.	<p>Make a decision, based on the evidence provided by Ofsted, on whether an establishment is acting as a school.</p> <p>May issue a closure notice if it determines an establishment is acting as an unregistered school.</p> <p>Secretary of State to consent to any prosecutions related to unregistered educational settings.</p>
Hackney Learning Trust	<p>Enforcement powers <u>s.437 Education Act 1996</u> – School Attendance Orders (if it appears that a child of compulsory school age if not receiving suitable education)</p> <p><i>(Nb. No statutory or enforceable powers regarding unregistered provision)</i></p>	<p>Co-ordinate, review and progress initial investigations of suspected unregistered schools.</p> <p>Make formal notifications to DfE about suspected unregistered schools.</p> <p>Pursue School Attendance Orders where it appears that a child of compulsory school age is not receiving statutory</p>

Agency	Powers	Role
		education.
<p>Children's Social Care</p> <p>(Hackney Children and Families Service)</p>	<p>Under s.17 of the Children Act 1989, the local authority has a general duty to safeguard and promote the welfare of children within its area who are in need and to promote the upbringing of those children by their families.</p> <p>Under s.47 of the Children Act 1989, where there is reasonable cause to suspect a child who lives or is found in their area is suffering or is likely to suffer significant harm, the local authority shall make or cause to be made such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.</p> <p>The local authority has a statutory duty to manage and investigate allegations against staff or volunteers who work with children (through the Designated Officer role).</p>	<p>To accompany Hackney Learning Trust officers/Ofsted in mutli-agency visits to establishments where there is reasonable cause that a child is suffering or is likely to suffer significant harm.</p> <p>Manage and investigtae allegations against staff or volunteers who work with children (in registerered and unregistered educational settings).</p>
<p>Metropolitan Police</p>	<p>The Police have powers under s.17 of the <u>Police and Criminal Evidence Act</u> to enter premises, or the common law power to prevent a breach of the peace where there may be imminent harm posed to life and limb.</p>	<p>Assist in persuading proprietors, if necessary, that a multi agency team should gain entry to the premises.</p> <p>If having gained entry the Police have other concerns, then depending on the level of severity it may be that the Police have to consider further powers available to them.</p>
<p>London Fire Brigade</p>	<p>Enforcement of <u>Regulatory Reform (Fire Safety) Order 2005</u> – can include closure of</p>	<p>London Fire Brigade will respond to information provided by Hackney Learning Trust and undertake</p>

Agency	Powers	Role
	premises if deemed unsafe.	visits to identified premises. Reports from such visits will be shared with Hackney Learning Trust and Hackney Council Planning Enforcement team.
LBH Planning Enforcement	<p><u>Town and Country Planning Act 1990</u>, and various subordinate acts.</p> <p>Powers to issue Stop Notices.</p> <p>Powers of entry within 24 hours if property is residential, immediate if a property is non-residential.</p>	<p>The Planning Enforcement team responds where there is a breach of planning permission that has been sought for a particular purpose.</p> <p>Enforcement Notices can lead to prosecution.</p> <p>If planning permission is granted, this would be subject to conditions such as number of people allowed to attend a premises at any given time.</p>
LBH Environmental Health	<p>Enforce the <u>Health and Safety at Work etc Act 1974</u> in all other nursery settings not covered by the Health and Safety Executive.</p> <p>Enforce the <u>Food Safety Act 1990</u>, and attendant legislation where a food business is being run for profit or not.</p>	<p>Investigate initial complaints to ascertain whether food is prepared and sold safely and hygienically.</p> <p>Serve food hygiene improvement notices and evoke closure powers if an imminent risk to health exists.</p>
Health and Safety Executive	<p>Enforce the <u>Health and Safety at Work etc Act 1974</u> in all educational establishments, that are deemed a place of work. This includes pre-school, nursery schools for 3-5 year olds, as deemed by the Education Act 2014, and religious activities, including education and training, whether vocational or non-vocational.</p>	<p>Will investigate initial complaints & decide whether to visit on appropriateness of safety and risk.</p> <p>Serve safety improvement or prohibition notices to secure compliance.</p> <p>The Health and Safety Executive is not responsible for welfare provisions of non-employees.</p>

Are you thinking of sending your child to a nursery, school, youth club or sport activity?

You can support your child to be safe by asking these questions

Most organisations working with children in the City of London and Hackney work really hard to keep children safe and have the right people, policies and practice in place to safeguard children. However, in some organisations these arrangements may not be as strong as they could be.

This checklist aims to help you to know what to ask.

PEOPLE - Are staff and volunteers suitable?

- Are all staff and volunteers recruited by interview, with references and police checks (DBS, previously called a CRB)?
- Are staff and volunteers properly supervised?
- Are staff and volunteers trained about child safeguarding?
- Do staff and volunteers have the right qualifications for the job they are doing?

POLICY – What policies and procedures are in place?

- Is there a child protection policy to deal with concerns about possible abuse? Who is the lead person to talk to if you have concerns?
- What does the organisation do about bullying?
- Is there a written code of behaviour or code of conduct for staff and volunteers?
- What are the organisation's guidelines about contact between staff, volunteers, children and parents? (both physical contact, and online contact including social media and text).
- Are there clear arrangements in place when your child goes on a trip? You should be told where they are going, what the transport arrangements are, given an emergency contact number, and you should be asked to sign to give your consent.
- Is Health and Safety taken seriously and is it effective? Is there always a qualified first aider on duty? Is there a procedure for reporting and responding to accidents? Is the building safe and secure? How do people access the facilities, is there a secure entry? Are there clear arrangements if your child needs medication? Does the organisation have public liability insurance?

PRACTICE - Be Alert!

Be aware of the following situations – they could indicate a concern that may affect your child:

- Poor communication and negative responses to the questions set out in this leaflet.
- Activities where you are discouraged from watching or from becoming involved.
- Anyone who always seems to take charge and works outside of organisational guidelines.
- Anyone showing favouritism to your child.
- Anyone encouraging inappropriate physical contact.
- Anyone promoting a “win at all costs” attitude towards a sport or activity.
- If your child is showing changes in behaviour, drops out or stops wanting to go for no apparent reason.
- Anyone who invites your child to spend time alone with them or visit their home.
- Anyone who befriends your child via social media or stays in contact for reasons not linked to the organisation.

If you are ever worried about your child (or another child), speak to a trusted professional or raise your concerns with an organisation’s governing body. Alternatively, you can contact:

Hackney First Access Screening Team (FAST) **0208 356 5500**

City of London Children & Families Team **0207 332 3621**

If you believe a child is in immediate danger, call the police on 999.

Young People Scrutiny Commission Review: Unregistered Educational Settings

Cabinet Response: July 2018

Scrutiny Commission Update: April 2019

Recommendation One	Cabinet Response July 2018	Update April 2019
<p>Unregistered Educational Settings Strategy</p> <p>To formalise and build on the work that has already been undertaken locally, it is recommended that the Council develop and publish a strategy that clearly sets out its approach to UES in the borough. Such a strategy will help to develop a comprehensive, consistent and transparent approach to UES, particularly within the Orthodox Jewish Community in Hackney</p>	<p>A strategy has been developed, setting out the Council’s approach to Unregistered Educational Settings (UES) in the borough. This is attached as Appendix 1 to the Cabinet Response.</p> <p>The strategy aims for all educational settings in Hackney to be registered, and have clear safeguarding processes in place that are open to external validation, in line with other settings in the borough.</p> <p>The Council and partner agencies have legal duties to ensure that children in Hackney are taught in safe and hygienic conditions, that there are rigorous safeguarding protocols in place, that their well-being is promoted and that the curriculum taught conforms to agreed standards.</p> <p>The Council will continue to encourage unregistered educational settings to register as schools to:</p> <p>(i) Operate legally as education establishments,</p>	

Recommendation One	Cabinet Response July 2018	Update April 2019
	<ul style="list-style-type: none"> (ii) Be open to independent external validation, for example through inspections by the Independent Schools Inspectorate (ISI) or Ofsted, (iii) Be clear about expectations regarding safeguarding, (iv) Ensure the curriculum taught conforms to agreed standards which will support with raising educational outcomes for children and young people, (v) Ensure educational settings share information with the local authority about the number of pupils and pupil destinations (in line with other schools in the borough) to allow for improved planning, safeguarding and support for children, (vi) Ensure schools and settings in any community meet national safeguarding standards and processes that other schools comply with (for example as outlined in the statutory guidance documents - Working Together to Safeguard Children and Keeping Children Safe in Education). 	

Recommendation Two	Cabinet Response July 2018	Update April 2019
<p>Charedi Orthodox Jewish community developing cooperation with the Local Safeguarding Children Board to establish a safeguarding process</p> <p>Whilst the Commission acknowledges the challenges in developing meaningful engagement and involvement with the Charedi Orthodox Jewish community, this remains the only way to secure consensual and lasting change and to bring UES into regulatory compliance in Hackney. The Commission therefore recommend that engagement efforts are renewed, and that a contact group be established between Community leaders, including the Union of Orthodox Hebrew Congregations, Interlink, Head Teachers of Registered Independent Schools and Chief Rabbis of all Charedi sects operating yeshivas in Hackney, and the City and Hackney Safeguarding Children Board (or its equivalent successor organisation) to support the development of a safeguarding reassurance process.</p> <p>The establishment of such a contact group would help to build trust and confidence, and demonstrate a commitment to improve</p>	<p>The Independent Chair of the City & Hackney Safeguarding Children Board, Jim Gamble QPM, has agreed to this recommendation. Actions are underway to establish the contact group and engage relevant partners/individuals. The CHSCB will work with LBH to ensure there is a coherent approach aligned to the Borough engagement strategy</p> <p>The Chair and Senior Professional Advisor, Rory McCallum, met with Mr Myer Rothfeld to further discuss the proposals for a safeguarding reassurance process in UES, which, consistent with this recommendation, will form the basis of the functions and outcomes that the contact group will seek to achieve.</p> <p>Jim Gamble attended a meeting at the DfE in July chaired by Lord Agnew and including Lord Pollock, Amanda Spielman and a delegation from the Charedi community, accompanied by Mr Rothfeld and a lawyer, Mr Greenberg. At this meeting, Lord Agnew made clear that legislation requiring unregistered settings to register was coming, although he did not put a timescale on when this would be introduced.</p> <p>Having established a relationship with Mr Rothfeld, the CHSCB will engage with him to encourage the community to work with LBH on safeguarding</p>	

Recommendation Two	Cabinet Response July 2018	Update April 2019
<p>understanding of those issues pertaining to UES and to develop shared solutions to improved safeguarding arrangements for children that attend such settings. It is recommended that the contact group:</p> <ul style="list-style-type: none"> a. Is led by the Independent Chair of the Safeguarding Board and therefore free from involvement of any other statutory body including e.g. Hackney Council, the Metropolitan Police or Ofsted; b. Should develop a clear remit and terms of reference which should: <ul style="list-style-type: none"> i. Set out those measures that will build confidence between and among various representative including how UES will be engaged and involved; ii. Agree the nature of safeguarding standards to be established in UES (for example DBS checks on staff, staff awareness and training in safeguarding, anti-bullying, 	<p>matters.</p> <p>After several follow-up letters, Mr Rothfeld has agreed to meet with Jim Gamble and Rory McCallum after the Jewish holidays of Rosh Hashanah, Yom Kippur and Tabernacles. Mr Greenberg will also be contacted with an offer to discuss ways in which engagement with the Charedi community can be constructively pursued.</p> <p>Jim Gamble has agreed to the <i>Jewish Chronicle's</i> request for an interview, in which he will address the issues and progress to date.</p> <p>The guidance to parents (appendix 2 of the Cabinet Response) will be placed in the public domain.</p>	

Recommendation Two	Cabinet Response July 2018	Update April 2019
<p>complaints procedures, whistleblowing, health and safety);</p> <p>iii. Identify those systems and processes that will provide assurance that identified safeguarding standards are being met within UES (e.g. health checks, piloting and peer assessment and assurance) and acknowledge that this will be an incremental process;</p> <p>iv. Agree key milestones and outcomes (both process and safeguarding practice) and the timeframe for their implementation within UES in Hackney.</p> <p>Report back progress of its work twice yearly to the Children and Young Peoples Scrutiny Commission and annually within the City and Hackney Safeguarding Children Board Annual Report.</p>		

Recommendation Three	Cabinet Response July 2018	Update April 2019
<p>Lobbying for an effective legislative framework for UES</p> <p>It is recommended that the Mayor and Chief Officers within the Council continue to robustly press the Secretary of State for Education for a more effective legislative framework for UES. Government should review its legislative timetable and produce a ‘statement of intent’ about how it plans to close the evident legal loopholes that allow UES to operate with impunity. Specific improvements required of such new legislation would be to:</p> <ul style="list-style-type: none"> a. Extend the definition of a school, or a part- time school, to include settings where only religious studies are taught and this is a child’s main educational experience; b. Expand the powers of entry, inspection and enforcement of UES to give local authorities greater powers to regulate and improve such 	<p>The Independent Chair of the CHSCB has continued to lobby the government to introduce effective legislation. As noted above, he met with Lord Agnew at the DfE in July. Lord Pollock, Amanda Spielman and a delegation from the Charedi community, accompanied by Mr Rothfeld and a lawyer, Mr Greenberg also attended. At this meeting, Lord Agnew made clear that legislation requiring unregistered settings to register was coming, although he did not put a timescale on when this would be introduced.</p> <p>Hackney Learning Trust has submitted a response to the DfE’s call for evidence – ‘Operating the Independent School Regulatory system’ (closing date 5th June 2018). In this submission, HLT made clear that any such guidance must be statutory in nature, and opposed the DfE’s proposal that this guidance be non-statutory. The issues regarding engagement and registration for unregistered educational settings is referenced within the HLT’s response to the call for evidence.</p> <p>Actions taken in response to the specific recommendations raised by the CYP Scrutiny</p>	

Recommendation Three	Cabinet Response July 2018	Update April 2019
<p>settings, particularly in relation to health and safety and the safeguarding of children;</p> <p>c. Improve regulation around home schooling, specifically making it a legal requirement for parents to notify the local authority if their child is being electively home educated, and additional powers for the local authority to ensure the quality of education where children are home schooled;</p> <p>d. Improved statutory guidance for how local statutory agencies work in partnership to improve safeguarding of local children (sharing of inspection data, shared intelligence);</p> <p>e. Improve statutory guidance and powers to help local authorities track those children missing from education – with a duty of cooperation among partners (see recommendation 6);</p> <p>f. Provide further clarification about the introduction of a system of regulation</p>	<p>Commission are detailed in the Cabinet Response.</p>	

Recommendation Three	Cabinet Response July 2018	Update April 2019
for out of-school settings (including for example, the maintenance of a central register and being subject to inspection and sanctions for those not meeting required standards).		

Recommendation Four	Cabinet Response July 2018	Update April 2019
<p>Development of a local authority alliance</p> <p>It is recommended that the Council should take the lead in developing an alliance with those authorities which experience similar issues with UES. Such an alliance will facilitate the sharing of good practice and help to develop a common approach to resolving those concerns with UES. In addition, such an alliance will aid the collection of evidence and strengthen the position of those authorities to lobby for legislative change with the Secretary of State for Education and other governmental departments. To support this recommendation the Council should consider hosting a UES conference for local authorities</p>	<p>Hackney Council will continue to build on and develop the work currently undertaken to share information and good practice with other local authorities in England who also have experience of dealing with the particular circumstances of unregistered educational settings.</p> <p>The Council has hosted at least three discussion forums with a range of authorities to share experiences and will continue to play an instrumental role in ensuring this networking continues to find ways to share good practice, through regular on-line exchanges and, where appropriate, through focused workshops.</p> <p>Following the publication of the Scrutiny</p>	

Recommendation Four	Cabinet Response July 2018	Update April 2019
<p>as this will help to maintain the public profile of this issue, assist in identifying the legislative reforms required and help to identify common ways forward for local authorities</p>	<p>Commission's report, the Local Government Association (LGA) co-hosted with Hackney a conference on unregistered schools and home schooling. This was held on 14 June, with an opening address from the Deputy Mayor, Councillor Bramble. Sir Alan Wood chaired the event.</p> <p>This was well attended, with representatives from Ofsted and local authorities, as well as representatives from the Home Education sector. The event comprised of two panel discussions and workshops which focussed on:</p> <ul style="list-style-type: none"> (i) Integration and dealing with isolated communities and, (ii) Dealing with illegal schools. <p>The LGA will follow up some of the key findings and concerns with Government and will continue to liaise with the Council over this.</p>	

Recommendation Five	Cabinet Response July 2018	Update April 2019

Recommendation Five	Cabinet Response July 2018	Update April 2019
<p>Improved partnership working among regulatory partners</p> <p>The Commission noted evidence of positive collaboration among regulatory partners, though it is apparent that such partnerships between the Council (Planning, Learning Trust, Children & Families and Food Safety) and statutory partners (Health & Safety Executive, Fire Service, Ofsted) could be improved and formalised to help strengthen and improve the regulatory framework for UES. To support this process, it is recommended that a Memorandum of Understanding or similarly agreed protocol is developed across these agencies to:</p> <ol style="list-style-type: none"> a. Identify a common approach and priorities for UES – e.g. child safeguarding; b. Share data and intelligence about UES across statutory partners (e.g. location, number of children in attendance, health and safety concerns etc.); c. Undertake joint holistic inspection 	<p>The overriding aim of partnership working must be to ensure the safeguarding of young people.</p> <p>Consequently, it has been agreed that until such time as a yeshiva becomes recognised as a separate entity from schools, the Council should use integrated multi agency approaches to:</p> <ol style="list-style-type: none"> 1. Encourage known unregistered settings to register, and 2. Require and enforce compliance with statutory requirements e.g. safeguarding, health and safety, fire regulations. <p>It is proposed that a small group of representatives is co-ordinated, from Police, London Fire Brigade, HLT, Hackney Planning Control, Children & Family Services (CFS) and CHSCB to discuss how each agency will work cohesively.</p> <p>The working party on unregistered educational settings will co-ordinate the work of partner agencies to address the perceived lack of statutory education, and substantial concerns about wellbeing and safety for young people attending premises that appear hazardous and unhygienic.</p>	

Recommendation Five	Cabinet Response July 2018	Update April 2019
<p>and assessments of UES;</p> <p>Develop a coordinated response and interventions where such settings are uncovered, and do not meet regulatory standards.</p>		

Recommendation Six	Cabinet Response July 2018	Update April 2019
<p>Children Missing Education</p> <p>Understanding that a significant number of Charedi Orthodox Jewish children are able to remain outside the registered school sector and therefore unknown to the Council and other regulatory partners, the Commission recommends that the Council must improve those systems for identifying and tracking children missing from education. Improved tracking and identification processes are central to developing an informed and proportionate response to UES, and will help to establish a clearer picture of the nature and scale of UES and the children that attend them, and to guide and support regulatory and enforcement action. To this end it is</p>	<p>HLT responded to the DfE call for evidence in regard to Elective Home Education. HLT has also met with London Councils in order to inform and assist the consultation response from this body on this issue. In drafting this response to the DfE, officers have emphasised the following points:</p> <ul style="list-style-type: none"> • HLT respects the right of parents to educate at home. Many parents provide a suitable educational programme, insofar as it is possible to assess and determine this, given the vague nature of the existing guidance • The role of the Council is significantly undermined in this area, with all rights conferred on parents, but very few responsibilities 	

Recommendation Six	Cabinet Response July 2018	Update April 2019
<p>recommended that the Council:</p> <p>a. Lobby for legislative change that legally requires parents to notify their LA if their child is electively home educated (as in 3 above);</p> <p>b. In line with statutory requirements, ensure that all local Independent Schools notify the LA of those children that enter or leave the school register at standard transition points;</p> <p>c. In line with statutory requirements ensure that all local Independent Schools notify the local authority when a child leaves or is placed on the central school register outside transition points;</p> <p>d. In line with statutory guidance, raise awareness of the Council's children missing education procedures and notification processes with local agencies including schools, GPs, other health professionals (Health Visitors), clinical commissioning groups, police and other emergency services, housing agencies and voluntary sector groups;</p>	<ul style="list-style-type: none"> • The latest guidance remains passive in nature and still falls far short of that required to ensure that all children are adequately safeguarded • The lack of a clear legal definition in regard to what constitutes efficient, suitable and full- time education is unacceptable. This, again, undermines the role of the Council when it comes to fulfilling our responsibilities. • That it is impossible to know how many children may be Electively Home Education without mandatory registration. • That (yet again) the voice of the child is not adequately referenced • That the learning and recommendations from Serious Case Reviews in Birmingham and Pembrokeshire and the Laming Review are contrary to the Departments view that '<i>... there is no proven correlation between home education and safeguarding risk</i>' <p>Actions taken in response to the specific recommendations raised by the CYP Scrutiny Commission are detailed in the Cabinet Response.</p>	

Recommendation Six	Cabinet Response July 2018	Update April 2019
<p>e. Given the possible numbers of children involved (1,000-1,500), ensure that the Children Missing Education Service is adequately resourced and supported to undertake systematic identification, tracking and enforcement procedures;</p> <p>With improved detection of those children missing education, introduce a more robust policy of administering enforcement notices and School Attendance Orders.</p>		

Recommendation Seven	Cabinet Response July 2018	Update April 2019
<p>Relationship with registered schools within the Independent Sector</p> <p>Although there are limited statutory duties and responsibilities for the Council in respect of registered schools within the independent school sector, given a) the interrelationship between this sector and the children that</p>	<p>Hackney Council will continue to engage with registered schools within the independent sector. We have already sought to establish the means by which a constructive dialogue with independent registered schools can be pursued.</p> <p>There is a standing invitation to Special Educational Needs and Disability Coordinators (SENDCOs) in these</p>	

Recommendation Seven	Cabinet Response July 2018	Update April 2019
<p>attend them and UES and b) the number of local independent schools which are not reaching the required standards or where explicit safeguarding concerns have been raised; it is recommended that engagement and liaison with the local independent school sector by the Council should be strengthened. Improved relationships will help build links, trust, and confidence and help to establish those systems and processes which ensure local children are taught in safe conditions, that their welfare is safeguarded and they obtain the best possible educational outcomes.</p>	<p>schools to attend events such as the termly SENDCO forum and annual conference that SENDCOs from the maintained sector attend. Independent schools are also encouraged to purchase traded services from HLT in the same way that maintained schools do.</p> <p>In addition to these established activities, HLT has contacted registered independent settings to discuss with them the establishment of an independent school forum.</p> <p>This forum's membership would include partner agencies, such as Public Health. The aim of this forum would be to meet – on a termly basis - to discuss issues that are of concern to the settings and which HLT may be able to advise on; and to establish lines of communication by which good practice can be shared.</p> <p>This forum will provide an opportunity for HLT to share information with settings and update them on new initiatives and expectations, such as the requirement to inform the local authority when pupils go on and off roll.</p> <p>The forum also affords independent schools the opportunity to hear of practices within the maintained sector, such as safeguarding audits, that</p>	

Recommendation Seven	Cabinet Response July 2018	Update April 2019
	it would be beneficial for them to adopt.	

Recommendation Eight	Cabinet Response July 2018	Update April 2019
<p>Enabling parents within the Orthodox Jewish Community to provide challenge to UES</p> <p>Parents are ultimately responsible for the safety and welfare of their child and legally obliged to ensure that they are in receipt of appropriate full-time education. It is recommended therefore that the Council should engage and involve parents within the Charedi Orthodox Jewish community, to inform them of relevant statutory health and safety regulations (e.g. fire safety) and safeguarding standards (e.g. DBS checks) required for their child's schooling, with the intention of supporting parental enquiry and challenge to local UES. It is recommended that the Council should start to engage directly with parents in the Charedi community, rather than relying on</p>	<p>This action is being taken forward by the CHSCB's community & engagement sub group (CEG).</p> <p>A document providing guidance for parents and carers has been developed in consultation with the CEG.</p> <p>This guidance (appendix 2 to the Cabinet Response) covers key issues relating to the safety of children in a range of different settings. This guidance will not be unique to UES, but is relevant in the context of setting out a range of issues that parents and carers should be aware of, and alert to, whenever they are leaving their children in the care of an organisation.</p>	

Recommendation Eight	Cabinet Response July 2018	Update April 2019
intermediary bodies.		

Recommendation Nine	Cabinet Response July 2018	Update April 2019
<p>Curriculum in UES</p> <p>Whilst it was broadly recognised that child safeguarding must take a priority for the Council and other regulatory bodies, there was widespread recognition that specific issues with the curriculum at yeshivas remained which could not be ignored and not addressed given the marked differences in educational attainment and the work and training outcomes that result for the Orthodox Jewish Community (particularly among males).</p> <p>It is the belief of the Commission that there will be a significant benefit for the Charedi Orthodox Jewish community if English and</p>	<p>The Council has established a positive working relationship with maintained Orthodox Jewish schools and will ensure that it offers support to any setting that wishes to secure the status of a registered independent school.</p> <p>HLT will continue to encourage and broker, where appropriate, contact between the DfE and the Orthodox Jewish Community to work towards UES becoming registered schools.</p> <p>In addition HLT will, where appropriate, support settings wishing to register, by signposting relevant information relating to curriculum requirements, for example, and brokering support from registered settings, linking the setting to a potential support network and providing generic advice about</p>	

Recommendation Nine	Cabinet Response July 2018	Update April 2019
<p>STEM subjects (science, technology, engineering and maths) were taught in parallel with religious studies, and in advance of likely changes to legislation.</p> <p>Specifications and standards for any school curriculum, irrespective of setting, are however determined and regulated by the Department of Education and this is an area over which the Council has no powers. In addition, the Department of Education and Ofsted are responsible for inspection, compliance and enforcement of the curriculum quality and standards within all educational settings.</p> <p>In this context, the Commission recommend that the DfE and Ofsted work with the Charedi Orthodox Jewish Community to identify those processes which can lead to a pathway to compliance for UES, in which the curriculum taught is balanced, of sufficient quality and provides outcomes for children which enable them to achieve better outcomes for themselves and their families. The Commission recognise that the Council has no direct role here, but recommends that the Council should facilitate this work and help to</p>	safeguarding audit processes.	

Recommendation Nine	Cabinet Response July 2018	Update April 2019
move this issue forward wherever possible.		

Recommendation Ten	Cabinet Response July 2018	Update April 2019
<p>Stamford Hill Area Action Plan</p> <p>The Commission noted that the Stamford Hill Area Action Plan (SHAAP) is still in the process of development and finalisation, and as such represents an opportunity to address those education and training issues identified for the Orthodox Jewish Community within this review. It is recommended therefore that the Council ensures that the SHAAP makes sufficient provision in respect of:</p> <ul style="list-style-type: none"> ▪ Capacity of educational settings to deal with future demand from the Orthodox Jewish community; ▪ Availability of potential sites for registered education settings; <p>Youth employment, training and apprenticeship opportunities for young</p>	<p>The Council published a Towards a Stamford Hill Plan for consultation in 2017 https://hackney.gov.uk/stamford-hill-aap setting out the objectives for meeting the educational and community needs of the Community in Stamford Hill.</p> <p>The Plan aims to build social cohesion in Stamford Hill and facilitates integration, rather than segregation, between people of different social, ethnic and religious affiliations.</p> <p>It also seeks to provide additional school places for the Stamford Hill community, providing new opportunities for adult learning and to ensure that people who live and work in Stamford Hill have access to local educational, training, health and community facilities to meet their day-to-day needs.</p> <p>The Plan will set out the need for registered school places, seek to identify and allocate new sites for education use and set out the policies which will be</p>	

Recommendation Ten	Cabinet Response July 2018	Update April 2019
people in the areas, particularly from the Orthodox Jewish community	used to assess future planning applications for new registered schools and extensions to existing registered school buildings.	

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Children and Young People Scrutiny Commission 20 th September 2018 Item 5 – Executive Response to Recruitment and Support to Foster Carers review	Item No 5
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Outline

In 2017/18 the Children and Young People Scrutiny Commission carried out a review of recruitment and support to foster carers. The review was primarily conducted through a scrutiny-in-a-day exercise, which allowed a short but focused review of the evidence.

For this review the Commission set itself the following objective:

‘To identify and assess the challenges which impede the recruitment and retention of foster carers in Hackney and to identify those policies and practices which can help to overcome them.’

The report attached is the London Borough of Hackney Executive’s response to the Commission’s review – Recruitment and Support to Foster Carers review

Link to full review report: <https://hackney.gov.uk/cypsc-reviews>

Action

The Commission is asked to note the response.

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Cabinet Response to the Children and Young People Scrutiny Commission Review into the Recruitment and Retention of Foster Carers in Hackney**Key Decision No. Not a Key Decision**

CABINET MEETING DATE (2018/19) 16 July 2018	CLASSIFICATION: Open
WARD(S) AFFECTED All Wards	
CABINET MEMBER Cllr Bramble Deputy Mayor	
KEY DECISION No	
GROUP DIRECTOR Anne Canning Group Director Children Adults and Community Health	

1. Introduction

- 1.1. Understanding that it is vitally important that our children and young people feel safe, secure, valued, and listened to. We recently reconfirmed our ongoing commitment to giving all our young people the best start in life.
- 1.2. Part of that recommitment is a recognition of the incredibly important role that foster carers can play in the lives of many children. In Hackney we work hard to ensure that our fostered children are valued, supported and encouraged to grow and develop as individuals. To support this our Fostering Service is committed to recruiting, training, and approving foster carers, and delivering ongoing support to them.
- 1.3. The Scrutiny Report rightly highlights the great work that has been done by many of our residents who have become foster carers. It is an immense commitment, but one that with great reward for the carers and our children and young people. The report also rightly commends the work of our Fostering Service, whose efforts provide so many with so much support.
- 1.4. The report is also correct to highlight the difficulty that local authorities have in recruiting and retaining enough carers to fulfil a growing need. However, as this response indicates, our service is currently reviewing the service we provide, and the timely work of the Scrutiny Commission, and the recommendations that they have made, will help inform the new services and strategies that are developed to ensure we are able to fulfil our commitment.
- 1.5. I commend this report to Cabinet.

2. Recommendation

- 2.1. The Cabinet is asked to approve the content of this response.

Executive Response to the Scrutiny Recommendations

Recommendation One	
<p>It is recommended that when the local looked after children sufficiency strategy is updated, measures to ensure the retention of foster carers are included which:</p> <ul style="list-style-type: none">(i) Provide for individualised training programmes for in-house foster carers;(ii) Are informed by regular surveys and consultations with foster carers where such information will help to identify where the local support offer is sufficient and what could be improved;(iii) Are informed by systematic exit interviews conducted with all those foster carers who deregister from the in-house service, to help identify those trends or patterns which may impact on a decision to leave;(iv) Are underpinned by a package of remuneration which is regularly benchmarked against other neighbouring local authorities;(v) Ensure that foster carers are provided with training and development opportunities which enable them to progress through the foster carer banding system so that each year (at least): - 8 level 1 carers progress to level 2; and - 4 level 2 carers progress to level 3(vi) Set out how to increase the number of in-house foster carers that are trained to become Foster Carer Ambassadors from 6 to 12.(vii) Ensure that foster carers who are the subject of allegations or concerns about their practice or standards of care should have access to independent support to assist them to clarify the stages of the procedure and help them to represent their point of	<p>The current Sufficiency Strategy was published in 2016 and will be refreshed in 2019. The Sufficiency Strategy action plan is regularly reviewed and monitored. The Commission's recommendations are helpful and additional actions will be added to the Sufficiency Strategy action plan based on the recommendations, and incorporated into the refreshed Sufficiency Strategy in 2019.</p> <p>As a result of changes to policy brought in by this Executive, an extensive training programme is currently provided to Hackney in-house foster carers. The next published Foster Carer training programme will be available in September 2018. Recommendations for training will start to be incorporated into the foster carer training programme from June 2018 where appropriate.</p>

<p>view;</p> <p>(viii) Ensure that there is sufficient respite (in respect of duration and quality) for foster carers.</p>	
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<p>Recommendation Two</p> <p>It is recommended that the Fostering Service should develop a new, ambitious and long-term local foster carer recruitment strategy. This strategy should:</p> <ul style="list-style-type: none"> (i) Be informed by a local needs analysis of its population of looked after children to determine the types of care placements required and the skills and experience required of foster carers (e.g. those looking after teenagers, complex needs and SEND); (ii) Set ambitious targets for the recruitment of in-house foster carers in the short, medium and long term: 23 new recruits per year should be the new target. (iii) Adopt an 'Always Be Recruiting' approach, which seeks to maximise Hackney Fostering Service presence, engagement and recruitment at all council and other local events; (iv) Seek to encompass and target under-represented groups, who may not traditionally associate themselves with fostering or do not feel that they have the right skills or experience (e.g. the childless, under 35s, single people, men and the LGBTQi community); (v) Develop recruitment campaigns which focus on the specific needs of looked after children and the required skills of foster carers (e.g. teenagers, complex needs, parent and child); (vi) Maximise the use of word of 	<p>The current foster carer recruitment strategy will be reviewed in May 2018 and the Commission's recommendations will be incorporated into the updated strategy</p> <p>An update will be provided to the Commission in the Autumn.</p>
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<p>mouth interventions, such as through the Foster Carer Ambassadors scheme;</p> <p>(vii) Ensure that there is a dedicated and high profile on-line foster carer recruitment presence (given the importance of this and the limited local resource, it should be explored whether this function could be provided jointly across participating boroughs in the North London Adoption and Fostering Consortium);</p> <p>(viii) Ensure that recruitment campaigns are responsive and enquiries for in-house foster carers are dealt with promptly (at the latest, the next day).</p> <p>(ix) Seek to refocus recruitment across a broader range of housing tenures, seeking potential recruits in both the privately owned and privately rented sector (where there may be greater housing capacity).</p>	
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<p>Recommendation Three</p> <p>The Commission understands that the Council has been running a pilot scheme offering up to 4 larger properties to experienced foster carers to enable them to take on additional placements of looked after children. It would be beneficial if this scheme was formalised and agreed, reflecting approaches taken in the neighbouring boroughs of Camden and Islington.</p> <p>It is therefore recommended that the Council:</p> <p>(a) Allocate 4 larger (2-4 bedroom) properties to the Fostering Service each year to enable experienced, long term foster</p>	<p>Hackney Fostering Service is in the process of formalising this scheme with colleagues from the Council's Benefits and Housing Needs Service and will explore the feasibility of the recommendation by June 2018. An update will be provided to the</p>
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<p>carers to provide additional placements, particularly for teenagers (as per the Camden model);</p> <p>(b) Give priority to adult children in foster carer households in local social housing allocation policies, to enable foster carers to take on additional placements for looked after children (as per the Islington model).</p>	<p>Commission in 6 months.</p> <p>Hackney Fostering Service will explore this further with the Council's Benefits and Housing Needs Service. An update will be provided to the Commission in 6 months.</p>
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<p>Recommendation Four</p> <p>To bring the Hackney offer into line with other north east London boroughs (e.g. Waltham Forest, Redbridge), the Council should consider the introduction of a Council Tax reduction scheme for foster carers. Such a scheme should:</p> <p>(a) Reflect a level of discount commensurate to the experience and longevity of foster carers (e.g. in alignment with the current banding system e.g. 33% for level 1, 66% for level 2 and 100% for level 3);</p> <p>(b) Provide greater discounts for the care of looked after children who are difficult to match to suitable placements (e.g. children aged 13-17, or parent and child placements);</p> <p>(c) Acknowledge that not all foster carers live within Hackney and will not be eligible to benefit from such a scheme, and therefore provide them with an annual retainer payment (also based on experience).</p>	<p>Hackney Fostering Service will review these recommendations with the Council's Benefits and Housing Needs Service and will provide an update to the Commission in 6 months.</p>
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<p>Recommendation Five</p>	
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<p>The Commission understands that Hackney foster carers already have access to cultural, leisure and other opportunities to support their role. The Commission recommends that the Fostering Service reviews these and explores other opportunities that might be available for foster carers through other services of the Council and local community and voluntary sector (and consult with current foster carers about what would be helpful or appealing to them).</p>	<p>Hackney Fostering Service will work closely with Hackney's Foster Carer Council to progress this recommendation and develop a guide for foster carers that gives all necessary information around support they can access. The Service aims to finalise the guide by October 2018.</p>
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<p>Recommendation Six</p> <p>Whilst the vacancy rate in Hackney is on a par with, if not better than, the national average, evidence given to the Commission from foster carers would suggest that foster carers are not being utilised as much as they would like, and was a factor in some carers' decisions to de-register. Thus, as well as recruiting more in-house foster carers, it was evident that better use could be made of the existing pool of foster carers. It is recommended that the Council:</p> <ul style="list-style-type: none"> (i) Consider the implementation of the 'Step Up Step Down' programme - which seeks to utilise in-house foster carers to provide additional preventative support to those children on the edge of the care system; (ii) As per the Islington model, consider whether in-house foster carer vacancies can be used to support placements in other boroughs, such as within the NL Consortium or further afield; (iii) Increase the number of Foster Carer Ambassadors in Hackney to extend the capacity for targeted outreach recruitment 	<p>A working group will be set up to consider how we implement the recommendations and will include representatives from Hackney's Foster Carer Council. The recommendations will also be incorporated into the Sufficiency Strategy Board Action Plan</p>
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<p>and to support newly appointed foster carers (increase from current 6 to 12);</p> <p>(iv) Consider further ways in which peer support mechanisms can be used to support fostering practice and increase the skills and knowledge base of local in-house foster carers and their ability to provide a wider range of foster placements;</p> <p>(v) Develop the skill base of the existing pool of foster carers to better enable them to support the needs of looked after children in Hackney, particularly those looking after young adolescents aged 13 and above and parent and child placements.</p>	
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<p>Recommendation Seven</p> <p>It is recommended that the Council develop a joint working protocol with partner IFAs which:</p> <p>(i) Addresses issues around the quality and cost of foster care placements;</p> <p>(ii) Seeks to develop usage of foster carers in the IFA sector in a planned way which enables both IFAs and the LA to plan more effectively;</p> <p>(iii) Allows for more effective commissioning and contract management (quality and outcomes of placements);</p> <p>(iv) Enables IFAs and the LA to work cooperatively in line with the Leeds model which seeks to increase the number of 'local solutions for looked after children' by seeking to maximise the use of foster care placements in Hackney (irrespective of which sector foster carers may work for) to help develop and maintain strong support networks for children and their carers.</p>	<p>The Children and Families Service will explore the potential for further development of sub-regional and regional protocols with IFAs through the North London Adoption and Fostering Consortium, the North East London Efficiency Programme and a wider London framework.</p> <p>This will also be explored as part of the refreshed Sufficiency Strategy that will be published in 2019.</p> <p>In addition, the Service will hold an annual engagement event with IFA providers to improve relationships, address issues around the quality and cost of foster care placements, and seek to develop usage of foster carers in the IFA sector in a planned way which enables both IFAs and the Council to plan more effectively.</p>
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<p>Recommendation Eight</p> <p>It is recommended that the Council and Fostering Service continue to engage and further develop its relationship with the North London Adoption and Fostering Consortium (NLAFC) and identify additional opportunities for collaborative partnerships, particularly in relation to:</p> <ul style="list-style-type: none"> (i) Effective commissioning of services to support the training and development of foster carers, particularly specialist support; (ii) Increased capacity (finance and expertise) for the recruitment of foster carers particularly those with specialist skills or experience (e.g. looking after teenagers, SEND, parent and child etc.); (iii) Identify ways in which it can work collaboratively with the IFA sector. 	<p>These recommendations will be incorporated into the Sufficiency Strategy Board Action Plan.</p>
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<p>Recommendation Nine</p> <p>The Education Select Committee at the Houses of Parliament conducted a review of Fostering Services in 2017 and has published its report in January 2018 (House of Commons, 2018). This report has in turn contributed to the Government's fostering stocktake, which has been undertaken by Sir Martin Narey on behalf of the Department of Education (Narey & Overs, 2018).</p> <p>The report of the Education Select Committee makes a number of recommendations, including the establishment of a national foster carer recruitment campaign.</p>	<p>Hackney Fostering Service has reviewed the Narey report and is already considering how the wider Service will respond to the recommendations.</p> <p>An update will be provided to the Commission in 6 months in relation to the Service's response to the Narey report (the Fostering Stocktake), the Education Select Committee report on fostering, and the Government's response to both reports.</p>
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<p>It is recommend that when the Fostering Service report back to the Commission in 6 months, it also includes a response to those recommendations contained within both the Education Select Committee and Department of Education national stocktake reports, particularly those relating to recruitment and retention of foster carers.</p>	
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<p>Recommendation Ten</p> <p>The Commission took evidence from both local officers and national bodies on the Mockingbird Scheme, a hub and spoke approach to establish a network of support to local foster carers. Evidence presented to the review suggested that this model can offer more support to foster carers, maintain and engage local foster carers and improve the nature and level of care provided to looked after children. The Fostering Network is working with a number of areas to pilot the Mockingbird approach.</p> <p>It is recommended that the Fostering Service should actively engage with the Fostering Network to identify if Hackney can be included within the existing pilot scheme or within any planned future roll-out of this approach to foster care.</p>	<p>Hackney Fostering Service shares the Scrutiny Commission’s view that the Mockingbird Model is a helpful approach to strengthen foster carer resilience. The Service is in the process of signing a contract with the Fostering Network to implement the model in Hackney.</p> <p>An update will be provided to the Commission on this project in 6 months.</p>
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<p>Children and Young People Scrutiny Commission</p> <p>20th September 2018</p> <p>Item 6 – Controlling Migration Project: Building foundations: Meeting the needs of unaccompanied asylum seeking children (UASC)</p>	<p>Item No</p> <p>6</p>
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Outline

In February 2018, Hackney Children and Families Service (CFS) was awarded £265,866 from the Department for Communities and Local Government’s (now the Ministry of Housing, Communities and Local Government, MHCLG) Controlling Migration Fund for a two-year project: *Building foundations: Meeting the needs of unaccompanied asylum seeking children (UASC)*.

This project consists of two strands:

- foster carer & supported lodgings recruitment
- developing independence & integration

The Commission has asked the Children and Families Service to provide an update on this project at the same point as they are in attendance to discuss the Executive Response to the *Recruitment and Support to Foster Careers* review (item 5 in the agenda).

Enclosed:

Paper outlining the context and an update on the two-year *Building foundations: Meeting the needs of unaccompanied asylum seeking children (UASC)* project.

Action

The Commission is asked to review the paper attached and ask questions.

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Controlling Migration Project: *Building foundations: Meeting the needs of unaccompanied asylum seeking children (UASC)*

In February 2018, Hackney Children and Families Service (CFS) was awarded £265,866 from the Department for Communities and Local Government's (now the Ministry of Housing, Communities and Local Government, MHCLG) Controlling Migration Fund for a two-year project: *Building foundations: Meeting the needs of unaccompanied asylum seeking children (UASC)*.

This project consists of two strands:

- foster carer & supported lodgings recruitment
- developing independence & integration

Context

As of July 2018, Hackney supports 34 UASC, of whom 29 are aged 16/17. Just under three-quarters of the cohort are of three nationalities: Albanian, Vietnamese and Eritrean. Additionally, Hackney currently supports 37 former UASC (i.e. 18+) as care leavers. Whilst Hackney is committed to meeting the immediate and longer term needs of vulnerable UASC, unaccompanied children and young people present particular and sometimes distinct needs, and it is for this reason that we sought and secured funding from MHCLG.

Foster carer & supported lodgings recruitment

We have an experienced fostering recruitment team but its priority and resourcing is necessarily focused on increasing the number of in-house foster carers and supported lodgings households that meet the needs of the majority of our looked after children and young people. The project therefore seeks to build upon the recruitment team's expertise and capacity through the employment of a Foster Carer and Supported Lodgings Recruiter focusing on the Albanian, Eritrean and Vietnamese communities.

Through the appointment of a dedicated recruiter, CFS will recruit and train additional foster carers and supported lodgings hosts – a flexible option for young people who still require support but are relatively self-sufficient. By being able to offer these vulnerable young people a period in foster care or supported lodgings, we would be creating opportunities to provide more intensive support than is usually possible in semi-independent accommodation and build their resilience to support them in moving towards independence. Alongside training and development related to the specific needs of UASC, foster carers and supported lodging households would be trained in supporting the young people to navigate the asylum process and help them prepare for possible return to their country of origin. Furthermore, placing UASC in local placements will allow them easier access to Hackney's universal services and better facilitate the integration & independence work outlined below.

The post holder will be a qualified social worker, working full-time, with their priorities being to develop links with the identified communities; recruit and assess 10 foster care or supported lodgings households; and train those households in the specific needs of UASC (e.g. trauma, displacement) and the asylum process.

This element of the project will also have the wider benefit of establishing and refining our processes for recruiting from under-represented communities, to some extent future-proofing our offer should the demographics of our UASC population change over time.

The National Transfer Scheme commits local authorities to supporting UASC to the equivalent of 0.07% of their local child population. On this basis Hackney could be asked to support up to 42 young people. Developing our capacity and expertise will contribute toward the Council's ongoing ability to meet this obligation.

It is envisaged that a UASC network may be established through the North London Adoption and Fostering Consortium by which good practice and possibly even placements can be shared, especially as some local authorities in the Consortium are also in receipt of funding from the Controlling Migration Fund.

Developing independence & integration

Care planning for Hackney UASC takes into account their experiences in their country of origin and how they came to be in the UK, with a strong emphasis on language skills and education. Social workers aim to provide support in socialising UASC with other young people and signposting to support groups, organisations and services available to them. Hackney also recognises its responsibility to the local and wider community in ensuring unaccompanied asylum seeking children and young people integrate and are well-versed in social norms and behaviour, such as those relating to gender and diversity. This practical support is essential for vulnerable young people to support them to assimilate and integrate into the community, build their support networks and therefore reduce their vulnerability and isolation.

It is in the interests of the young people, the council and the Home Office that asylum applications are made in a timely way, with young people receiving realistic advice and support. To effectively support young people through these processes, social workers need to be able to access robust and practical advice on asylum processes to build up their knowledge base. It is also imperative that planning throughout the asylum process take a dual approach, considering the longer-term and care leaving aspects of a successful claim and the need to be realistic and equip young people with appropriate skills in the event of a return to their country of origin. Hackney employs the services of a Home Office worker on a 0.2FTE basis to conduct immigration status check on families and individuals with regard to their *having no recourse to public funds* allowing scope for closer working relations between the Council and the Home Office in relation to UASC.

The project will support UASC in care, and those who have left care, by providing additional capacity and expertise through the recruitment of a specialist Leaving Care UASC Adviser to support unaccompanied asylum seeking young people with integration, the asylum application process and building independence, thereby freeing social workers to concentrate on meeting the emotional needs of these and other children. Better planning, with direct input from the Home Office, will make for swifter resolution to asylum processes.

Given the predominance of 16/17 year old UASC in Hackney, it is envisaged that the UASC Adviser will largely work with young people approaching care leaver status (i.e. those on the way to independence) and, to a lesser extent, former UASC in receipt of leaving care services. The Adviser will work closely with the Recruitment post holder in building and utilising support networks amongst the Albanian, Eritrean and Vietnamese communities.

The full-time post holder will:

- Provide practical support such as local orientation and awareness (e.g. using public transport, registering with a GP).
- Promote community and leisure opportunities to reduce social isolation and build resilience & support networks.
- Seek and create opportunities to broker and guide mentoring relationships between former and current UASC.

- Liaise with the Virtual School for Looked After Children and voluntary & community groups in Hackney to support further/higher education, training, work experience, volunteering and English as a Second Language provision as appropriate
- Check and advise on the asylum process, particularly in co-ordination with the Home Office worker to clarify status, aid planning in the case of repatriation (including possible contact with overseas agencies or individuals) and preparing young people for the possibility of adverse decisions.
- Provide advice and consultation to practitioners working with UASC.
- Ensure that appropriate learning about UASC is fed into the Contextual Safeguarding Project and vice versa.

It is envisaged that the Adviser will develop understanding and expertise in the Council around the asylum process and attendant planning that can be perpetuated beyond the scope of the project.

Update

CFS have successfully recruited to the two posts detailed above. The Leaving Care UASC Adviser will be commencing employment on 15th October 2018 with the Foster Carer and Supported Lodgings Recruiter due to start shortly after.

A key component of the project is its independent evaluation and, to this end, CFS is working to commission an external evaluator. A shortlist has been prepared and the bid parameters will be sent to prospective evaluators in September 2018, with a final decision being made in October 2018 for the evaluation to begin in November alongside the work of the two post holders.

The Ministry of Housing, Communities and Local Government has recently released more funding to support UASC, and CFS are currently looking into applying for further monies to support new and effective ways of supporting unaccompanied children and young people.

A learning event in late November 2018 organised by the Ministry of Housing, Communities and Local Government will allow Hackney to discuss the project with other local authorities who are in receipt of funding from the Controlling Migration Fund, allowing an opportunity to share good practice.

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Children and Young People Scrutiny Commission 20 th September 2018 Item 7 – SEND funding Co-design Group - update	Item No 7
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Outline

Cllr Kennedy, Cabinet Member for Families, Early Years and Play, and Cllr Gordon, Member of CYPS Commission and the SEND Funding Co-design Working Group, have been invited to give the Commission an update on the remit and progress of the SEND Funding Co-design Working Group established earlier this year.

Enclosed:

Terms of Reference for the SEND Funding Co-design Working Group

Action

The Commission is asked to review the terms of reference and ask questions.

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SEND Funding Co-design Working Group

Terms of Reference

1. Introduction

- 1.1. The Terms of Reference for the SEND Funding Co-design Working Group describes the remit of the Group in contributing to the wider discussion of SEND developments including the development of a funding model for mainstream pupils with an EHCP from 2019-20. The context for this work is that the model should be co-designed and must provide a fair, efficient and effective method for allocating a defined government funding allocation to support pupils with special educational needs and disabilities, with reference to the Special Educational Needs and Disability (SEND) Code of Practice 2015 categories of need.

2. Purpose

- 2.1. The aim of the Group is to consider and advise on a funding model for mainstream EHCP, or options for funding models, that can be sustained by the Local Authority (LA) within the resources available to it from central government. The Local Authority will then consider the options put forward by the Co-design Group. The LA will consult widely with stakeholders on the final proposals in accordance with the Children and Families Act 2014 and reach its decision on the development of a funding model.

3. Decision making process

- 3.1. The funding of SEND Services rests with the Local Authority. The Co-design Group's purpose is to recommend options and state its preference for the LA to consider. The process would be for the LA to consult with stake holders following this process. The final decision on the funding arrangements or model for Hackney is with the Local Authority.

4. Scope

- 4.1. The scope for the co-design group must be as focused as possible in looking at options for mainstream EHCP's. However this should not cause the group to feel restricted in how they approach the task, or prevent the Group from considering new or innovative approaches to the issue. Nevertheless, to assist in keeping its work focused and ensuring the objectives are met, the scope for the Group has been defined below, followed by a number of principles the Group should adhere to:
 - 4.1.1. To look at alternatives to the range and value of the current resource levels for children attending maintained mainstream school provision.
 - 4.1.2. To consider the value of early intervention funding to support SEND children in mainstream schools.
 - 4.1.3. To consider the expectations around the level of SEND support in and culture of inclusivity in mainstream schools.
 - 4.1.4. To review models of funding in use in other local authorities.
 - 4.1.5. To agree a means of ensuring resources are shared equitably throughout the system and between pupils currently in receipt of SEND funding and pupils in receipt of SEND funding in future.
 - 4.1.6. To recommend a SEND funding model, or options on a SEND funding model.
 - 4.1.7. The Group will be supported by a sub-group of LA officers to follow up actions agreed by the Co-design Group so that the momentum to achieve its outcomes are met.
 - 4.1.8. If necessary to feed into an Equality Impact Assessment on the final proposals.
 - 4.1.9. The Group will source information and evidence from a range of stakeholders such as Local Authorities, local groups, parents, charities and civic groups, children and adult care professionals, health professionals, and education professionals.

SEND Funding Task & Finish Group – Terms of Reference

- 4.1.10. Where appropriate, it will make recommendations to external bodies on SEND funding issues based on evidence collated by the Group.

5. Principles Guiding the Group

- 5.1. Promote and advance the concept of early intervention in order to meet the immediate and sometimes short term needs of some children.
- 5.2. To deliver SEND support for pupil outcomes within a defined funding allocation.
- 5.3. To focus on children's outcomes and be evidence based.
- 5.4. Minimise bureaucracy in any processes suggested.
- 5.5. To promote independence at every stage of a child and young person's journey and to ensure access to inclusive services to meet identifiable needs through agreed commissioned approaches.

6. Membership

The Group will consist of 16 members.

Name	Role	Sector
Core members:		
Bernard Hawes	Independent Chair	Governor
Parent/community Groups		
	HiP	Parent/Carer Forum
	Interlink	Community (OJ)
	Campaign group	Parents
	Parent	Independent Parent
Governors		
		Governor
School/Settings		
		Primary
		Secondary
		Special
SENCO's		
		Primary
		Secondary
		Special
Voluntary sector		
	Early years settings	PVI
Members		
Professionals		
Andrew Lee	Assistant Director	Education Services
Toni Dawodu	Head of SEND	Education services
Advisory members to attend as and when		

SEND Funding Task & Finish Group – Terms of Reference

Name	Role	Sector
Yusuf Erol / Ophelia Carter	Head of Finance / Head of School finance	HLT
Breda Maynard	Legal	HLT
Angela Scattergood	Head of Early Years	HLT- Early Years
Melanie Moodley	Head of EHCP	Education services

Attendance at the SEND Co-design Group is important. If a member is unable to attend, the member must send a deputy or alternative representative.

7. Reporting and Governance

7.1. The Co-design Group will keep the following groups informed of progress:

- SEND Partnership Board
- Parent Forums
- HLT Senior Leadership Team

7.2. The Group's options will be reported to HLT Senior Leadership Team (SLT) who will make the decision on the group's recommendations subject to the usual council and Schools forum procedures governing these decisions.

7.3. The Group will also report evidence and, where appropriate, their findings to other bodies and groups such the Children and Young People Scrutiny Commission, Hackney Council's children's services and adult services, the Hackney And City CCG to ensure there is cross-body information sharing.

8. Frequency of Meetings

8.1. Meetings will take place on a 3 weekly to monthly basis.

8.2. Any subgroup commissioned by the Group will report at agreed intervals but at least on the 3 weekly to monthly cycle.

8.3. The meetings will take place at the Town Hall on pre-agreed dates.

9. Organisation and Meeting Management

9.1. Meetings will be chaired by an Independent Chair.

9.2. Meetings will be coordinated by the consultation team, including managing the forward plan of business and compiling the agenda.

9.3. The minutes will be written and sent to the chair for approval within 5 working days of the meeting.

10. Confidentiality

10.1. It is imperative that all information discussed at the Group is confidential and not disclosed by any members. Where information will need to be disclosed, it can only be done with prior authorisation of the Chair. This is necessary for the Group to accept submissions in confidence and have the freedom to consider options widely as not to restrict its thinking as a group.

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Children and Young People Scrutiny Commission 20th September 2018 Item 8 – Outcomes of School Exclusions in Hackney – DRAFT Terms of Reference	Item No 8
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Outline

At its meeting in June 2018, the Commission agreed to conduct a review of the outcomes for children and young people who have been excluded from school in Hackney.

The Terms of Reference document sets out how the Commission will seek to complete its review, the questions which it will aim to answer, and the organisations which it will hear from in addition to the young people we will speak to.

The attached terms of reference provides:

- Research and policy context to the review;
- The planned aims and objectives;
- The proposed work plan to completion of the review.

Action

Members are asked to review and agree the terms of reference.

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Proposal for a scrutiny review by Children and Young People Scrutiny Commission

Review Title: Outcomes of School Exclusions in Hackney

Municipal Year: 2018/19

1 Context

- 1.1 At the first meeting of the municipal year of the Children and Young People Scrutiny in June 2018, it was agreed that the Commission would conduct a review of the outcomes for children and young people who have been excluded from school in Hackney. These children and young people are some of the most vulnerable in our community and therefore it should be a priority for the Council as an education authority to ensure the best possible outcomes for this cohort.

Learning from previous Hackney reviews/research

- 1.2 Hackney continues to report high rates of exclusions from schools. In a previous Children and Young People Scrutiny Commission review *School Exclusions* in 2016¹ the Commission examined the data across all parts of the sector and concluded that the rates of exclusions from primary and secondary mainstream schools were high for both permanent and temporary exclusions. Further, the review highlighted that children and young people with particular characteristics and from particular community groups are significantly overrepresented in the exclusion data. The review made recommendations around the procedures followed in relation to exclusions ([see Appendix 1](#)).
- 1.3 A recent Hackney Learning Trust (HLT) [report](#) looking at fixed-term and permanent exclusions from 2014 to 2017 has highlighted that there continues to be a marked disproportionality in the percentage of fixed-term and permanent exclusions in Hackney primary and secondary schools for specific cohorts of pupils. Similarly to the Scrutiny review this report found that Black Caribbean boys, children and young people with Special Educational Needs or Disabilities and those from economically deprived backgrounds continue to have higher than average rates of school exclusions. Although the data on the disparity in other neighbouring boroughs is not readily available we can compare the number of exclusions in 2016/17. There were a total of 43 permanent exclusions in Hackney (including exclusions from state-funded primary, state-funded secondary and special schools) compared to 30 in Camden, 34 in Islington, 33 in Haringey, 45 in Newham, 9 in Tower Hamlets and 34 in Lambeth².

¹https://hackney.gov.uk/media/8158/a-review-of-school-exclusions-final-report/pdf/school-Exclusions_Report

²https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/731413/national_tables_exc1617.xlsx

Why do this review now?

- 1.4 This is a national issue which is repeated in Hackney. Nationally exclusions have risen by 44 per cent since 2012/13³. Subsequently, the government has recently launched a review into exclusions which will, in particular, investigate why SEND children are more likely to be excluded and is expected to report at the end of 2018.
- 1.5 The Commission were informed that although the young people that the Council's Youth Offending Team (YOT) support are likely to have a disrupted education, the link between offending and a history of exclusions is not as evident as the link between offending and non-attendance. The Commission would like to as a part of this review take a closer look at the cohort of young people the Youth Offending Team and the Prevention and Diversion Team work with in terms of gender, ethnicity, age, education history (including attainment, attendance, exclusions and SEND) and involved support services.
- 1.6 The Council and HLT have responded to the high rates of exclusions by focusing on promoting wellbeing for all through the implementation of the 'No Need to Exclude' strategy⁴. This encompasses providing support and advice for parents, facilitating training for school governors and school staff including the impact of unconscious bias and building cultural competency. Further, in the autumn of 2017, HLT undertook a survey (see [Appendix 3](#)) of all permanent exclusions that took place during the 2016 / 17 academic year, with the purpose of gathering a broader understanding of the reasons for exclusions and the context within which they occurred. As well as seeking to broaden the understanding of why exclusions take place, and the 'Hackney picture' in regard to permanent exclusions, this work also feed into to other Council strategies and objectives as well as the previous review on exclusions and the LBH strategy looking at issues relating to Young Black Men. This survey examined what mitigation work schools do and similarly to the previous review on exclusions it highlights a vast range of positive interventions and support provided across the schools in Hackney to prevent exclusions⁵.
- 1.6 In addition to the preventative work that HLT already carry out an additional programme of work including a 'deep dive' into exclusions has been launched this summer to better ascertain what more is required in order to bring down the levels of exclusions as well as the disparity in the rates of exclusions. These different elements ongoing work of will feed into our review and form part of our evidence base and the understanding of the big picture and to support the recommendations made.
- 1.7 A recent House of Commons Education Select Committee review into alternative provision has highlighted that excluded children are educated in a network of alternative settings including unregistered settings and that there can be little oversight of pupils in alternative provision⁶. From the evidence heard the Select Committee has suggested that there can be an 'out of sight, out of mind mentality' pointing out that there is little scrutiny of the school's actions in placing children into alternative provision even when pupils are sent to registered

³<https://www.independent.co.uk/news/education/education-news/exclusions-teachers-off-rolling-exam-results-national-foundation-education-research-a8252436.html>

⁴<https://www.hackneyservicesforschools.co.uk/system/files?file=extranet/No%20Need%20to%20Exclude.pdf>

⁵ https://hackney.gov.uk/media/8158/a-review-of-school-exclusions-final-report/pdf/school-Exclusions_Report

⁶ <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

provisions⁷. Subsequently, the Select Committee strongly recommended that the Government put in place legislation to ensure that there is a clear understanding of what is available and what the outcomes are as well as ensuring that all children in alternative provision are able to attend appropriate post 16 settings⁸.

- 1.8 Further, the Institute for Public Policy Research (IPPR) are calling for a change by developing an evidence base of what works in improving quality in the Alternative Provision sector to inform a programme to help develop and disseminate best practice to improve trajectories for children who have been excluded⁹.
- 1.9 This planned scrutiny review is timely as it would help ascertain whether the local authority is prepared for the proposed changes in legislation and expectations around alternative provision. The review will seek to identify the destination of excluded pupils, where they are, and their outcomes. The aim is to inform individual schools' decision making around exclusions and broaden parents' understanding of the offer available for excluded pupils and to assist the local authority in their work to ensure children at risk of permanent exclusion and excluded children have the same opportunities as their peers in mainstream education.
- 1.10 The review will aim to establish if, in the borough, there are any correlation between exclusions and youth crime (more broadly) and violent offences. The review will also consider any other related safeguarding issues e.g. the criminal exploitation of children and young people known as 'county lines' and the wider vulnerabilities of children and young people. The Living in Hackney Scrutiny Commission is preparing to carry out a review looking in broad terms at the response of the Council and its partners to an escalation in levels of the most serious forms of violence. In scoping the reviews the Chairs of the two Commissions met with relevant officers to discuss the remits and to ensure that there is no duplication and that the reviews feed into each other as appropriate.

What is out of scope

- 1.11 Despite the recent news articles, following the research by the National Foundation for Educational Research, highlighting a growing concern about schools using backdoor exclusions or "off-rolling" (by encouraging parents to either home-school or apply for alternative provision in order to boost exam results and league table positions by removing children that are seen to impact negatively on school results), a 'narrowing of the curriculum' and stricter behaviour policies and the impact on the number of excluded pupils¹⁰ alongside the anecdotal evidence we have heard around young people's observations of exclusions practices this review does not propose to look at internal exclusions provisions or the use of unlawful exclusions practices. This was covered by the Children and Young People Scrutiny Commission review of School Exclusions in 2016.

⁷ <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

⁸ <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

⁹ <https://www.ippr.org/publications/making-the-difference>

¹⁰ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/687010/Teacher_Voice_report_Summer_2017.pdf

2 Aims and objectives of review

- 2.1 The Commission has agreed that the following overarching aim should guide and inform the strategic direction for this review.

'To identify and assess what happens when a child is at risk of permanent exclusion or has been excluded, scrutinise the outcomes of excluded pupils and to identify those policies and practices which best help to ensure excluded children and those at risk of permanent exclusions have the same opportunities as their peers in mainstream education.'

- 2.2 Within this overarching aim, it is suggested that the review should be guided by a number of component objectives which are set out below:

- a) To assess what provision or support is available to children and their parents, in Hackney schools, at risk of permanent exclusion and those at the point of exclusion.
- b) To identify what alternative provision is available pre 16 and post 16 to children who have been excluded from Hackney schools and identify if there are any gaps in provision to ensure that every child has the same educational opportunities as pupils in mainstream schools.
- c) To identify if the different pathways, for children at risk of permanent exclusions or who are excluded, provide the same opportunities as their peers in mainstream school.
- d) To acquire a better understanding of how schools, alternative provision settings and the local authority measure and track the attainment and outcomes of children who are at risk of permanent exclusions or excluded to identify:
 - (i) Where the outcomes for excluded pupils are the poorest and if the outcomes vary across the pupil characteristics?
 - (ii) Any correlation between exclusions and youth crime and criminal exploitation.
 - (iii) The most effective practices used to successfully reintegrate excluded pupils back into mainstream school and/or into an alternative provision to complete their education.
 - (iv) How the outcomes are being used to inform the commissioning of alternative provision for excluded children.
- e) To assess: if alternative provisions are sufficiently equipped to manage the rising rates of exclusions: if the provisions can meet the individual needs of pupils, particularly the disproportionate number of children with SEND within the excluded cohort.
- f) To assess if the partnership between mainstream schools and alternative provision can be expanded to include special schools in order to ensure:
 - (i) Best practice and expertise between special schools and across all schools settings is shared and;
 - (ii) All provisions are adequately used, and as much as possible;
 - (iii) That practices in schools with lower rates of exclusions are informing behaviour management strategies, support to pupils, SEND provision as well as mental health and wellbeing support, in those schools with higher levels of exclusions to help reduce the number of exclusions across Hackney.

3 Background

Local Authority duty

- 3.1 Local authorities are responsible for arranging suitable education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such arrangements being made. While ‘full-time’ is not defined in law, pupils in alternative provision should receive the same amount of education as they would receive in a maintained school. Full-time can be made up of two or more part-time provisions. Local authorities have a power (not a duty) to arrange education provision, where not already available, for pupils aged 16-18 (see [Appendix 4](#) for legal requirements on the Council in relation to alternative provision).
- 3.2 In 2017 HLT updated their advice leaflet "[My child has been excluded](#)" for parents to include specific references to the service provided by Special Educational Needs and Disability Information Advice and Guidance Service, as well as the Coram Children’s Legal Centre. The HLT Exclusion Team provides resources, advice and guidance to support all parties with the challenging and sometimes complex issues surrounding exclusion and their role also encompasses:
- Providing advice, guidance and support to all Hackney educational establishments, parents and other professionals, with a view to reducing levels of exclusion
 - Ensuring that the statutory responsibilities relating to exclusion are met
 - Contributing to preventative strategies to avoid exclusion
 - Offering training to schools, governors, parents and wider professionals around the legalities of the exclusion process
 - Where requested, facilitating the managed move process of secondary school aged pupils
 - Ensuring pupils receive their statutory entitlements to education, if they are subject to fixed term or permanent exclusion
 - Monitoring the progress and engagement of permanently excluded pupils until such time as they return to a mainstream setting.

Local provision

- 3.3 New Regent’s College is Hackney’s vocational college and Pupil Referral Unit for primary and secondary aged pupils. It is a mixed provision for primary aged pupils through to Year 11 of secondary school (pupils aged between 15 and 16 years old). Although it is mixed aged provision, the primary aged pupils and the secondary aged pupils are kept separate. Further, older students, in Years 10 and 11, are educated in a range of specialist providers of vocational education with the aim that all Key Stage 4 students will achieve 5 GCSEs or their equivalent, including English and Maths¹¹.
- 3.4 The Commission understand that New Regents College uses a range of specialist providers many of which can be found in the Alternative Pathways directory provided by HLT (The

¹¹ <http://www.newregentscollege.co.uk/150/welcome-to-new-regents-college>

majority of programmes listed in the directory for young people over 16 are traineeships or apprenticeships)¹².

Name of provider:	Age range:	Located:
Apricot Online	Pre and post 16 provision	Online (Gloucestershire)
Big Creative Education	Post 16 Provision	Waltham Forest
Boxing Academy	Pre 16 provision	Hackney
BSix Brooke House Sixth Form College alternative provision	Pre and post 16 provision	Hackney
Caramel Rock	Post 16 provision	Newham
Central Training Group	Post 16 provision	Tower Hamlets
City Gateway College	14-19 provision	Tower Hamlets
College of Haringey, Enfield and North East London	Pre and post 16 provision	Haringey
ELATT	Pre and post 16 provision	Hackney
Footsteps Trust	Pre 16 provision	Haringey
Inspire! Inspired Directions School	Pre 16 provision	Hackney
Jobwise Training	Post 16 provision	Islington
London Skills for Growth	Post 16 provision	Newham
NewCityCollege	Pre and post 16 provision	Hackney
The Complete Works Independent School	Pre 16 provision	Tower Hamlets
The School at Hackney City Farm	Pre 16 provision	Hackney
Wac Arts College	Pre and post 16 provision	Islington

- 3.5 The CAMHS Alliance, a multi-organisational partnership, was created in April 2015, to deliver wellbeing and mental health care services that can reach more children, young people, families, schools and the wider community. The CAMHS Alliance are currently leading on a new initiative, the Wellbeing and Mental Health in Schools (WAMHS) project in schools. This project aims to improve mental health and wellbeing support for children and young people in schools, colleges, specialist and alternative provision education settings in both the City and Hackney. The Commission understand that as a part of this project CAMHS Alliance clinicians are linked to New Regent’s College with the aim is to support schools to be settings where children and young people can learn about all areas of life with a focus on building academic, social and emotional resilience and coping skills in students and help them identify and access additional help if needed¹³.
- 3.6 Young Hackney is a service for all young people aged 6-19 and up to 25 with additional needs. This youth provision aim to help all of Hackney's young people to enjoy their youth and become independent and successful adults. As a part of the wider offer Young Hackney Early Help and Prevention Services specifically provide support for those who need it including working with children and young people, in school and outside of school, who are at risk of exclusion and those¹⁴,

¹² <https://www.learningtrust.co.uk/section/alternative-pathways-directory>

¹³ <http://www.hackneylocaloffer.co.uk/kb5/hackney/localoffer/advice.page?id=DUGwy6CmZ6k>

¹⁴ <https://hackney.gov.uk/young-hackney>

- displaying persistent disruptive behaviour;
- are at risk of disengaging from learning;
- young people not in education, training or employment (NEET);
- young people who offend, are at risk of offending or who are victims or perpetrators of violence;
- those who display harmful sexual behaviour or who are at risk of sexual exploitation;
- those whose physical or emotional health and well-being is at risk;
- those missing from home or education;
- looked-after children and care leavers;
- young people with additional needs;
- young carers and culturally-specific groups.

Local rates of exclusions and disproportionality

- 3.7 HLT produced a [report](#) looking to understanding where there is disproportionality in the percentage of fixed term and permanent exclusions in Hackney primary, secondary and special schools for specific groups and cohorts of pupils and it found that rates of exclusions for primary schools remain on the whole unchanged for 2014-2017 however there has been an increase for the secondary cohort. In contrast there has been a decrease of exclusions in special schools.
- 3.8 The report points out that in 2016 there were 2 permanent exclusions compared to 7 in 2014 in primary schools which is a small number compared to the size of the school roll. However, the levels of permanent exclusions for secondary schools remain constant at 24 in 2016 and the vast majority of the permanently excluded pupils were either African, Caribbean or Mixed Heritage boys. This points to a clear overrepresentation of Caribbean boys in the cohort of children permanently excluded from secondary schools. This group of children is also overrepresented in the rates of fixed term exclusions for both primary and secondary school.
- 3.9 The most recent data further shows a continued overrepresentation of children with SEND and those eligible for pupil premium in both the fixed term exclusion rates for both primary schools and secondary schools.

Recent national research

- 3.10 Research shows that school exclusions are linked with a number of poorer outcomes, in both education and later life. Young people who have experienced exclusions fare worse in levels of educational attainment and are overrepresented in the criminal justice system¹⁵. Similarly, children who come in contact with the criminal justice system including pre-criminal justice spaces while still in school are more likely to experience exclusion. Further, research has also found associations between school exclusion and limited ambition, homelessness as well as mental ill health. A report by Centre for Mental Health evaluating *Project Future* has reported that young people feel unwanted and voiceless after being excluded rather than supported by school and were not given the time to explore underlying reasons for their behaviour¹⁶.

¹⁵ <http://www.centreforsocialjustice.org.uk/library/no-excuses-review-educational-exclusion>

¹⁶ <https://www.centreformentalhealth.org.uk/unlocking-a-different-future>

- 3.11 Project Future is a community-based holistic wellbeing and mental health service in Haringey commissioned to address material, social and racial disadvantaged known to increase the risk of poorer wellbeing and mental health problems and the risk of offending. It is located in one of the ten most deprived wards in the UK and works with young men aged 16-25 with experiences of the criminal justice system (specifically those exposed to serious youth violence or labelled 'gang-affiliated')¹⁷.
- 3.12 The young men participating in the project reported that in their experience schools did not have the resources to take a more individualised approach or to be child-centred and consequently they felt left behind, not pushed and worse 'kicked out' (when excluded):

"Exclusions is basically saying we don't want you no more...You're too much trouble. We can't help you, there is nothing we can do for you..."

(Unlocking a different future – an independent evaluation of Project Future)

- 3.13 In addition, the young men participating in the programme described their experiences of exclusions to impact negatively on their relationship towards professionals, increased mistrust as well as increased time out on the streets and exposure to offending and violence. In the evaluation it was recommended that Department of Education (DfE) should embed 'life lessons' into Personal, social, health and economic education (PSHE) curriculum and consult with young people to find alternatives to school exclusions. We will examine their findings as a part of this review.
- 3.14 Further, this cohort of young people were also asked to reflect on the employment support they had received. This highlighted that it was often focused on 'getting them into any job and lacked realistic job opportunities'¹⁸. This compounded their downward trajectory.
- 3.15 Similarly the Institute for IPPR's report '*Making the difference: breaking the link between school exclusion and social exclusion*' looked at how exclusions can negatively affect a child's social and emotional world by the way of abruptly ending friendships and trusting relationships with teachers and further reinforce a negative self-image through rejection¹⁹.
- 3.16 The report outlines the negative educational trajectory faced by the majority of excluded pupils which hinders them from progressing from school to further education or into the world of work. In 2017 only 1 percent of excluded young people achieve five good GCSEs including English and Maths and the majority of excluded children were not enrolled in the two core GCSEs subjects of English and Maths²⁰.
- 3.17 Without the qualifications they need to enter and thrive in the workplace they subsequently struggle both to access and stay in work. National data from 2012/13 shows that nearly half of pupils leaving PRUs were not in sustained employment, education or training destination

¹⁷ <https://www.centreformentalhealth.org.uk/unlocking-a-different-future>

¹⁸ <https://www.centreformentalhealth.org.uk/unlocking-a-different-future>

¹⁹ <https://www.ippr.org/publications/making-the-difference>

²⁰ <https://www.ippr.org/publications/making-the-difference>

six months after their GCSEs compared to 6 per cent of their peers leaving mainstream schools²¹.

3.18 Hackney Council provides a free employment support service for Hackney residents called 'Hackney Works' this includes specialist support as well as help finding an apprenticeship and work placements for young people, aged 16-19, with local businesses in Hackney²².

3.19 Similar to a number of other reports and research the Commission has considered for this review the IPPR also reflect on the stark links between school exclusions and imprisonment. A longitudinal study has found that 63 per cent of prisoners report being temporarily excluded during their school years, with 42 per cent reported to have been permanently excluded.

3.20 There is also a strong economic imperative to address the sharp end of this social mobility challenge. Exclusions are costing an estimated £370,000 per young person in lifetime education, benefits, healthcare and criminal justice costs. Whilst the IPPR are calling for a better evidence base of what works in improving quality in the Alternative Provision sector to inform a programme to help develop and disseminate best practice others are highlighting a need for earlier intervention and prevention to help improve the outcomes for excluded pupils.

3.21 A SecEd article focusing on the continuing national increase in exclusions argues that;

“although there may be a place for exclusions as part of a school’s range of responses to severely disruptive behaviour, the large numbers point to a need to intervene much sooner and more effectively”

²³

3.22 The article also emphasised that exclusions do little to improve behaviour and instead aggravates alienation from school and places some young people at risk of getting involved in anti-social behaviour or crime. In addition, it is believed that the children and young people most likely to undergo extended or repeated periods of exclusion are the ones that need more adult supervision, not less. Excluding them from the stable routines of school and sending them back to a chaotic home or risky neighbourhood is likely to lead to deterioration in their behaviour²⁴.

3.23 In their report into alternative provision the House of Commons Education Select Committee call for changes to the exclusion process to address what they see as one which is weighted in favour of schools and which often leaves parents and pupils navigating an adversarial system that should be supporting them. They propose that;

“When a pupil is excluded from school for more than five non-consecutive days in a school year, the pupil and their parents or carers should be given access to an independent advocate. This should happen both where pupils are internally or externally excluded from school...”

House of Commons Education Committee 2018

²¹ <https://www.ippr.org/publications/making-the-difference>

²² <https://hackneyworks.hackney.gov.uk/>

²³ <http://www.sec-ed.co.uk/best-practice/exclusion-in-education-why-exclude/>

²⁴ <http://www.sec-ed.co.uk/best-practice/exclusion-in-education-why-exclude/>

- 3.24 Further, the House of Commons Education Select Committee not only argues that it is extraordinary that the increase in the participation age was not accompanied by statutory duties to provide post-16 alternative provision but also argues that an increase in ‘zero-tolerance’ behaviour policies has meant too many pupils were being punished and excluded for incidents that should be managed within the school. Alongside this, evidence identified a “lack of moral accountability” on the part of schools, with there being little or no incentive to retain challenging pupils²⁵. Whilst calling on the government to address the problem of off-rolling, the review also urges the Government and Ofsted to introduce an inclusion measure or criteria that sit within schools to incentivise schools to be more inclusive. It also emphasises the need for a more collaborative model of work where schools and alternative provision work in a partnership to help change the view that alternative provision is a separate education system²⁶. This makes it more imperative that the cohort accessing alternative provision have pathways into post 16 education provision.
- 3.25 Further, the House of Commons Education Select Committee heard evidence from schools and school representatives that schools no longer have the financial resources to fund pastoral support, including teaching assistants who would often help to keep the pupil engaged in mainstream schools²⁷. Subsequently, this points to a link between the financial pressures on schools and their capacity and ability to identify and support problems to provide early intervention when necessary.

4 Key Stakeholders

The stakeholders listed below have been identified for the review.

Sector / organisation	Stakeholder
Service users / general public	<ul style="list-style-type: none"> ○ Parents with children affected by exclusions ○ Young people affected by exclusions
Council depts and services	<ul style="list-style-type: none"> ○ Children and Families Service ○ Hackney Learning Trust ○ Hackney Works ○ SEND partnership board ○ CAMHS Alliance
Other London Boroughs / Councils	<ul style="list-style-type: none"> ○ Hammersmith and Fulham
Government departments and executive bodies	<ul style="list-style-type: none"> ○ Department of Education ○ Ofsted

²⁵ <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

²⁶ <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

²⁷ <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

Non-governmental organisations / lobby groups	<ul style="list-style-type: none"> ○ Hackney Independent Parents (HiP)
Academics	<ul style="list-style-type: none"> ○ Kiran Gill (IPPR)
Representatives of target groups	<ul style="list-style-type: none"> ○ YBM Programme – young men focus group ○ YBM Programme – head teachers group
Other external	<ul style="list-style-type: none"> ○ Schools (Headteachers and Governors) ○ Pupil Referral Unit ○ Prospects Career Service ○ Alternative Provision ○ Hackney Quest ○ Hackney Wick FC

5 Methodology

- 5.1 A range of evidence gathering processes will be used to support the Commission in meeting the review's objectives as set out in section 2. The programme for evidence gathering could include the following:
- Desk based research;
 - Evidence presented in person at CYP Scrutiny Commission meetings;
 - Primary research (e.g. with young people about their exclusion experience)
 - Site visits (as appropriate)
- 5.2 The review will be conducted through a number of scrutiny meetings these are conducted monthly and for the duration of the review the Commission will collate and gather evidence at these meetings. Information and evidence submitted will be published at the meetings. It is expected that there will be four themes to data collection within the review:
- Local policy and practice;
 - Comparative policy and practice;
 - The views of children and young people;
 - The views of headteachers;
 - The views of the Pupil Referral Unit and other alternative provision
- 5.3 Ahead of the scrutiny meetings, a review of the background literature and current research on outcomes of exclusions will take place. This will aim to identify:
- Policy documents (legislative framework, duties of the LA);
 - Indicative data on reintegration rates, available support and long term impact of exclusions;
 - Comparative practices and strategies to reduce exclusion rates and address disproportionality in exclusion data;
 - Exclusion research and development (nationally and locally).

- 5.4 Key documents outlined in 7.1 will be presented to the Commission ahead of the scrutiny meetings to help prepare members, to guide and inform questioning and to generally assist the scrutiny process.
- 5.5 Data from local schools, the Pupil Referral Unit and other alternative provision will be central to the review, it is therefore proposed that the review includes HLT's findings from their data collation on extra wellbeing support offered to excluded pupils and pupils at risk of exclusions from all Hackney schools as well as the result of the Exclusion Survey with all Hackney schools that permanently excluded pupils in 2016/17. The data will assist members in the proposed site visits to alternative provision settings and meetings with children and young people as well as Head teachers, as this will highlight key themes and identify possible lines of questioning which can be tested qualitatively with participants. A dual qualitative and quantitative approach will provide the Commission with a rich source of data to inform the review.
- 5.6 In agreement with Children and Families Service it is proposed to consult a small number of children and young people at Young Hackney hubs as well as young adults, though the Pembury Children Community, as part of the review. In addition, the Commission plan to also hear from other key stakeholders including:
- New Regents College and other alternative provision; and
 - Head teachers forum (Young Black Men programme); and
 - A number of Council service i.e. Exclusion Team (including advocacy), Youth Justice Team and Hackney Works (the free employment support service run by Hackney Council that supports people who live in Hackney to find employment)

6 Timetable

- 6.1 The following provides an outline of the proposed project plan for the completion of this review.

Task	Envisaged Timetable
Draft Terms of Reference, desktop research, consulting experts, confirming Executive Link Officer/Members	August 2018
Agreement of terms of reference	September 2018 Children & Young People Scrutiny Commission
Evidence sessions	September –November 2018
Site visits (if any identified)	September – October 2018

Report drafting	December 2018
Consult Executive Link Officer/Members on draft findings and recommendations	January 2018
Schedule for Legal/Finance comments	January 2018
Consideration by Commission	February 2018
Consideration by Cabinet/ Council	TBA

7 Background reports

7.1 Below is a list of the specific documents cited in this report together with other key background material.

Article – “Schools should be held accountable for exam results of pupils they exclude, minister suggests”, The Independent 2018,
<https://www.independent.co.uk/news/education/education-news/students-excluded-schools-teachers-exclusions-academic-results-education-a8331371.html>

Teacher Voice Omnibus Survey Research report, Department of Education 2018,
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/687010/Teacher_Voice_report_Summer_2017.pdf

<https://www.independent.co.uk/news/education/education-news/exclusions-teachers-off-rolling-exam-results-national-foundation-education-research-a8252436.html>

No excuses: A review of educational exclusion, the Centre for Social Justice 2011,
<http://www.centreforsocialjustice.org.uk/library/no-excuses-review-educational-exclusion>

Exclusion in education: Why exclude?, SecEd 2018,
<http://www.sec-ed.co.uk/best-practice/exclusion-in-education-why-exclude/>

Forgotten children: alternative provision and the scandal of ever increasing exclusions, House of Commons Education Committee 2018,
<https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

No Need to Exclude A good practice guide for schools: Reducing exclusions by promoting the wellbeing of all, Hackney Learning Trust 2015,
<https://www.hackneyservicesforschools.co.uk/system/files?file=extranet/No%20Need%20to%20Exclude.pdf>

Alternative Provision Statutory guidance for local authorities, Department for Education 2013,
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/268940/alternative_provision_statutory_guidance_pdf_version.pdf

Alternative pathways in Hackney, Hackney Learning Trust 2018,
<https://www.learningtrust.co.uk/content/alternative-pathways-hackney>

Unlocking a different future: an independent evaluation of Project Future, Centre for Mental Health 2017,
<https://www.centreformentalhealth.org.uk/unlocking-a-different-future>

Making The Difference: Breaking the link between school exclusions and social exclusion, Institute for Public Policy Research (IPPR)
<https://www.ippr.org/publications/making-the-difference>

A Review of School Exclusions, Children and Young People’s Scrutiny Commission 2016
https://hackney.gov.uk/media/8158/a-review-of-school-exclusions-final-report/pdf/school-Exclusions_Report

Exclusion Scrutiny Review – update on progress against recommendations, Nov 2017, Children and Young People Scrutiny Commission meeting,
<http://mginternet.hackney.gov.uk/ieListDocuments.aspx?CId=121&MId=4000&Ver=4>

8 Executive Links and Response

8.1 The following corporate stakeholders have been consulted on this Terms of Reference:

Contributor	How have they been consulted on proposal
Council Lead Officers – Andrew Lee, Assistant Director, Education Services Paul Kelly, Head of Wellbeing and Education Safeguarding Education Services Annie Gammon (Director of Education) Sarah Wright, Director for Children and Families Pauline Adams, Principal Head of Service- Early Help and Prevention	Scoping report sent for comment on 30 th August 2018
Council Group Director – Anne Canning	Scoping report sent for comment 30 th August 2018

Executive Member(s) – Cllr Anntionette Bramble Cllr Christopher Kennedy	Scoping report sent for comment 30th August 2018
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9 Glossary

9.1 Below is a list of abbreviations used within this report and their full title

Abbreviation	Definition
HLT	Hackney Learning Trust
DfE	Department for Education
Ofsted	the Office for Standards in Education, Children's Services and Skills
LBH	London Borough of Hackney
YOT	Youth Offending Team
PSHE	Personal, social, health and economic education
IPPR	Institute for Public Policy Research

10 Appendices

10.1 Appendix 1

Young People Scrutiny Commission Review: Exclusions Review

Cabinet Response: February 2017

Scrutiny Commission Update: November 2017

1. Update to scrutiny recommendations for November 2017

Recommendation One A - D	Cabinet Response February 2017	Update 2017 November
<p>1A. We ask that the HLT leads on producing a set of exclusion data by ethnicity for the borough. Data should express exclusions for each ethnic group as a rate reflecting the numbers of pupils in the cohort.</p> <p>We ask that a consistent set of ethnicity codes are used for each measure (rates of permanent and fixed term exclusions).</p> <p>For both permanent and fixed term exclusions and to help prevent small numbers of total pupils in any one ethnic group masking what might be relatively high rates of exclusion overall, we ask that data for the number of years necessary to allow disproportionalities to be fully captured be combined.</p> <p>We appreciate that there will be complexities around reporting on the profile of exclusions for a period of more than one year within the context of the profile of the school population. However, we hope that a form of aggregation can be applied which will allow for insightful, multi-year</p>	<p>1A Hackney Learning Trust (HLT) will lead on producing a set of exclusion data by ethnicity for the borough. Data will describe exclusions for each ethnic group as a rate reflecting the numbers of pupils in each specific cohort.</p> <p>We have a list of approved ethnicity categories that are used by Hackney schools as part of the school census. This is a selection of the full Department for Education (DfE) list of 300 codes, chosen to suit the characteristics of the local population.</p> <p>Three years has been identified as suitable period to allow disproportionalities to be captured and HLT will commit to aggregating this information.</p> <p>A summarised position will also be produced. However as there is significant variation in exclusion rates and trends in primary and</p>	<p>1A</p>

<p>rates to be produced. The reason for asking for this data to be produced is so that it can be used to better and more clearly highlight to schools and to governors the level of disproportionality which exists in the borough. It is not intended to help with a forensic examination of data.</p> <p>This considered, we would suggest that a summarised position combining primary schools and secondary schools looking separately at rates for permanent and fixed term exclusions would show the overall account of disproportionality and race most simply and clearly. We would leave to the HLT details about the levels of data which best allow for this.</p> <p>In later recommendations we ask that this data is used along with other measures within or as a supplementary document of, the No Need to Exclude strategy. We also ask that this and other data is used to help highlight inequalities as an explicit issue for schools in training for teachers and governors.</p>	<p>secondary schools, there is likely to be more value in keeping primary and secondary information separate, alongside overall 'all Hackney' data.</p> <p>HLT can produce this data on a termly basis and this information can be regularly shared with relevant stakeholders, and can be used as one measure to evaluate the No Need to Exclude strategy</p>	
<p>1B. We ask that the HLT leads on producing a set of exclusion data by Special Educational Needs status for the borough. Data should express exclusions for pupils within each group as a rate considering the number of pupils in the cohort.</p> <p>For both Permanent and Fixed Term exclusions and to help prevent small numbers of total pupils in any one group masking what might be relatively high rates of exclusion overall, we ask that data for the number of years necessary to allow disproportionalities to be fully</p>	<p>1B. HLT will lead on producing a set of exclusion data by SEN for the borough. Data will describe exclusions for each SEN group as a rate reflecting the numbers of pupils in each specific cohort and as with other data, this can be aggregated to a three year period to allow disproportionalities to be captured.</p>	

<p>captured be combined. We appreciate that the changes in Special Educational Needs classifications are likely to mean that a coherent analysis will only be able to consider data for 2014/15 onwards.</p> <p>There will be complexities around reporting on the profile of exclusions for a period of more than one year within the context of the profile of the school population. However, we hope that a form of aggregation can be applied which will allow for insightful, multi-year rates to be produced.</p>		
<p>1C. We ask that the HLT leads on producing a set of borough exclusions data by the most relevant deprivation-indicator. Data should express exclusions for pupils within each group as a rate considering the number of pupils in the cohort.</p> <p>This should look at both fixed term and permanent exclusions, and primary and secondary Schools.</p> <p>For both permanent and fixed term exclusions and to help prevent small numbers of total pupils in any one group masking what might be relatively high rates of exclusion overall, we ask that data for the number of years necessary to allow disproportionalities to be fully captured be combined.</p>	<p>1C HLT will lead on producing a set of exclusion data by deprivation indicators for the borough. Data will describe exclusions for each group as a rate reflecting the numbers of pupils in each specific cohort.</p> <p>HLT will also produce exclusions data from the school census (two terms retrospectively) by Free School Meals (FSM)</p> <p>The data will reflect both fixed and permanent exclusions and will be aggregated to a three year period.</p>	
<p>D. We ask that the HLT collect from all schools a clear set of evidence of extra support offered / provided to identify and address the needs of children from groups that are identified in the statutory guidance as having exclusion rates that are "[...] consistently higher than average" (pupils with SEN; pupils eligible for Free School Meals; looked after children; gypsy / Roma; Travellers of Irish Heritage; and Black Caribbean pupils).</p>	<p>D This suggestion will be discussed with schools at appropriate fora in order to determine the most appropriate way to best reflect the intent behind this recommendation. This will include the suggestion that Governors should ensure they are aware of, and analyse, the range of provision made available in their schools.</p>	

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Recommendation Two	Cabinet Response February 2017	Update November 2017
We ask for an update in or soon after September 2017. This will explore the early impact and the extent to which schools are taking up its support offers to pupils who are at risk of exclusion.	In 2016/17 HLT intend to undertake a survey of the outcomes cited in the No Need to Exclude (NNE) strategy in order to provide a baseline for a further monitoring survey in 2017/18. The results of this will be shared with the commissions and other stakeholders.	

Recommendation Three	Cabinet Response February 2017	Update November 2017
<p>That inequalities in exclusion rates are identified as an explicit and central issue within the No Need to Exclude Strategy and wider professional development and training.</p> <p>Recommendation 1 seeks to establish a stronger set of data on a number of key disproportionalities in exclusion rates.</p> <p>We ask that the strategy sets as one of its key aims the tackling and reductions of inequalities in exclusion, and that clear and succinct data highlighting these disproportionalities is presented.</p> <p>We also ask that disproportionality in exclusions is highlighted as an explicit issue for schools in relevant training and professional development documents.</p>	<p>This issues highlighted by the Commission are now referenced in the revised Proposals to Reduce Exclusions 2016-18 document.</p> <p>The issue of disproportionality will be highlighted as an issue for schools in relevant training and development documents, and future data sets will highlight disproportionality when it is found.</p>	

Recommendation Four	Cabinet Response February 2017	Update November 2017
<p>In principle, the Commission would be supportive of any role for New Regents College which better allows pupils' needs to be identified and met before an exclusion or a referral off-site occurs. Evidence given later in this report suggests that some schools could benefit from the good practice that already exists in some others (for examples see paragraphs 2.27 – 2.32)</p> <p>We would see this offer as being incorporated alongside the other services for schools detailed within the No Need to Exclude Strategy.</p> <p>We ask that the potential of this offer be explored and/or kept under review.</p>	<p>New Regent's College is the key alternative resource for managing behaviour and providing support to pupils who have been excluded, and are also at risk of exclusion.</p> <p>The issue of support for other schools is now expressly referenced in the revised Proposals to Reduce Exclusions 2016-18 document, and HLT will ensure that this offer is kept under review.</p>	

Recommendation Five	Cabinet Response February 2017	Update November 2017
<p>A. We feel that the No Need to Exclude Strategy should more categorically state the approaches that the HLT will take in cases where it feels decisions of a school to be contestable.</p> <p>We ask that the fixed term exclusions and permanent exclusion pages of the No Need to Exclude Strategy are amended to include statements that the HLT will wherever possible:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Signpost the parents to where they can receive independent advice on schools' decisions. <input type="checkbox"/> Advise parents in these cases of the avenues of challenge that are open to them <input type="checkbox"/> Signpost parents to 	<p>A. As discussed at the evidence gathering stage of the Overview and Scrutiny Commission, HLT has numerous examples of challenges to schools where decisions are contestable. This is a cornerstone of the approach that has been developed with schools over the last three years and continues to be effective in working to ensure better outcomes for children and young people.</p> <p>However, legislation provides all Head teachers and Principals with powers to exclude that will sometimes override any advice, guidance and challenge that can be posed</p>	<p>A.</p>

independent advisors in these cases	by local authority officers.	
<p>B.</p> <p>We ask that a supplementary 'Parent Promise' document sits alongside the No Need to Exclude Strategy and within guidance pages for parents on the HLT website.</p> <p>It would promise that the HLT will always:</p> <ul style="list-style-type: none"> <input type="checkbox"/> In its dialogue with schools seek to explore alternatives to exclusion. <input type="checkbox"/> Raise its concerns with schools where it feels intended decisions on exclusions or decisions already taken to be unreasonable and or where they could be found to be not in accordance with DfE guidance. 	<p>B.</p> <p>The challenge to schools, as highlighted by the commission, and support for parents, including the Parent Promise, is now contained in the revised Proposals to Reduce Exclusions 2016-18</p>	<p>B.</p>
<p>C.</p> <p>We welcome the clear guidance for parents on the HLT website on exclusions and appeals processes. We feel this same webpage should also contain a reference to the continuum of provision and support available to schools as alternatives to exclusion and signposting to advice services which might offer support. We feel that this would better enable parents to actively seek alternatives to exclusion with schools.</p>	<p>C.</p> <p>HLT officers will continue to advise parents on both their rights, and their responsibilities.</p> <p>This includes regular signposting to independent advisers such as 'Just for Kids Law'.</p> <p>The Parental Promise leaflet and revisions to the HLT webpage are currently under consideration in regard to how to further develop that which is already existing and available to best ensure we are providing parents with the best information.</p>	<p>C.</p>

Recommendation Six	Cabinet Response February 2017	Update November 2017
We ask that the HLT seek an agreement / commitment from schools:	HLT officers always try to work with our schools where there are concerns about	

<ul style="list-style-type: none"> □ To consult with the HLT in any of these cases where a pupil is exhibiting behaviour which the school believes it is unable to cater for and/or believes puts the welfare of others at risk. □ In any case, to give serious consideration as to whether any pupil facing exclusion requires an EHC plan and, if so, request that the Council carry out an EHC assessment. Schools should apply a low threshold when considering whether an EHC plan is required in such circumstances. □ Not to immediately permanently exclude in any case where they feel that a pupil could potentially qualify and benefit from support through an EHC plan. □ In these cases, and only if strictly necessary, to refer pupils off site to New Regents College whilst the EHC assessment is being carried out and an EHC plan is being prepared. □ To seek to quickly reintegrate pupils into school upon completion of the assessment and support being in place (where this is felt to be in the best interests of the pupil). <p>When a pupil is directed off site for their behaviour to be improved, or excluded for a fixed term period, the school is obliged to meet the cost of alternative provision. Where a pupil is excluded permanently, the local education authority must provide</p>	<p>pupils with SEN, or possible undiagnosed SEN who are facing exclusion.</p> <p>HLT officers will suggest an approach, such as the one highlighted by the commission, or directly challenge schools if these considerations have not been made prior to exclusions considerations.</p> <p>HLT is currently drafting a good practice guide for schools referencing exclusion of SEN pupils reflecting this recommendation. However whilst we as a local authority can and do proactively challenge and advise, we cannot compel given the powers given to Head teachers.</p> <p>In relation to recommendation to consider financial support, HLT is committed to considering all</p>	
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<p>and fund alternative provision.</p> <p>To avoid any financial disincentive of a school directing a pupil off site during the EHC assessment rather than permanently excluding we ask that the HLT explores whether financial support to meet the cost of alternative provision could be offered for the duration of the application for assessment and the assessment itself.</p> <p>We ask that, in all circumstances, the HLT act as quickly as possible in completing an EHC assessment and preparing an EHC plan, but particularly when a pupil is facing exclusion and that the HLT consider an expedited process in such cases.</p>	<p>cases on their individual merits and this does include any financial aspects.</p> <p>Though there is a statutory timeframe which must be adhered to HLT is also committed to finalising plans as quickly as possible, as the benefits to all parties is completely accepted.</p>	
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Recommendation Seven	Cabinet Response February 2017	Update November 2017
<p>We ask that the HLT explore any viable options around achieving this in its consultation/training or working with schools on the issue of Disciplinary Panels and Exclusions.</p> <p>This might include seeking a voluntary agreement amongst schools that one or more governors (in particular relevant link governors) will be invited to attend Panels, either with or without voting rights.</p>	<p>HLT commits to exploring viable options to work with schools in relation to disciplinary panels and exclusions.</p>	

Recommendation Eight	Cabinet Response February 2017	Update November 2017
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<p>We ask that the Council responds to any relevant consultations with a view that powers of Independent Review Panels in events where it finds exclusion decisions to have been flawed, are increased. We feel that schools should be forced to reinstate pupils in these cases, if this is the wish of the parent and pupil. If this is not the wish of the pupil or parent we feel that a higher financial penalty (than the current £4,000) should be applied.</p>	<p>The Council and Hackney Learning Trust will continue to provide full and detailed responses to any relevant consultations in regard to the wellbeing of children and young people and the recommendation of the committee will be reflected in future responses related to Independent Review Panels.</p>	
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Recommendation Nine	Cabinet Response February 2017	Update November 2017
<p>We ask that the HLT in its delivery of training to governors makes available data highlighting disproportionalities in exclusion rates.</p> <p>We ask that training for governors suggests relevant questions that they might seek responses on. These might be asked during Disciplinary Panels and or in governing body meetings generally. These should include questions around:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent to which schools are engaging with the range of support services offered within the No Need to Exclude Strategy in cases where a child is at risk of exclusion. <input type="checkbox"/> The extent to which the school sees significant disproportionalities in exclusion as an issue to address and monitor. <input type="checkbox"/> The extent of differentiated learning at the school, investment in the well-being offer, and opportunities for pupils to 'catch up' internally within the school. 	<p>In addition to the central training offer to Governors which offers support and advice on wellbeing, attendance and exclusions in general, HLT is also able to offer bespoke training provided the Exclusions Team which covers all the issues highlighted by the commission, including how governors and their schools can engage with existing support services; how schools can monitor, address, and tackle cases of disproportionality; and the impact of SEND.</p>	

Whether the school has permanently excluded any pupil with diagnosed or suspected Special Educational Needs or Disabilities.		
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10.2 **Appendix 2**

Fixed-term and permanent exclusions

2014-2017

	Control Sheet		
Fixed-term and permanent exclusions, 2014-17			
Reference:			
Date produced:	September 2018	Status:	Final
Valid until:			
Collected by:	Hackney Learning Trust		
Short description/ notes:	<p>This report includes fixed-term and permanent exclusions for the latest three years sourced from the school census.</p> <p>For example, for academic year 2016-2017's exclusions:</p> <ul style="list-style-type: none"> • Autumn term 2016 exclusion are included in the May 2017 school census • Spring term 2017 exclusion are included in the October 2017 school census • Summer term 2017 exclusion are included in the January 2018 school census <p>For of this reason, pupils' time-variant characteristics such as Free School Meal eligibility (FSM), Special Education Needs provision (SEN), might be different at the time of the census where the exclusions are returned, from the status when the exclusion took place. Therefore the pupils' FSM has been picked up from the census "closest" to the exclusion (e.g. for summer term exclusions the FSM is picked up from the May census). The SEN status used is from the time of the exclusion as this is part of the information the school is required to enter into their MIS system when they record the exclusion incident.</p> <p>Where some pupils may have had exclusions under two different SEN statuses within the year in the same school they have only been included under one of these statuses</p>		
Restrictions on use:	<ol style="list-style-type: none"> 1. For internal use within Hackney Learning Trust and LBH only. 2. Do not distribute without permission from the person authorising use. 		
Reporting cycle:	Ad hoc		
Next report due:			
Report	TBC		

location:			
Supplied by:	████████████████████	Role:	████████████████████
	██████████	Role:	████████████████████
Authorised for use by:	██████████	Role:	██████████

Introduction

Nationally, in 2016/17 the overall rate of permanent exclusions increased from 0.08 per cent of pupil enrolments in 2015/16 to 0.10 per cent and the number of exclusions increased from 6,685 to 7,720. The DfE reported similar patterns by pupil characteristics to previous years, with some groups incurring higher rates of permanent and fixed term exclusion than others:

- The permanent exclusion rate for boys (0.15 per cent) was over three times higher than that for girls (0.04 per cent) and the fixed period exclusion rate was almost three times higher (6.91 compared with 2.53 per cent).
- Pupils known to be eligible for and claiming free school meals (FSM) had a permanent exclusion rate of 0.28 per cent and fixed period exclusion rate of 12.54 per cent - around four times higher than those who are not eligible (0.07 and 3.50 per cent respectively).
- Pupils known to be eligible for and claiming free school meals (FSM) accounted for 40.0 per cent of all permanent exclusions and 36.7 per cent of all fixed period exclusions.
- Pupils with identified special educational needs (SEN) accounted for around half of all permanent exclusions (46.7 per cent) and fixed period exclusions (44.9 per cent).
- Pupils with SEN support had the highest permanent exclusion rate at 0.35 per cent. This was six times higher than the rate for pupils with no SEN (0.06 per cent).
- Pupils with an Education, Health and Care (EHC) plan or with a statement of SEN had the highest fixed period exclusion rate at 15.93 per cent - over five times higher than pupils with no SEN (3.06 per cent).
- Pupils of Gypsy/Roma and Traveller of Irish Heritage ethnic groups had the highest rates of both permanent and fixed period exclusions, but as the population is relatively small these figures should be treated with some caution.
- Black Caribbean pupils had a permanent exclusion rate nearly three times higher (0.28 per cent) than the school population as a whole (0.10 per cent). Pupils of Asian ethnic groups had the lowest rates of permanent and fixed period exclusion.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/726741/extended_exc1617.pdf

This report aims to highlight whether, and where there is disproportionality in the percentage of fixed-term and permanent exclusions in Hackney primary, secondary and special schools for specific groups and cohorts of pupils.

These indicators have been reported by ethnicity and gender, special educational needs and pupil premium to consider if any of these groups, or cohorts within these groups, are disproportionately represented in any of the above exclusions indicators.

Methodology

Figures are reported for each year separately to be able to account for potential year on year variations which would have been difficult to disentangle in the case of aggregating multiple years of data. As a consequence, some of the percentages reported are based on small denominators, especially in the case of special schools and permanent exclusions and, therefore, should be interpreted with caution.

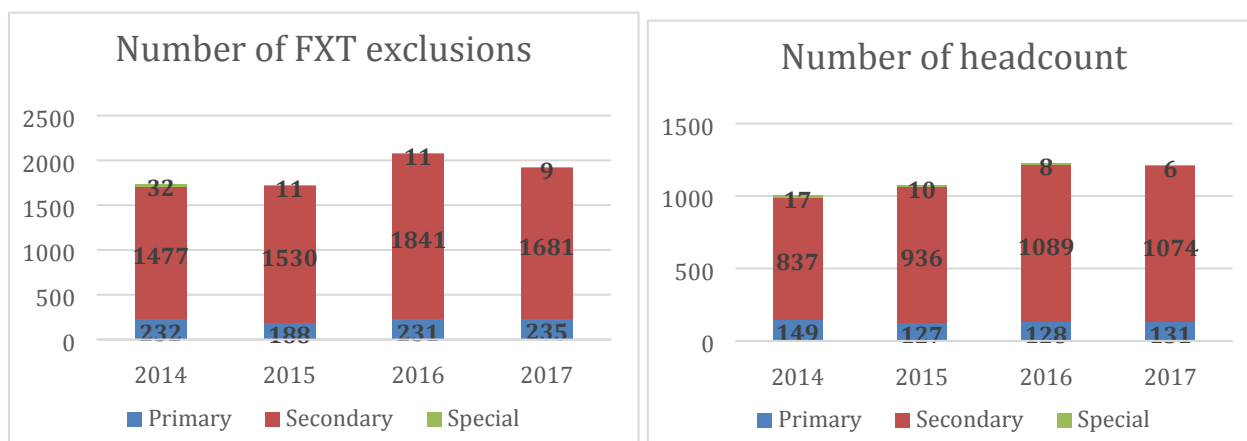
The following indicators are reported throughout this report by school phase:

- Number and percentage of fixed-term exclusions (percentage calculated out of the total number of exclusions) (% FXT exclusions)
- Headcount number of pupils with a fixed-term exclusion (percentage calculated out of the total headcount number of pupils) (% headcount)
- Number and percentage of permanent exclusions

Please note that one pupil can have more than one fixed-term exclusion.

1. Fixed-term exclusions

1.1 Overview



	2014	2015	2016	2017	Trend line		2014	2015	2016	2017	Trend line
Primary	232	188	231	235		Primary	149	127	128	131	
Secondary	1477	1530	1841	1681		Secondary	837	936	1089	1074	
Special	32	11	11	9		Special	17	10	8	6	
All schools	1741	1729	2083	1925		All schools	1003	1073	1225	1211	

The number of fixed-term exclusions in primary schools in 2016/17 was 235, the same level as 2015/16 (232) and 2013/14 (232). 2014/15 saw a dip to 188 exclusions. There has been a decline in the number of pupils that these exclusions cover, from 149 in 2013/14 down to 131 in 2016/17. The number of fixed-term exclusions in secondary schools in 2016/17 was 1681, down on the previous year (1841). There has been an accompanying increase in the number of pupils that these exclusions cover, from 837 in 2013/14 to 1074 in 2016/17. Exclusions in special schools have fallen, from 32 exclusions in 2013/14 to 9 in 2016/17. 17 pupils in special schools had an exclusion in 2013/14 compared to 6 in 2016/17.

When exclusions are reported as a 'percentage of roll', similar trends can be seen:

the number of fixed term exclusions in primary schools as a percentage of the overall number of pupils has remained constant at 1%; the number of pupils with an exclusion in primary schools as a percentage of the total number of pupils has stayed constant at 1%

the number of fixed term exclusions in secondary schools as a percentage of the overall number of pupils has increased from 12% to 13% across the four years; the number of pupils with an exclusion in secondary schools as a percentage of the total number of pupils has increased from 7% to 8%

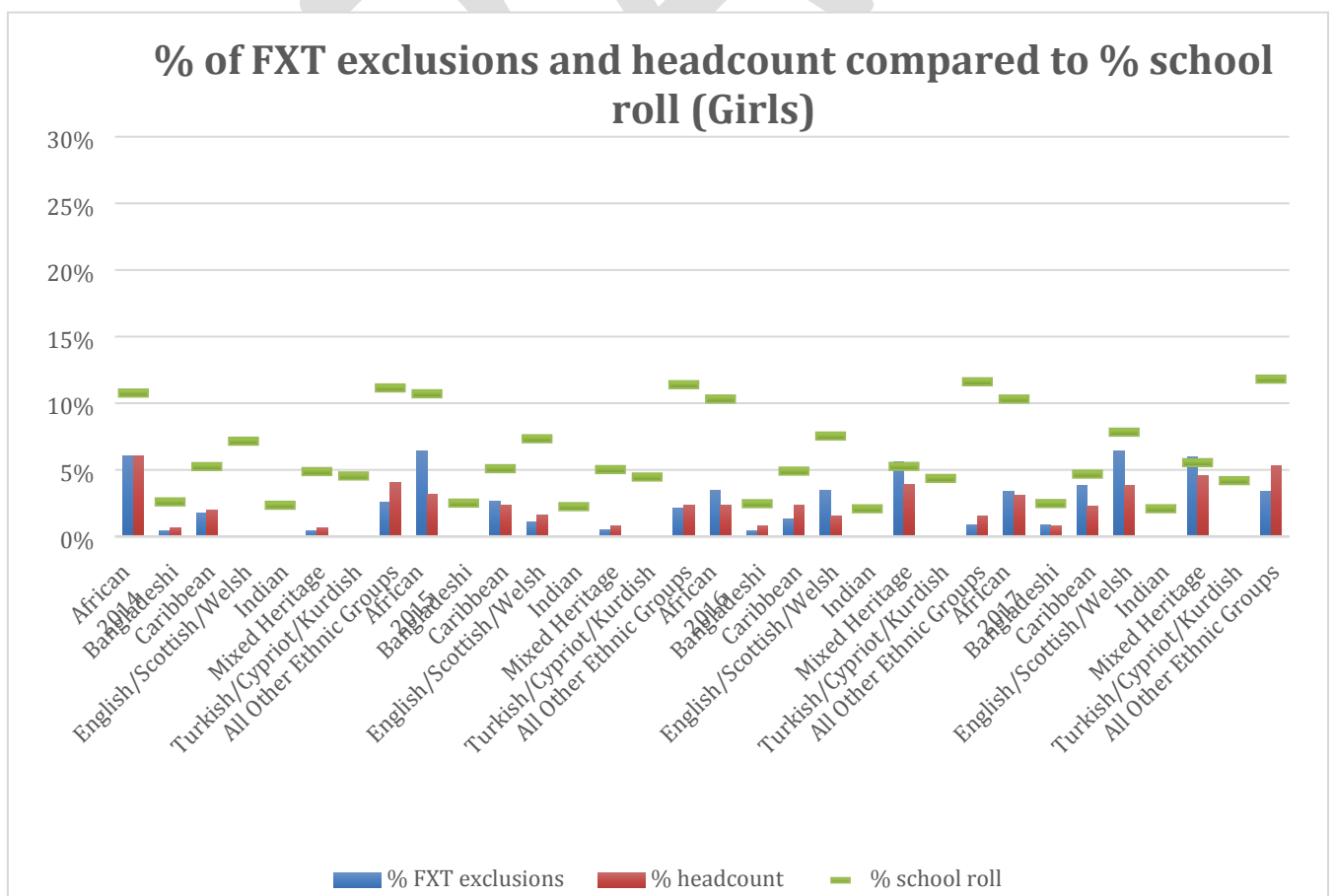
	2014	2015	2016	2017	Trend line		2014	2015	2016	2017	Trend line
Primary	1%	1%	1%	1%		Primary	1%	1%	1%	1%	
Secondary	12%	12%	14%	13%		Secondary	7%	7%	8%	8%	
Special	12%	4%	3%	3%		Special	6%	3%	2%	2%	
All schools	5%	5%	6%	6%		All schools	3%	3%	4%	4%	

The 'All schools' trend line can be seen to mirror the secondary trends in the table above, as 87% of all exclusions in Hackney are in the secondary phase (2016/17 figure). Therefore, analysis of fixed term exclusions in this report is divided into primary phase (section 1.2) and secondary phase (section 1.3), rather than overall cross-phase analysis, as this may mask any changes in the pattern and characteristics of primary exclusions amongst the larger volume of secondary exclusions.

1.2 Primary schools

Ethnicity (Girls)

Chart 1: Fixed-term exclusions and headcount girls against the school roll, 2014-17



African girls (11% of total school roll in 2014 and 2015, and 10% in 2016 and 2017) and 'All other ethnic groups' (11% of total school roll in 2014 and 2015, and 12% in 2016 and in 2017) are the largest female cohorts in Hackney primary schools.

In 2014 and 2015, African girls (6% of all primary school fixed term exclusions in both years) were the female cohort with the highest percentage of exclusions; in 2016, the cohort with the highest percentage of exclusions was Mixed Heritage girls (6% of all fixed term exclusions in the borough) and in 2017, English/Scottish/Welsh and Mixed Heritage girls were the cohorts with the highest percentage of exclusions (6% of all fixed terms exclusions).

There are no female cohorts (by ethnicity) within the Hackney primary school population that exhibit an extraordinary level disproportionality within the four year period. The only cohort across the four year period that exhibits any disproportionality is:

Mixed heritage girls in 2016 (6% of fixed term exclusions in the context of 5% of school roll) and in 2017 (6% of fixed term exclusions in the context of 6% of school roll)

Other examples in the four year period where there is a relatively small gap between the size of the cohort and the proportion of exclusions held by that cohort are:

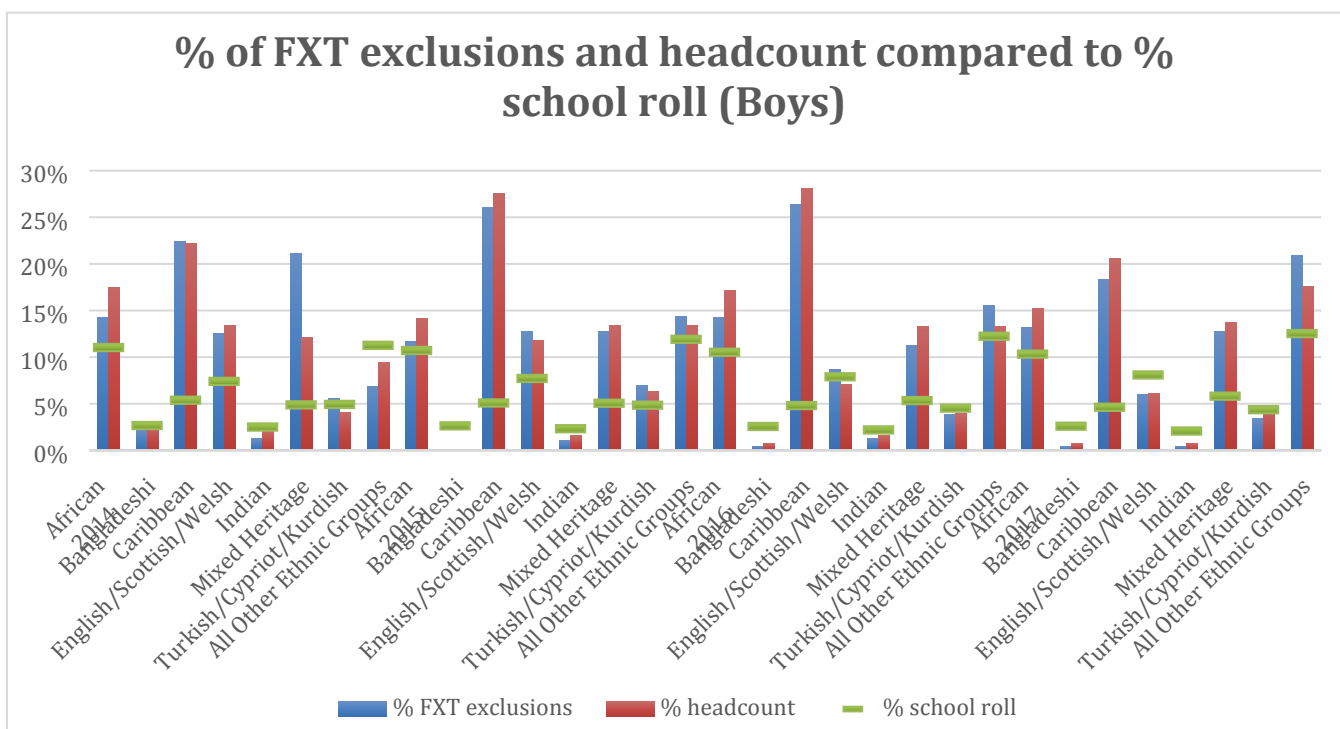
African girls in 2014 (6% of fixed term exclusions in the context of 11% of school roll) and 2017 (6% of fixed term exclusions in the context of 11% of school roll)

Caribbean girls in 2015 (3% of fixed term exclusions in the context of 5% of school roll) and in 2016 (4% of fixed term exclusions in the context of 5% of school roll)

English/Scottish/Welsh in 2017 (6% of fixed term exclusions in the context of 8% of school roll)

Ethnicity (Boys)

Chart 2: Fixed-term exclusions and headcount boys against the school roll, 2014-17



African boys (11% of total school roll in 2014, 2015, 2016 and 10% in 2017) and 'All other ethnic groups' (11% of total school roll in 2014, 12% in 2015 and 13% in 2016 and 2017) are the largest male cohorts in Hackney primary schools.

Across 2014-2016, Caribbean boys (22% of all primary school fixed term exclusions in 2014, and 26% in both 2015 and 2016) was the male cohort with the highest percentage of exclusions. In 2017, All Other Ethnic Groups were the male cohort with the highest percentage of exclusions (21% of all fixed term exclusions in the borough) while Caribbean boys was the male cohort with the second highest percentage of exclusions (18%).

Mixed Heritage boys in 2014 (21% of all fixed term exclusions in the borough) also had a significantly high proportion of exclusions.

In primary schools, the proportion of exclusions made by boys in each main ethnic group and the proportion of boys with at least one exclusion (headcount) exceed the proportion of each group in the total school roll between 2014 and 2017 on a number of occasions (**Chart 3**), most notably:

- Caribbean boys in 2014 (22% of fixed term exclusions in the context of 5% of school roll)
- Caribbean boys in 2015 (26% of fixed term exclusions in the context of 5% of school roll)
- Caribbean boys in 2016 (26% of fixed term exclusions in the context of 5% of school roll)
- Caribbean boys in 2017 (18% of fixed term exclusions in the context of 5% of school roll)

Mixed Heritage boys in 2014 (21% of fixed term exclusions in the context of 5% of school roll)

Mixed Heritage boys in 2015 (13% of fixed term exclusions in the context of 5% of school roll)

Mixed Heritage boys in 2016 (11% of fixed term exclusions in the context of 5% of school roll)

Mixed Heritage boys in 2017 (13% of fixed term exclusions in the context of 6% of school roll)

English/Scottish/Welsh boys in 2014 (13% of fixed term exclusions in the context of 7% of school roll)

English/Scottish/Welsh boys in 2015 (13% of fixed term exclusions in the context of 8% of school roll)

African boys in 2014 (14% of fixed term exclusions in the context of 11% of school roll)

African boys in 2016 (14% of fixed term exclusions in the context of 11% of school roll)

African boys in 2017 (13% of fixed term exclusions in the context of 10% of school roll)

All Other Ethnic Groups in 2015 (14% of fixed term exclusions in the context of 12% of school roll)

All Other Ethnic Groups in 2016 (16% of fixed term exclusions in the context of 12% of school roll)

All Other Ethnic Groups in 2017 (21% of fixed term exclusions in the context of 13% of school roll)

SEN provision

Chart 4: Fixed-term exclusions and headcount by SEN provision against the school roll, 2014-17

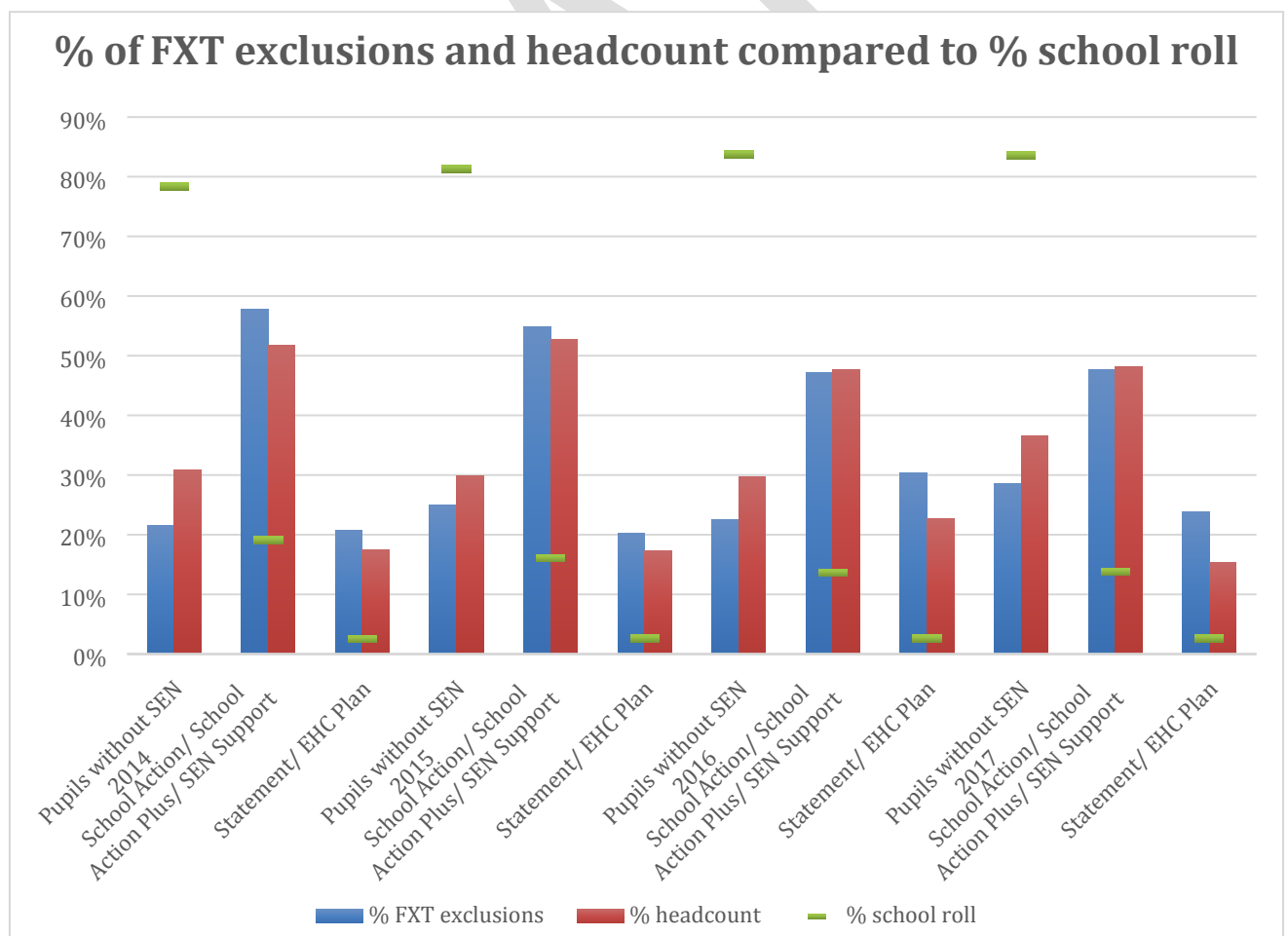


Chart 4 shows that both SEN categories – pupils with a Statement or an Education Care Plan (EHCP) and pupils with SEN without statements or EHCP are overrepresented in the of fixed-term exclusions indicators as opposed to the school rolls in 2014-2017.

Pupils with a Statement/EHCP in 2014 (21% of fixed term exclusions in the context of 3% of school roll)

Pupils with a Statement/EHCP in 2015 (20% of fixed term exclusions in the context of 3% of school roll)

Pupils with a Statement/EHCP in 2016 (30% of fixed term exclusions in the context of 3% of school roll)

Pupils with a Statement/EHCP in 2017 (24% of fixed term exclusions in the context of 3% of school roll)

Pupils at School Action, School Action Plus and SEN Support in 2014 (58% of fixed term exclusions in the context of 19% of school roll)

Pupils at School Action, School Action Plus and SEN Support in 2015 (55% of fixed term exclusions in the context of 16% of school roll)

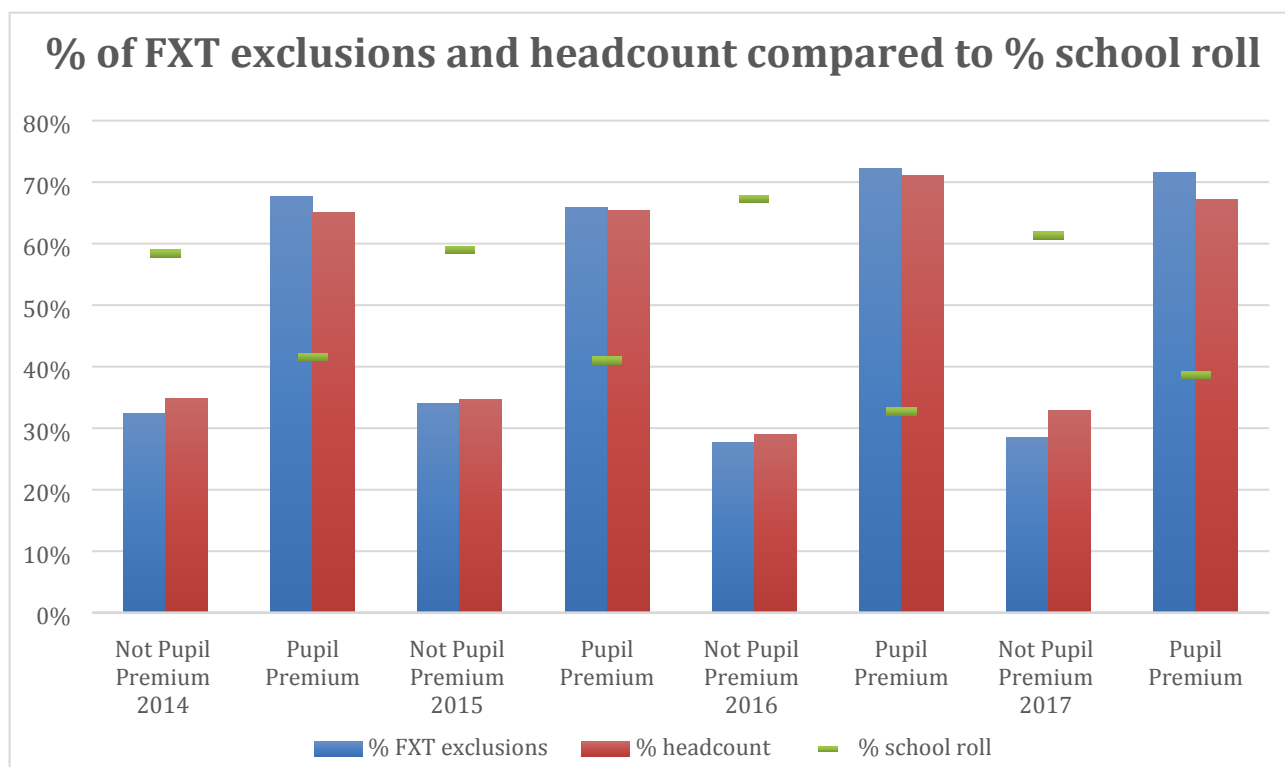
Pupils at School Action, School Action Plus and SEN Support in 2016 (47% of fixed term exclusions in the context of 14% of school roll)

Pupils at School Action, School Action Plus and SEN Support in 2017 (48% of fixed term exclusions in the context of 14% of school roll)

It should be noted that the proportion of pupils at School Action, School Action Plus and SEN Support has declined by 5 percentage points across the period, and the percentage of fixed term exclusions in Hackney from this cohort has declined by 10 percentage points.

Pupil Premium

Chart 5: Fixed-term exclusions and headcount by pupil premium against the school roll, 2014-17



As shown in **Chart 5**, pupils eligible for pupil premium are consistently overrepresented in the fixed-term exclusions indicators in Hackney primary schools in 2014-2017:

Pupils eligible for Pupil Premium in 2014 (68% of fixed term exclusions in the context of 42% of school roll)

Pupils eligible for Pupil Premium in 2015 (66% of fixed term exclusions in the context of 41% of school roll)

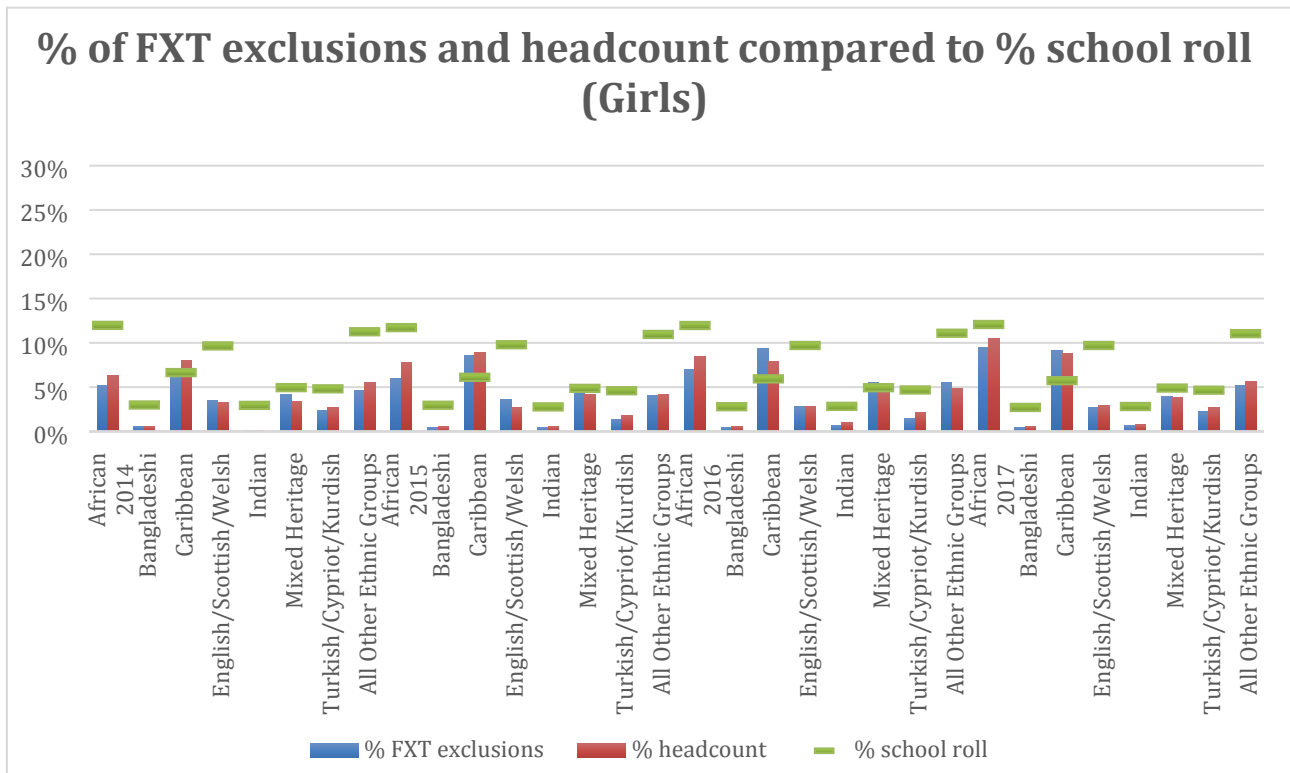
Pupils eligible for Pupil Premium in 2016 (72% of fixed term exclusions in the context of 33% of school roll)

Pupils eligible for Pupil Premium in 2017 (71% of fixed term exclusions in the context of 39% of school roll)

1.3 Secondary schools

Ethnicity (Girls)

Chart 6: Fixed-term exclusions and headcount girls against the school roll, 2014-17



In secondary schools, the proportion of exclusions made by girls in each main ethnic group and the proportion of girls with at least one exclusion (headcount) exceed the proportion of each group in the total school roll in 2014-17 on a few occasions (**Chart 6**)

African girls (12% of total school roll in each year), 'All other ethnic groups' (11% of total school roll in each year) and English/Scottish/Welsh (10% of total school roll in each year) are the largest female cohorts in Hackney secondary schools.

Caribbean girls (7% of all secondary school fixed term exclusions in 2014, and 9% in both 2015 and 2016) was the female cohort with the highest percentage of Hackney exclusions from 2014 to 2016. In 2017, African and Caribbean girls were the female cohorts with the highest percentage of Hackney exclusions (9% of all secondary school fixed term exclusions each).

In secondary schools, the proportion of exclusions made by girls in each main ethnic group exceeds the proportion of each group in the total school roll between 2014 and 2017 on a number of occasions (**Chart 6**), most notable disproportionalities are:

Caribbean girls in 2015 (9% of fixed term exclusions in the context of 6% of school roll)

Caribbean girls in 2016 (9% of fixed term exclusions in the context of 6% of school roll)

Caribbean girls in 2017 (9% of fixed term exclusions in the context of 6% of school roll)

Also, it is worth noting that Mixed Heritage girls are equally represented in both % of fixed-term exclusions and the % of the school roll:

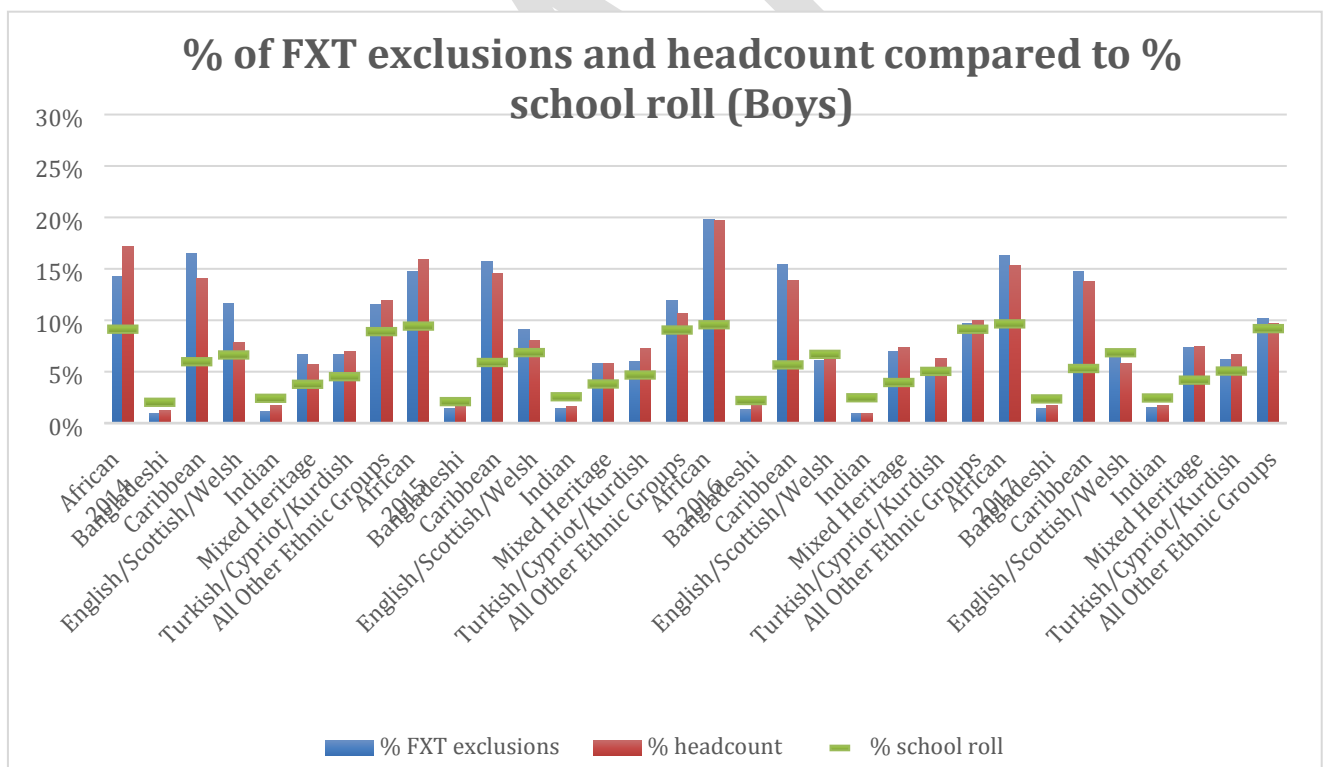
Mixed Heritage girls in 2014 (5% of fixed term exclusions in the context of 5% of school roll)

Mixed Heritage girls in 2015 (5% of fixed term exclusions in the context of 5% of school roll)

Mixed Heritage girls in 2016 (5% of fixed term exclusions in the context of 5% of school roll)

Ethnicity (Boys)

Chart 7: Fixed-term exclusions and headcount boys against the school roll, 2014-17



African boys (9% of total school roll in 2014 and 2015 and 10% in 2016 and 2017) and 'All other ethnic groups' (9% of total school roll in all four years) are the largest male cohorts in Hackney secondary schools.

In 2014 and 2015, Caribbean boys (17% of all secondary school fixed term exclusions in 2014 and 16% in 2015) was the male cohort with the highest percentage of exclusions. In 2016 and

2017, African boys (20% of all fixed term exclusions in 2016 and 16% in 2017) was the cohort with the highest percentage of Hackney's secondary school fixed term exclusions.

In secondary schools, the proportion of exclusions made by boys in each main ethnic group exceeds the proportion of each group in the total school roll between 2014 and 2017 on a number of occasions (**Chart 1**, most notably:

Caribbean boys in 2014 (17% of fixed term exclusions in the context of 6% of school roll)

Caribbean boys in 2015 (16% of fixed term exclusions in the context of 6% of school roll)

Caribbean boys in 2016 (15% of fixed term exclusions in the context of 6% of school roll)

Caribbean boys in 2017 (15% of fixed term exclusions in the context of 5% of school roll)

African boys in 2014 (14% of fixed term exclusions in the context of 9% of school roll)

African boys in 2015 (15% of fixed term exclusions in the context of 9% of school roll)

African boys in 2016 (20% of fixed term exclusions in the context of 10% of school roll)

African boys in 2017 (16% of fixed term exclusions in the context of 10% of school roll)

Mixed Heritage boys in 2014 (7% of fixed term exclusions in the context of 4% of school roll)

Mixed Heritage boys in 2015 (6% of fixed term exclusions in the context of 4% of school roll)

Mixed Heritage boys in 2016 (7% of fixed term exclusions in the context of 4% of school roll)

Mixed Heritage boys in 2017 (7% of fixed term exclusions in the context of 4% of school roll)

English/Scottish/Welsh boys in 2014 (12% of fixed term exclusions in the context of 7% of school roll)

English/Scottish/Welsh boys in 2015 (9% of fixed term exclusions in the context of 7% of school roll)

All other ethnic groups in 2014 (12% of fixed term exclusions in the context of 9% of school roll)

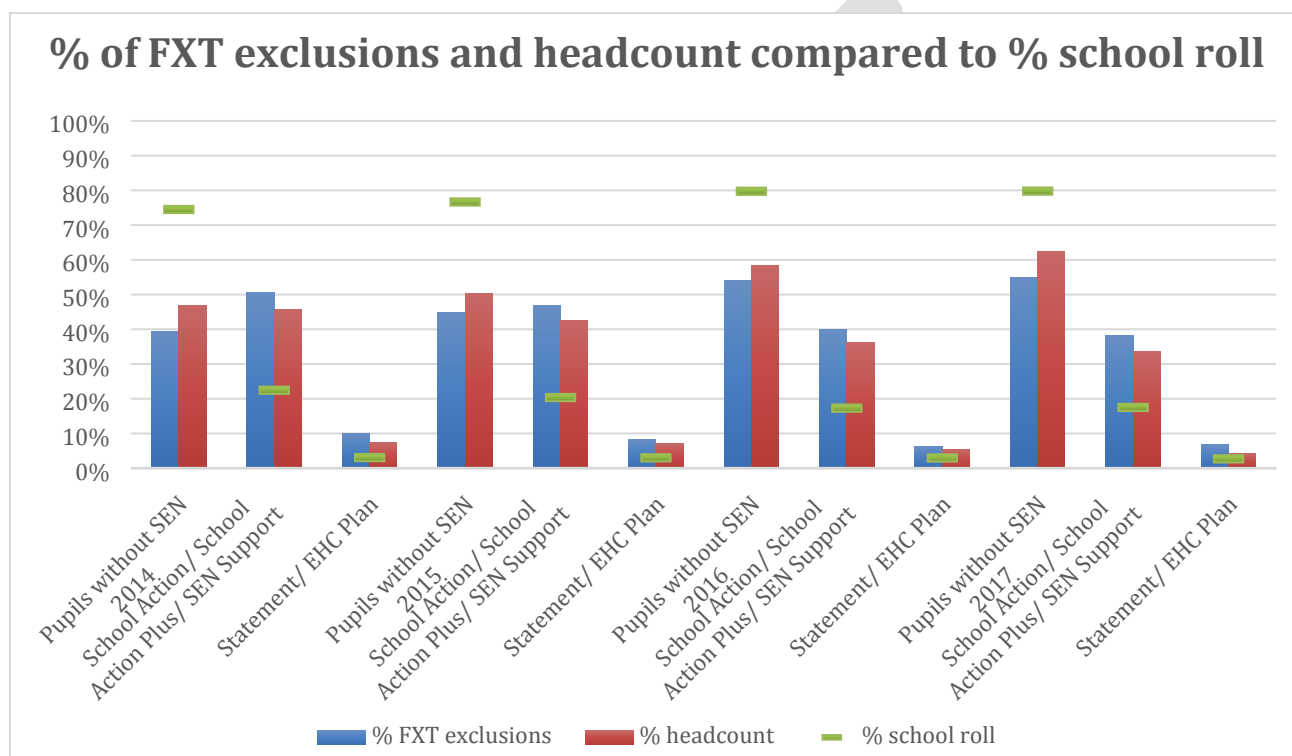
All other ethnic groups in 2017 (10% of fixed term exclusions in the context of 9% of school roll)

Turkish/Kurdish/Turkish Cypriot in 2014 (7% of fixed term exclusions in the context of 5% of school roll)

Turkish/Kurdish/Turkish Cypriot in 2017 (6% of fixed term exclusions in the context of 5% of school roll)

SEN provision

Chart 8: Fixed-term exclusions and headcount by SEN provision against the school roll, 2014-17



Pupils with SEN, regardless of their provision, are overrepresented in the fixed-term exclusions in secondary schools between 2014 and 2017 (**Chart 8**). Most notably:

Pupils with a Statement/EHCP in 2014 (10% of fixed term exclusions in the context of 3% of school roll)

Pupils with a Statement/EHCP in 2015 (8% of fixed term exclusions in the context of 3% of school roll)

Pupils with a Statement/EHCP in 2016 (6% of fixed term exclusions in the context of 3% of school roll)

Pupils with a Statement/EHCP in 2017 (7% of fixed term exclusions in the context of 3% of school roll)

Pupils at School Action, School Action Plus and SEN Support in 2014 (51% of fixed term exclusions in the context of 22% of school roll)

Pupils at School Action, School Action Plus and SEN Support in 2015 (47% of fixed term exclusions in the context of 20% of school roll)

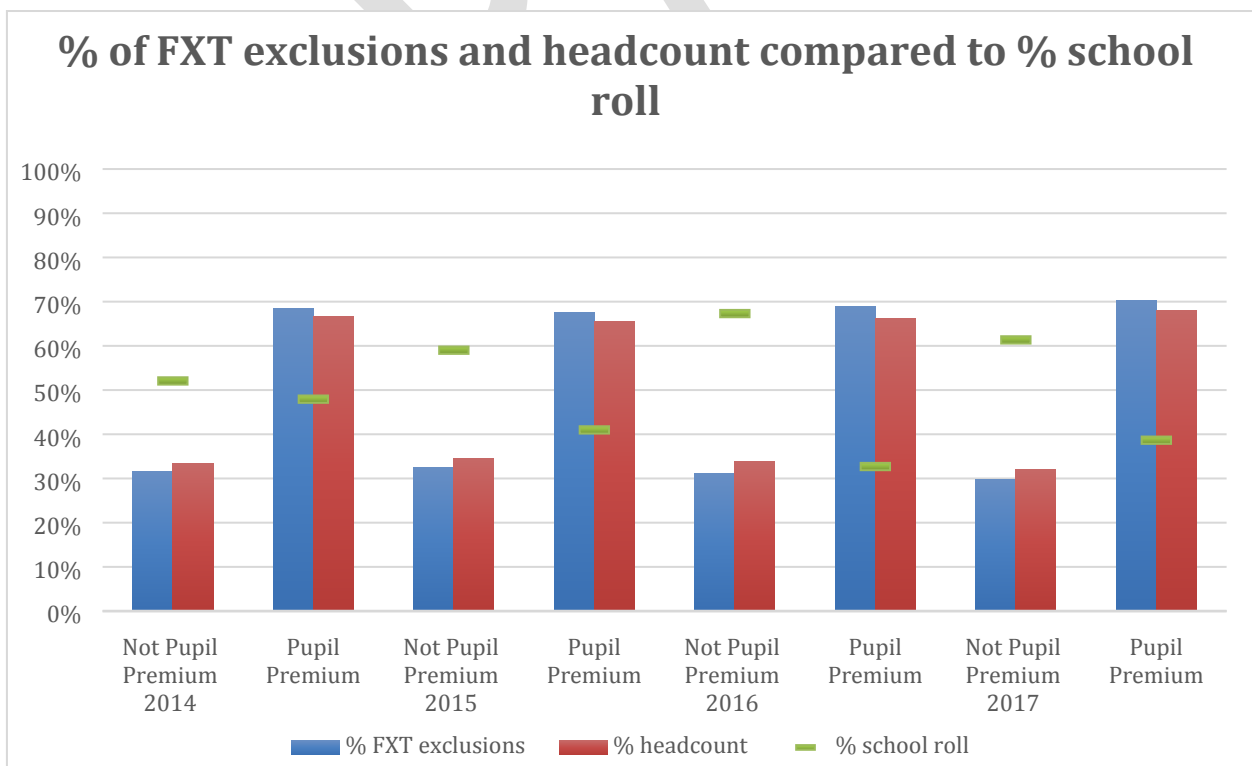
Pupils at School Action, School Action Plus and SEN Support in 2016 (40% of fixed term exclusions in the context of 17% of school roll)

Pupils at School Action, School Action Plus and SEN Support in 2017 (38% of fixed term exclusions in the context of 18% of school roll)

It should be noted that the proportion of pupils at School Action, School Action Plus and SEN Support has declined by four percentage points across the period, and the percentage of fixed term exclusions in Hackney from this cohort has declined by thirteen percentage points.

Pupil Premium

Chart 9: Fixed-term exclusions and headcount by pupil premium against the school roll, 2014-17



As shown in **Chart 9**, pupil premium pupils are overrepresented in the fixed-term exclusions in Hackney secondary schools in 2014-2017.

Pupils eligible for Pupil Premium in 2014 (69% of fixed term exclusions in the context of 48% of school roll)

Pupils eligible for Pupil Premium in 2015 (68% of fixed term exclusions in the context of 41% of school roll)

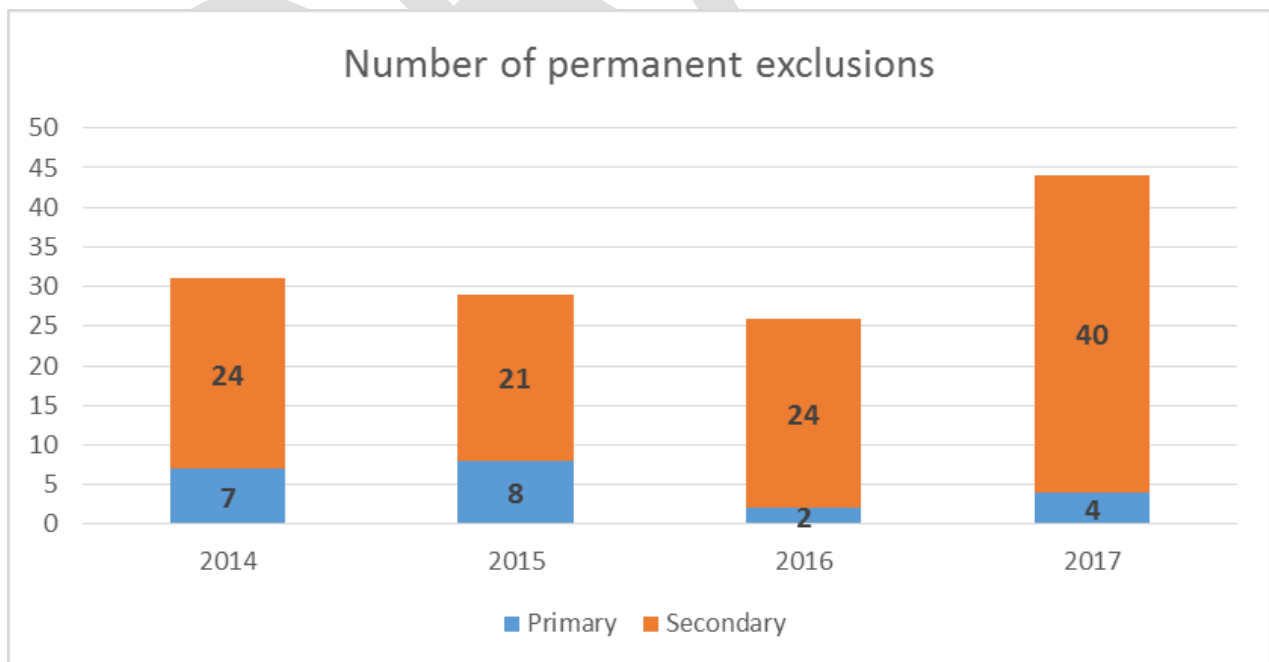
Pupils eligible for Pupil Premium in 2016 (69% of fixed term exclusions in the context of 33% of school roll)




Pupils eligible for Pupil Premium in 2017 (70% of fixed term exclusions in the context of 39% of school roll)

2. Permanent exclusions

Please note that the number of permanent exclusions in Hackney are, compared to the size of the school roll, very small. As such, these figures have not been presented in percentage terms, and have not been recorded against the school roll as a result.

Chart 9: Permanent exclusions, 2014-17



	2014	2015	2016	2017	Trend line
Primary	7	8	2	4	
Secondary	24	21	24	40	
All schools	31	29	26	44	

2.1 Primary schools

In 2014, there were seven permanent primary exclusions. These were all male, and these exclusions covered five different ethnic groups.

In 2015, there were eight permanent primary exclusions. Seven were male, and these exclusions covered 5 ethnic groups.

In 2016, there were two permanent primary exclusions.

In 2017, there were four permanent primary exclusions.

2.2 Secondary schools

In 2014, there were 24 permanent secondary exclusions, 6 of which were female. Of the 24:

- 8 were African pupil
- 5 were Mixed Heritage pupils
- 4 were Caribbean pupils
- 4 were English/Scottish/Welsh

In 2015, there were 21 permanent secondary exclusions, 4 of which were female. Of the 21:

- 5 were African pupil
- 5 were Caribbean pupils
- 3 were English/Scottish/Welsh

In 2016, there were 24 permanent secondary exclusions, 6 of which were female. Of the 24:

7 were Caribbean pupils

6 were Mixed Heritage pupils

5 were African pupils

In 2017, there were 40 permanent secondary exclusions, 10 of which were female. Of the 40:

10 were African pupils

10 were Caribbean pupils

6 were English/Scottish/Welsh pupils

DRAFT

Permanent Exclusions Survey 2016 / 17 – Findings.

Wellbeing and Education Safeguarding,
Hackney Learning Trust

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Introduction

During the Autumn term 2017, Hackney Learning Trust undertook a survey of all Permanent Exclusions that took place during the 2016 / 17 academic year, with the purpose of gathering a broader understanding of the reasons for exclusions and the context within which they occurred.

As well as seeking to broaden our understanding of why exclusions take place, and the 'Hackney picture' in regard to permanent exclusions, this work will also link to other strategies and objectives – specifically, the interest of LBH Overview and Scrutiny Commission in Exclusions and disproportionality, and the LBH strategy looking at issues relating to Young Black Men.

Of the 18 schools / federations of schools that were consulted (having permanently excluded pupils in 2016/17) 9 (50%) provided responses that have been used in the analysis of exclusions, as detailed below. This response rate made reference to 22 permanent Exclusions which is 41.5% of the total number of permanently excluded pupils 2016 / 17 (45 Secondary pupils and 8 Primary pupils).

Primary

Reason	Gender	NCY
Persistent Disruptive Behaviour	Male	4
Persistent Disruptive Behaviour	Female	5
Persistent Disruptive Behaviour	Male	3
Physical Assault - Adult	Female	2
Persistent Disruptive Behaviour	Female	6
Persistent Disruptive Behaviour	Male	5
Persistent Disruptive Behaviour	Male	2
Persistent Disruptive Behaviour	Female	1

Secondary

Reason	Gender	NCY
Persistent Disruptive Behaviour	Male	8
Persistent Disruptive Behaviour	Male	8
Other	Female	7
Weapon/Physical Assault against pupil	Male	8
Persistent Disruptive Behaviour	Male	10
Persistent Disruptive Behaviour	Male	10
Physical Assault against pupil/staff	Female	10
Persistent Disruptive Behaviour	Female	7
Weapon/Persistent Disruptive Behaviour	Male	7
Sexual Misconduct	Male	8
Persistent Disruptive Behaviour	Male	10
Other	Female	9
Persistent Disruptive Behaviour	Male	9
Drug related	Male	10
Weapon	Female	8
Persistent Disruptive Behaviour	Male	7
Sexual Misconduct	Male	10
Persistent Disruptive Behaviour	Male	8
Weapon	Male	8
Weapon	Male	8
Persistent Disruptive Behaviour	Male	8
Weapon	Female	8
PDB/ Physical Assault against pupil	Male	9
PDB/ Physical Assault against pupil	Male	8
Weapon/Verbal Abuse	Male	8
Weapon/Verbal Abuse	Male	10
Persistent Disruptive Behaviour	Male	8
Persistent Disruptive Behaviour	Male	10
Persistent Disruptive Behaviour	Male	9
Persistent Disruptive Behaviour/Weapon	Male	8
Weapon	Male	8
Persistent Disruptive Behaviour	Male	9
Physical Assault against pupil	Female	10
Drug related	Female	10
Persistent Disruptive Behaviour	Male	8
Persistent Disruptive Behaviour	Male	8
PDB/Drugs	Female	9

PDB/Weapon	Male	10
PDB//Weapon	Male	9
PDB/ Physical Assault	Male	10
Physical Assault against pupil	Female	9
Other	Male	8
Persistent Disruptive Behaviour	Male	10
Weapon	Male	8
Other	Female	10

Commentary

Some of the key general themes that are identified repetitively within the survey responses are as follows:-

Gender and Ethnicity – Primary – of the 3 survey responses received, 2 pupils are male and of Black Caribbean ethnicity. One pupil is female and of mixed ethnicity.

Gender and Ethnicity – Secondary – of the 19 survey responses received, 14 pupils (74%) are male and 5 (26%) are female. Of the 14 male pupils, 8 (57%) are Young Black Men

Female pupils	1 x Black Caribbean
	1 x Black Congolese
	2 x White British
	1 x Bengali

Male Pupils	1 x Ethnicity not supplied
	2 x Mixed ethnicity
	1 x Indian
	4 x Black Caribbean
	1 x Black African
	1 x Black Ghanaian
	1 x Black Nigerian
	3 x Black Congolese

Behavioural Problems – from the feedback provided by both Primary and Secondary schools, it is apparent that a range of complex issues - behavioural, environmental etc are often displayed at a young age and that these issues can affect both individual pupils and also siblings who may also be attending different educational settings and yet exhibiting the same degree of behavioural challenge.

Secondary schools sometimes hampered by poor information sharing at transition – this is not intended as criticism, but in some instances that were reported within the survey responses, lack of information sharing was identified as a problem and also a potential weakness in trying to ensure an effective continuum of support and intervention across Secondary transition.

Poor attainment and attendance in a significant number of cases – in approximately half the survey responses provided, attainment and attendance levels were below those that would be expected or predicted. In several instances however, attendance was positive despite the behavioural challenges that are presented and the fact that an Exclusion will count as an authorised absence. In some cases, a distinct deterioration of attendance levels from KS4 onwards is notable.

External support - although most survey responses did reference external support (principally Young Hackney and Social Care) limited details of the intervention and the effectiveness of such were provided.

Limited information provided about known offending behaviour / Infrequent reference to Gangs activity - this may well be reflective of which schools agreed to take part in the survey, but generally amongst those responses received there is very little reported information in regard to offending behaviour (typically only 3-5 responses).

In year admissions is a factor in several of these cases – In several responses, concern was raised about parental preference seeking to change schools as a means to address behavioural concerns, rather than working with the support available to address concerns within the previous school. Schools reported that in a small number of situations, the previous challenging behaviour was known to HLT. This is distinct and separate to the work undertaken with schools to effect managed moves, which are generally viewed as supportive and positive.

Behavioural challenges within whole families rather than individuals – and impacting on several schools – this is referenced in the first point (behavioural problems) and also links to a later point in regard to lack of parental engagement. This emphasises the need for schools to consult with all relevant support services at the earliest opportunity in order to bring about change to dysfunctional family dynamics.

Schools increased interventions and support as needs were seen to increase – the level of interventions as described by all schools that took part in this survey is described within the collective findings as below, and is inserted in full detail in order to:-

- Provide clarity on the level of support and intervention that Hackney Schools will apply in situations where behaviour is challenging, and in order to do all that is possible to avert exclusion
- Provide a full and comprehensive list of interventions that all schools may consider and develop.

Challenges in the relationship between school and parents – this remains a significant issue in a large number of situations where behaviour of the child/young person is challenging and again reinforces the need for schools – as referenced earlier – to seek appropriate external support and intervention services at the earliest opportunity in attempts to challenge parental attitudes where appropriate and support parents to reflect on the interests and potential outcomes for the child.

Alternative Provision and Pupil Referral Units – a brief outline
(extracted from the Department for Education’s statutory guidance on Alternative Provision).

- Local authorities are responsible for arranging suitable education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such arrangements being made.
- Governing bodies of schools are responsible for arranging suitable full-time education from the sixth day of a fixed period exclusion.
- Schools may also direct pupils off-site for education, to help improve their behaviour.
- Statutory guidance sets out the Government’s expectations of local authorities and maintained schools who commission alternative provision and pupil referral units. The Government expects those who are not legally required to have regard to the statutory guidance to still use it as a guide to good practice

- Local authorities have a power (not a duty) to arrange education provision, where not already available, for pupils aged 16-18.

- While ‘full-time’ is not defined in law, pupils in alternative provision should receive the same amount of education as they would receive in a maintained school. Full-time can be made up of two or more part-time provisions.

- ☒ Regulations require local authorities to establish management committees to run pupil referral units in their area, to make provision for the constitution (including composition) and procedures of management committees, and to delegate specific powers to management committees. The management committee must have a strategic role setting out and monitoring the aims and objectives of the unit to ensure children are safe, have their needs met and receive a good standard of education.

- Good alternative provision is that which appropriately meets the needs of pupils which required its use and enables them to achieve good educational attainment on par with their mainstream peers. All pupils must receive a good education, regardless of their circumstances or the settings in which they find themselves. Provision will differ from pupil to pupil, but there are some common elements that alternative provision should aim to achieve, including:
 - good academic attainment on par with mainstream schools – particularly in English, maths and science (including IT) – with appropriate accreditation and qualifications;
 - that the specific personal, social and academic needs of pupils are properly identified and met in order to help them to overcome

any barriers to attainment;
· improved pupil motivation and self-confidence, attendance and engagement with education; and
· clearly defined objectives, including the next steps following the placement such as reintegration into mainstream education, further education, training or employment.

- ☑ Commissioners should maintain a full record of all placements they make, including a pupil's progress, achievements and destination following the placement. This should also include the pupil's own assessment of their placement.
- ☐ Responsibility for the alternative provision used rests with the commissioner. The nature of the intervention, its objectives and the timeline to achieve these objectives should be agreed and clearly defined. Progress against these objectives should be frequently monitored, appropriate reviews should be built in and continuity into the next stage in the child's life should be considered.
- ☐ If a pupil is on the roll of their previous or current school they should remain so and encouraged to feel part of the school. Records should be kept on a pupil's progress in the provision, appropriate staff liaison arrangements should be in place, and appropriate mechanisms of challenge should be agreed.
- ☐ The governing body of a school should obtain from the provider a final report on the pupil's achievements during the placement including academic attainment and progress, attendance records and evidence of change in behaviour. The governing body should also seek the pupil's views on the success of the placement. Both may assist the school in deciding if and when to use that provider to support other pupils.
- ☐ If the placement does not end with reintegration into the school – for example, when a pupil reaches the end of Y11 while still in alternative provision – the school should work with the provider to ensure that the young person can move on into suitable education, or employment alongside part-time study or training. The school should collect and record information about the pupil's next destination as part of its planning for alternative provision intervention.

s.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/268940/alternative_provision_statutory_guidance_pdf_version.pdf)



Children and Young People Scrutiny Commission 20th September 2018 Item 9 – Minutes of the previous meeting	Item No 9
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Outline

The draft minutes of the meeting held on 18th June 2018 are attached.



Action

The Commission is asked to agree the minutes and note any actions.

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London Borough of Hackney
Children and Young People Scrutiny Commission
Municipal Year 2018/19
Date of Meeting Monday, 18th June, 2018

Minutes of the proceedings of the
Children and Young People
Scrutiny Commission held at
Hackney Town Hall, Mare Street,
London E8 1EA

Chair	Cllr Sophie Conway
Councillors in Attendance	Cllr Margaret Gordon (Vice-Chair), Cllr Katie Hanson, Cllr Ajay Chauhan, Cllr Humaira Garasia, Cllr James Peters, Cllr Clare Potter and Cllr Caroline Woodley
Apologies:	Cllr Soraya Adejare, Cllr Clare Joseph and Cllr Alex Kuye, Jane Heffernan, Jo Macleod.
Co-optees	Graham Hunter, Michael Lobenstein, Liz Bosanquet, Ernell Watson, Shuja Shaikh and Sevdie Sali Ali
Officers In Attendance	Anne Canning (Group Director, Children, Adults and Community Health), Marian Lavelle (Head of Admissions and School Place Planning), Angela Scattergood (Head of Early Years Services) and Tim Wooldridge (Early Years Strategy Manager)
Other People in Attendance	1 parent representatives from a Hackney school and 1 representatives from Hackney Independent Forum for Parents/Carers of Children with Disabilities
Members of the Public	1 member of the public
Officer Contact:	Sanna Melling  0208 356 3661  sanna.melling@hackney.gov.uk

Councillor Sophie Conway in the Chair

1 Election of Chair and Vice Chair

- 1.1 The Scrutiny Officer opened the meeting. Councillor Conway was nominated for the position of Chair by Councillor Peters, was seconded by Councillor Hanson and was duly elected.
- 1.2 Cllr Conway took the Chair. Cllr Gordon was nominated for the position of Vice Chair by Councillor Conway, was seconded by Councillor Potter and was duly elected.

1 Apologies for Absence

2.1 Apologies for absence were received from the following Members of the Commission:

- Clare Joseph (Councillor)
- Alex Kuye (Councillor)
- Soraya Adejare (Councillor)
- Jane Heffernan (Co-optee)
- Jo Macleod (Co-Optee)

3 Urgent Items / Order of Business

3.1 The Chair explained to the new Members of the Commission and the members of the public that;

- i) this is a meeting held in public not a public meeting;
- ii) Scrutiny Commissions do not discuss individual cases, case work is dealt with by the individual service areas;
- iii) Questions are asked at the discretion of the Chair;
- iv) The Council's Constitution allows members of the public to ask questions, present petitions or present a deputation at Full Council meetings but not at overview and scrutiny meetings.

3.2 There were no new or urgent items and the agenda was as published.

4 Declarations of Interest

4.1 Cllr James Peters declared that he was a Governor at the Garden School but this was not a prejudicial interest.

4.2 Cllr Ajay Chauhan declared that he worked as a teacher and was a member of the National Union of Teachers but this was not a prejudicial interest.

4.3 Cllr Humaira Garasia declared that she worked as a youth worker at the North London Muslim Community Centre but this was not a prejudicial interest.

4.4 Cllr Clare Potter declared that she was a Governor at Ambler Primary School in Islington and that she also holds the role as Speaker. As speaker she has selected two charities working with children and young people to support, both by fundraising and by attendance at events but this was not a prejudicial interest.

4.5 Co-optee Graham Hunter declared that he was a Foundation Governor at St. John the Baptist Primary School and explained that the school was part of Primary Advantage Federation. This was not a prejudicial interest.

4.6 Cllr Sophie Conway declared that she was a Parent Governor at the City Academy Hackney. This was not a prejudicial interest.

5 School Admissions

- 5.1 The Chair informed the Commission that School Admissions was a standing item presented annually within the Children and Young People Scrutiny Commission's work programme. The School Admissions report includes admissions data at two points of entry: reception (for primary) and at secondary transfer. The last update was received in July 2017.
- 5.2 The Chair welcomed Marian Lavelle, Head of Admissions, School Place Planning, Travellers' Education Team at Hackney Learning Trust, to the meeting. The Head of School Admissions made the following substantive points:

- Hackney Learning Trust has a duty to co-ordinate and secure a sufficient number of places for Hackney resident pupils. Primary projections are provided by the Greater London Authority (GLA) annually and are based upon a number of factors, including birth- and death rates, migration data, housing data and school roll data.

Reception admissions

- 2514 Hackney parents were notified on the 17th April 2018 of the outcome of their applications for admission to reception class in September 2018.
- The vast majority of parents applied online. It was noted that the online system was optimised for mobile devices therefore fully accessible on smart phones and tablets.
- There were 48 fewer applications this year. A drop in applications had been reported across the London boroughs.
- 90.9% of parents expressed a first preference for a Hackney school.
- 87.63% got their first preference and 96.82% got either their first, second or third preference both these categories of met preference for 2018 was noted to be higher than the pan London average.
- The number of cross borough movement of pupils remain more or less the same each year. The Commission heard that this makes it easier for those schools on the border to plan their roll.
- It was noted that there were no children without a school place.

Secondary Transfer 2018

- 96.7% of parents applied for secondary transfer online and they were notified on the 1 March 2018 of the outcome of their applications.
- There were a slight increase of children in this year's transfer cohort compared to last year even though London boroughs are currently experiencing a downward trend in school places.
- This year 85.5% of parents expressed a first preference for a Hackney school. This is marginally lower than in 2017.
- 63.25% of first preferences were met. This was lower than the average Pan-London percentage (66.01%). In comparison 88.41% got either their first, second or third preference and this was higher than the Pan-London average of 87.3%.
- It was noted that it was difficult to pinpoint why Hackney come in slightly lower than the Pan-London average in regards to 'met first preference'. The Commission heard that two schools in the borough uses a random allocation process. This might have an impact on preference met because they attract more applications since parents are not bound to a geographical area and in that sense all children in the borough stand the same chance of a place.
- The number of children going in and out of the borough remain broadly the same and there are no children without a school place.

Preferences and In-year Admissions

- The majority of the primary and secondary children who did not get offered a place at one of their preferred schools on National Offer days for reception admission and secondary transfer did not make use of the 6 preferences.
- Parents can apply for a school place at any time to any school outside the normal admission round. If a school has a vacancy, a place must normally be offered. It was noted that since September 2017 there had been 2458 primary in-year preferences resulting in 1,106 offers and 1249 secondary school applications resulting in 169 offers. Parents are able to express up to four preferences via the in-year application process and have the option to remain on a waiting list for their preferred school.
- It was noted that there are no legal requirement on local authorities to co-ordinate in-year admissions however, local authorities are legally required to publish online, with hard copies available for those who need, a composite prospectus each year which explains the admission process in a way that is clear and accessible to all parents. However, Hackney Learning Trust do co-ordinate this process for most of the schools in the borough. As a part of this parents received a leaflet explaining the transfer process and the procedures for applying online. There are plans to further expand the information leaflet to include further information in regards to the importance making use of the 6 preferences.

School Place Projections

- Hackney has seen a steady increase in the demand for reception places, since 2008, with very high rolls between 2014 and January 2016. However, demand for reception places started to fall in October 2016 and this trend has continued overall. It was noted that in September 2019 the number was expected to have fallen to 2539.
- School rolls across London have continued to fall and it was unclear why. However, GLA have done some research into this issue and it was thought to be a combination of different reasons including changes to the benefits system, rising rents and the possible effects of Brexit.

- 5.3 The Commission wanted to know if Hackney Learning Trust had monitored the number of visits to the online prospectus, whether the numbers of visits to the webpage appeared to be within the expected volume and further had given them an idea of how parents might have found the online application process. In response the Head of Admissions, School Place Planning, Travellers' Education Team at Hackney Learning Trust explained that visits to the prospectus are monitored however, the officer did not have this data at hand at the meeting.

ACTION: The Head of Admissions, School Place Planning, Travellers' Education Team at Hackney Learning Trust to provide data and a brief narrative around the number of visits to the online prospectus.

- 5.4 The Commission sought to better understand the relationship between the falling reception rolls and the growing population. Further, the Commission wanted to know how the schools are supported in dealing with the financial implications of a decrease in admissions. In response the Head of Admissions, School Place Planning, Travellers' Education Team at Hackney Learning Trust made the following substantive points:
- The drop in school admissions in the borough were believed to be due a number of different reasons including birth rate plateauing, a rise in cost of accommodation in regards to both homeownership and rented properties and as consequence of Brexit, the Welfare Reform and Benefit changes and increasing migration rates.
 - All inner-London boroughs are grappling with the same issue and were trying to mitigate the impact this has on the individual schools while also remaining prepared for a sudden increase in school rolls. It was noted that the School Admission Forum meets regularly and continues to play a crucial role in monitoring the impact of admissions across the borough.
 - Some schools had reduced their roll in response to the decrease in numbers.

- 5.5 At this point the Group Director of Children, Adults & Community Health added that the reduction in the school roll was not a straight forward solution for schools and did not provide them with much reassurance. There was also an added uncertainty felt around free schools opening or suddenly not opening and the impact this has had on the nearby schools. These schools fall outside the school place planning.
- 5.6 The Commission sought clarification to why only some of the statistics for children on Education, Health and Care plans (EHCP) were included in the report and whether the officer were able to expand on the admission process for these children including how many of this cohort of children applied to Hackney schools and how many secured a school place in Hackney. Further, whether there has been a similar drop in admissions for this cohort. In response the Head of Admissions, School Place Planning, Travellers' Education Team at Hackney Learning Trust made the following substantive point:
- The two processes are legally different and therefore separate. EHCP admissions data and the reporting structure sit under the Special Educational Need team's remit and was not available to the officer at the meeting. It was noted that the process for this cohort included an option for parents to express their preferences much earlier in the year as well as receive their outcomes of applications earlier.

ACTION: HLT to provide an update on children on EHC plans admission and to include this in the annual update on School Admissions 2019 and onwards.

- 5.7 The Commission wanted to know what support HLT provide to parents around understanding the school admission process, the importance of making use of all their 6 preferences as well as in regards to in-year admissions. In response the Head of Admissions, School Place Planning, Travellers' Education Team at Hackney Learning Trust made the following substantive points:
- During the summer term Hackney Learning Trust run 5-6 events for Year 5 parents across the borough. At these events the school admission process was explained and the importance of making use of the 6 preferences as well as the possible outcomes of their application based on last year's information were explained and discussed.
 - Hackney Learning Trust also raise awareness amongst primary school Head teachers and liaise with nursery settings around explaining the process to parents and supporting them with their online application.
 - In addition, it was noted that Hackney Learning Trust supply nursery settings with a list of all those children that are due to start school in September in their setting with the expectation that the nursery need to ensure that by the cut-off date parents of these children has had the opportunity to submit their applications.
 - Further, Hackney Learning Trust liaise with all Head teachers in regards to those parents that have failed to submit their application by the deadline to ensure that this was followed up by the head teacher and where the lateness was considered to be 'for a good reason' an extended deadline apply and the applications were accepted.
 - The support parents were offered around in-year admissions include a conversation with the school and Hackney Learning Trust often find that at this point the reason why parents want to change school is resolved. Further, it was noted that parents have a legal right to change school and if there is a vacancy at the preferred school a move was in most cases facilitated. However, the support provided varies depending on the individual circumstances of the case.

- 5.8 At this point the Chair sought clarification around in-years admissions and challenging behaviour and whether there might be a need to do a bit more investigation into the reasons to why parents wish to complete an in-year admission. It was noted that an

issue around in-year admissions often being used in regards to children that displayed the most challenging behaviour had been highlighted to the Commission during their review into Exclusions. In response the Head of Admissions, School Place Planning, Travellers' Education Team at Hackney Learning Trust made the following substantive point:

- To ensure that the in-year application was in the best interest of the child the process requests information from the previous school. In addition, the fair access protocol was also applied to ensure that a schools do not refuse a child on the grounds of their behaviour and to ensure that the children with challenging behaviour are evenly distributed amongst the schools.

- 5.9 Further, a Member of the Commission wanted to know whether schools still apply the banding process. In response the Head of Admissions, School Place Planning, Travellers' Education Team at Hackney Learning Trust explained that some schools still operate banding process. Where this apply Hackney Learning Trust help coordinate the process to ensure children only have to take test once. It was noted that parents are made aware that banding is not a guarantee for a school place at a certain school as these are also subject to change throughout the application process.

Early Years – Childcare Sufficiency Assessment (CSA)

- 5.10 The Commission was informed that January when the Commission received the Executive Response to the *Childcare: the introduction of extended (30-hour) free childcare in Hackney* review , it was agreed that going forward the annual School Admissions update would also include the full Childcare sufficiency assessment.

- 5.11 Hard copies of the assessment report were available at the meeting.

- 5.12 The Chair welcomed Angela Scattergood, Head of Early Years, Hackney Learning Trust and Tim Woolridge, Early Years Strategy Manager, Hackney Learning Trust to the meeting and asked them to go through the Childcare sufficiency assessment report before moving on to Item 6 (the review update). The Early Years Strategy Manager made the following substantive points:

- It is a legal requirement for the local authority to secure sufficient childcare, so far as is reasonably practicable, for working parents, or parents who are studying, or in training or employment, for children aged 0-14 (or up to 18 for disabled children).
- In September 2017 this duty was extended to include a legal requirement to provide childcare free of charge, for qualifying children of working parents, for a period equivalent to 30 hours in each of 38 weeks in any year.
- It was noted that the extended free childcare requirement was in addition to the duty to ensure sufficient places to effectively deliver free targeted and universal entitlement for two, three and four year olds.
- The Commission were informed that despite an increased uptake of childcare places the assessment of the availability of childcare places shows that Hackney has sufficient capacity for 0-5 year olds. It was noted that the picture of childcare overall in Hackney was healthy: with sufficient places and the majority of settings offering good to outstanding quality of childcare.
- The cost of childcare in the borough can generally viewed as favourable compared to both the London average London and national average cost of childcare.
- It was noted that the childcare offer needed to be more flexible by providing more places for those requiring childcare outside 8am to 6pm and on weekends. However, the Commission heard that with the growing number of Childminders the Early Years service, HLT are confident in gradually meeting the need.
- The Early Years service continues to support childcare providers to open settings in the north of the borough where the population was growing the fastest and where therefore there was also a greater need for childcare.

- 5.13 At this point the Head of Early Years added that:
- Hackney Learning Trust were actively involved in the development of GLA's childcare sufficiency assessment framework for London and informed the Commission that the report was based on that newly developed framework for assessing childcare sufficiency.
- 5.14 The Commission sought clarification to whether with a vacancy rate of 19% there was anything Hackney Learning Trust can do to try to alleviate the long waiting times for full time nursery places at the Children Centres where parents are reporting waiting list to be between one to two years. In addition, they also wanted to understand whether the extended offer and the different funding models has led to an increased disparity in the quality of childcare on offer. In response the Head of Early Years and the Early Years Strategy Manager made the following substantive points:
- The variation in waiting lists and popularity was due to and dependent on the market i.e. parents' preference in the same way as some schools attract more applicants than other schools. Children Centres, offering good quality childcare, tend to be the settings with long waiting lists. Families often attend Children Centres pre nursery activities and therefore have an attachment to these settings. However, there are also other providers that are offering good and excellent care that have vacancies.
 - To help manage the waiting lists the Children Centres are working with other local providers to develop partnerships, support and encourage parents to look at other nurseries as well as raise awareness of how the quality of childcare has improved across the board as a part of the brokering service offered by Hackney Learning Trust. Whilst also offering active support to the local nurseries in the form of training, support visits and inset days.
 - It was noted that most subsidies have been replaced by the national funding formula and Hackney Learning Trust are continuing to monitor the impact of this, so far they have found that funding rates are more homogenous now than previously and the average costs for childcare are below the London average of £350 for 50 hours despite some nurseries charging more. The highest rate charged in Hackney was £430 for 50 hours.
 - Private nurseries have the ability to charge parents more and to deliver services accordingly but this does not deter from the fact that there are also community nurseries offering high quality childcare.

6 Review update - Childcare: the introduction of extended (30-hour) free childcare in Hackney.

- 6.1 The Chair explained to the new Members of the Commission that the report in the agenda pack was the 6 months update on the recommendations from the review carried out in April 2016 and a follow up on the initial executive response.
- 6.2 The Chair asked the Early Years Strategy Manager to take the Commission through the update.
- 6.3 In addition to going through the recommendation tracker on page 11 to 25 in the agenda pack the Early Years Strategy Manager made the following substantive points:
- The percentage of eligible two year olds taking up the 15 hours free entitlement has continued to increase and now stand at 61%. This was noted to be higher than the statistical neighbour and the inner-London averages.
 - As a result of the brokering service, the marketing as well as the hard work put in by providers there are now more settings and more schools providing places for this cohort.

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- Since the introduction of the extended offer 2 nurseries have closed and 3 have opened, a further three are due to open in 2018. There are more nurseries than expected opting to offer the extended free entitlement instead of charging parents higher rates. This would indicate that their businesses are coping despite the funding rates being lower than the market rate.
- 93% of the private, voluntary and independent nursery sector offer additional hours along with 100% of nursery classes in the maintained setting and 23% of childminders.
- Hackney Learning Trust continues to provide business support through the 30 Hours Delivery Support Fund (a successful bid for a Department of Education (DfE) grant) which has been partly been used to provide bespoke support to providers to deliver sufficient 30 hours places.
- Hackney Learning Trust continues to recognise the need to ensure school, nursery settings and childminders work together in partnership to maximise the effectiveness of the childcare offer to parents. While continuing to deliver the Professional Development Network Meetings schools have responded to this need as well by establishing their own wrap-around care including breakfast and after-school clubs for children accessing the 30 hours extended offer.
- The sufficiency assessment shows there to be sufficient capacity to meet current levels of demand. It was noted that prior to children taking up a 30 hour place, parents need to generate an 11 digit eligibility code using the HMRC online checker and then they need to have that code validated firstly by a provider and then by the local authority. This has established a picture of relative take up and identified, in part, whether there are sufficient places to meet demand. By March this year, 93% of codes nationally had been validated and in Hackney 97% of codes issued were validated. This would indicate that parents who want to take up their 30 hours entitlement are going so successfully.
- Whilst the stated intention of the implementation of 30 hours was to reduce the cost of childcare and encourage parents to increase the number of working hours, one possible unintended impact could be a widening of the attainment gap between children from working families and those from non-working families. This possibility was highlighted by the Scrutiny review and has been shared with childcare providers and schools who, as a part of their ongoing assessment processes, are monitoring the impact within their provision with the support of Hackney Learning Trust. However, only after children that are now 2 years old have been assessed using the Early Years Foundation Stage Profile in June in 2020, when they are 5 years old, can a national dataset be available for a comparative measure.
- It was noted that there are currently 68 children between birth and school age that have an Education, Health and Care plan and the average time taken to complete the assessment was 20 weeks. This was within the statutory time scales set.
- The reconfigured Early Support Team and the Portage service continue to support all early years settings with the early identification of children with Special Educational Needs and Disability (SEND) as well as provide support throughout the statutory assessment process.
- One strand of the DfE grant has been used to provide bespoke training for SENCOs in early years settings to ensure that assessments are completed to a higher standard and in a timely manner.
- Alongside the bespoke training the grant has also been used to continue to provide business support alongside marketing and advertising the free 2, 3 and 4 old free entitlements.
- Hackney Learning Trust continues to work closely with Hackney Homes, the Community Halls team as well as potential providers in identify suitable premises for new childcare settings.

6.4 The Commission wanted to know what support there has been for specials schools extending their provision to include early years settings, what the projections for the

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funding arrangements beyond 2019 are and what provision there are for those that do not meet the SEND threshold but nonetheless require more support. In response the Head of Early Years and the Early Years Strategy Manager made the following substantive points:

- In the past there were some capital grants funding available for special schools however, this funding was no longer available. This means that there was no funding available to make any adjustments to existing buildings or to cover the cost for setting up a new nursery of any kind. The cost of setting up a new provision unfortunately rests with the provider.
- Along with Ickburgh, a special school offering early years provision, there are a couple of Children's Centres focusing on providing activities for children on the autistic spectrum and across the borough early years provision can access the Area Inclusion Grant as a part of the overall responsibility to provide for children with SEND. In addition, every child in an early years setting has an individual plan.
- Better early identification means that there has been an increase of children on Education, Care and Health plans before they start school. The Early Years Inclusion fund has been provided targeted support for 118 children and for specialist SEND workers to support approximately 34 children across eight settings.
- It was noted that there has been no indication that the early Years Inclusion Fund will change.

6.5 The Commission sought to understand how Hackney Learning Trust have been working with the Orthodox Jewish Community to better support them to access the extended childcare offer. In response the Early Years Strategy Manager made the following substantive points:

- The barriers to accessing the free childcare entitlements within the Orthodox Jewish Community were around the each step of the application process being exclusively online. The lack of internet access would make it hard for these parents and providers to take up their entitlement.
- Hackney Learning Trust knew that some schools had a 40% take up whilst others had none, soon they became aware that some schools had set aside time to take parents through the process step by step, offering them an opportunity to complete the online application with their support. Consequently, Hackney Learning Trust worked with each of the schools that did not have any take up and promoted it within the school and gave them the tools they needed in order to support the parents with their applications. This was noted to have resulted in a rapid increase in the take up of the extended free entitlement.

6.6 The Commission requested a further follow up on the recommendations from the 'Childcare: the introduction of extended (30-hour) free childcare in Hackney' review in twelve months.

ACTION: Hackney Learning Trust to provide a further review update in June 2019 on the recommendations from the 'Childcare: the introduction of extended (30-hour) free childcare in Hackney'.

7 Children and Young People Scrutiny Commission - 2018/19 Work Programme Discussion

7.1 The Chair informed the new Members of the Commission that a new work programme for the Children and Young People Scrutiny Commission was discussed and agreed each municipal year. It was noted that the work programme was made up of a range of items including:

- Standing items which are presented to the Commission annually for example school places;
- Follow up reports on work previously completed by the Commission;
- One-off items (e.g. performance reports, updates);
- Evidence gathering to support in-depth review or to support 'scrutiny in a day' review

7.2 The Chair explained that the Commission was requested to identify one topic for in-depth review or one topic for 'scrutiny in a day' as well as the one off items to be incorporated into the work programme.

7.3 At this point the Chair and Cllr Gordon (the Vice Chair) briefly outline background to the three most popular suggestions;

- Outcomes of Exclusions
- CAMHS early intervention and support to schools
- Gangs and youth violence

7.4 The Chair informed the Members of the Commission that exclusions had been put forward by a number of stakeholders. It was noted that the Commission carried out a review of exclusions in 2016. Nonetheless there was a sense that there might be a need for the Commission to further explore this area of work again due to the continued high levels of both fix term and permanent exclusions in the borough, and also to review the issue around disproportionality in regards to the Black and Black British cohort. Further, there was a sense that there was a link between exclusions and number of poorer outcomes both in education and later in life and possibly even to the criminal justice system. It was suggested that the focus of the review would look at what happens after a child has been excluded while bearing in mind what the Council can do to address the disparities in the outcomes of those children that are excluded and the peers. The review would build on the work of the previous review around disproportionality as well as draw on the learning from other cross cutting programmes such as the Young Black Men Programme to help implement policy changes more broadly while looking at issues around safeguarding, vulnerability, disproportionality, commonalities as well as alternative provision.

7.5 The Chair handed over to Cllr Gordon to outline the background to the second proposal *CAMHS early intervention and support to schools*. This suggestion had been put forward by the outgoing Commission as well as a number of key stakeholders. Cllr Gordon explained that the Commission had reviewed this in 2010 and since then a lot of has changed and developed in terms of service provision and the Commission has been made aware of, by young people including the Hackney Youth Parliament, that there was a crisis in young people's mental health and wellbeing. It was noted that in one of the schools in the borough tragically a number of children took their own lives. There is currently a review of the CAMHS transformation plan and a Government Green Paper on the topic. The previous Commission Members heard from a range of partners, including schools, in February, and had concluded that it was a rather complex picture in relations to schools whereby they have the duty of care and need to not only be able to provide a service for those in need, such as specialist referrals, but also need to be able to identify early signs of mental health issues. The proposal would be to look at how schools are equipped to provide a host of wellbeing support as a preventative measure, identification and referral pathways and what services are provided in a changing commissioning climate.

7.6 The Chair recommended, following a couple of meetings with Council officers and in liaison with the Chair of Living in Hackney, that a review of gangs would be more suitable for Living in Hackney due to the age profile (the majority of gang members are older young adults and young adults) and to avoid duplication of efforts.

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- 7.7 Following a smaller group discussion the Commission **agreed** that Outcomes of Exclusions should be the in-depth review for 2018/19. It was agreed that further scoping will be necessary to further define the objectives of a planned review in this area and to ensure that this work compliments any planned work by the council, schools or other agencies. This would involve meeting with representatives from Children and Families Services and Hackney Learning Trust. This would then be presented to scrutiny panel on the 16th July 2017.
- 7.8 At this point the Group Director of Children, Adults & Community Health added that Hackney Learning Trust are carrying out a quality assurance review of wellbeing support in schools. Further, she drew attention to the risks of using language that criminalises children that have been excluded and making exclusions synonymous with criminality and advised that this needs to be carefully consider while the focus of the review was decided.
- 7.9 Further, the Commission put forward a list of suggestions for discussion topics, in addition to those included in the agenda pack, that they wished to look at as a part of the work programme (as below) and it was **agreed** that the Chair and the Scrutiny officer would populate the work programme accordingly and liaise with the other Commissions in regards to cross cutting items:
- Child abuse and domestic abuse
 - Children in care – the older cohort and interventions to improve their outcomes
 - Street School Programme – road safety and air quality
 - Voluntary youth provision
 - Play space and green space on Hackney Homes estates

8 Minutes of the Previous Meeting

- 8.1 The Chair informed the Commission that in regards to the action 56, Social Work in School update, in agenda pack the Commission had received the following reply from Cllr Bramble:



Cllr Sophie Conway
Chair
CYP Scrutiny Commission
% Hackney Town Hall

Cllr Anntoinette Bramble
Deputy Mayor of Hackney
London Borough of Hackney
Hackney Town Hall
Mare Street
London
E8 1EA
020 8356 3211

15 June 2018

Dear Cllr. Conway,

Social Work in Schools Update

At the meeting of the Children and Young People's Commission in March 2018, Cllr Bramble was asked to comment on the possibility that some of the benefits the Social Work in Schools Project (SWIS) could be incorporated into current or future services for children and families.

The SWIS Project linked social work units to the participating schools. The consultant social workers from those social work units spent at least half a day in each of the schools that they were linked with, providing "soft consultations" (advice) about children and their families, formal consultations that were recorded by both the schools and social work units and took up child in need / child protection referrals from their linked schools that would be allocated to the social workers in their units. The benefits of the project included the ability for schools to raise concerns with a known and trusted professional, regular opportunities for consultation and the ability to make formal referrals to that same social work unit without having to go through the normal referral process. In some instances, this meant that concerns could be addressed at an early stage. Unfortunately the project could not be sustained financially in the long-term.

Consideration is currently being given to how the screening and referral managers from the First Access and Support Team (FAST) could provide a similar link to schools within Hackney. Consideration is also being given to various different ways in which the current social work units could be linked to specific

geographical areas within the borough or be allocated work on a different basis to that currently used. The primary learning from SWIS (that regular opportunities for both formal and informal discussions of concerns about specific children and their families is beneficial to both schools and social work units) will be one of the principles that will underpin the service evolution currently being developed.

Yours sincerely,



Cllr Anntoinette Bramble
Deputy Mayor of Hackney

- 8.2 The Chair also informed the Commission that the action on page 64 in agenda pack had been resolved:

HLT to provide the document showing each cohort's progress from Early Years through to Key Stage 4.

- 8.3 HLT has agreed to provide a document showing each cohort's progress from Early Years through to Key Stage 4 as well as HLT to provide a narrative outlining in more detail the progress in regards to the SEN and Education Health and Care plan cohorts as a part of the annual update as a part of the annual update on Achievement update.
- 8.4 The Commission noted the actions and agreed the minutes of the last meeting.

9 Children and Young People Scrutiny Commission work programme 2018/19

Monday, 18th June, 2018

- 9.1 The Members of the Commission noted the last version of the work programme for the municipal year 2017/18 subject to the work programme discussion (item 7 on the agenda).

10 Any Other Business

- 10.1 None received.

Duration of the meeting: 7.00 - 9.15 pm

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Children and Young People Scrutiny Commission 20th September 2018 Item 10 – Children and Young People Scrutiny Commission - 2018/19 Work Programme	Item No 10
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Outline

Attached is a copy of the work programme for the Commission for 2018/19. Please note this is a working document and is regularly revised and updated.

Action

The Commission is asked to make any amendments as necessary and note the latest version of the work programme for the municipal year 2018/19.

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Overview & Scrutiny

Children & Young People Scrutiny Commission Work Programme June 2018 – April 2019

Please note: this is a working document subject to change.

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
18th June 2018 Papers deadline: 7 th June 2018 Agenda dispatch: 8 th June 2018	Election of Chair and Vice Chair	Sanna Melling, Scrutiny Team/ Chair CYP	
	Update on School Admissions and the Childcare sufficiency Assessment	Marian Lavelle, Head of Admissions and Pupil Benefits, HLT Angela Scattergood, Head of Early Years, HLT Tim Wooldridge, Early Years Strategy Manager, HLT	
	Review update – Childcare: the introduction of extended (30-hour) free childcare in Hackney.	Angela Scattergood, Head of Early Years, HLT Tim Wooldridge, Early Years Strategy Manager, HLT	
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To discuss and agree the work programme.
20th September 2018 Papers	Executive Response - Unregistered Educational Settings in Hackney	Anne Canning, Group Director, Children, Adults and Community Health, LBH Andrew Lee, Assistant Director Education Services, Hackney	

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
deadline: 11 th September 2018 Agenda dispatch: 12 th September 2018		Learning Trust Paul Kelly, Head of Wellbeing and Education Safeguarding Education Services, Hackney Learning Trust	
	Executive Response - Recruitment and Support to Foster Carers review.	Sarah Wright, Director of Children & Family Services Deborah Ennis, Service Manager - Safeguarding and Learning Children and Families Service	Including an additional short written update on the project to provide additional support to unaccompanied asylum seeking children.
	SEND Reference group - update	Cllr Kennedy, Cabinet Member for Families, Early Years and Play Cllr Gordon, Vice Chair CYP Scrutiny Commission	Update to cover terms of reference, progress and remit of reference group.
	Outcomes of Exclusions – DRAFT Terms of Reference	Sanna Melling, Scrutiny Team	
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To review and monitor progress

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<p>10th October 2018</p> <p>Papers deadline: 1st October 2018</p> <p>Agenda dispatch: 2nd October 2018</p>	Evidence session – Review:	Sanna Melling, Scrutiny Team	2nd evidence session with key stakeholders
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To review and monitor progress
<p>15th November 2018</p> <p>Papers deadline: 6th November 2018</p>	Annual Question Time with Cabinet Member for Children’s Services (SEND)	Cllr Christopher Kennedy, Cabinet Member for Families, Early Years and Play	The Commission to identify 3 areas for depth questioning in advance. To include budget and performance monitoring of service area - to look ‘beyond’ data set to gain a better understanding of complex issues. In order to promote ‘investigative rather

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
Agenda dispatch: 7 th November 2018			than for information’.
	Evidence session – Review:		
	Children and Families Service Bi-Annual Update – End of Year Report to Members	Sarah Wright, Director of Children & Family Services Lisa Aldridge, Head of Service, Safeguarding and Learning Deborah Ennis, Service Manager - Safeguarding and Learning Children and Families Service	CFS End of Year Report 2017/18 Including a narrative about the increased demand on the service and a breakdown of abuse type over the past year and information about trends.
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To review and monitor progress
19th November 2018	<p>Joint Meeting with Health in Hackney:</p> <p>Integrated Commissioning – CYP and Maternity Workstream</p> <p>Vaccine preventable disease and childhood immunisations</p>	<p>Amy Wilkinson, Workstream Director Children, Young People and Maternity Services Integrated Commissioning Workstream</p> <p>NHSE London GP Confed Public Health CCG</p>	<p>Long item on Childhood Immunisations to address concerns about the borough’s performance and key issues for the stakeholders engaged in trying to</p>

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
		Rep of an Anti Vac campaign	increase the uptake of immunisations.
14th January 2019 Papers deadline: 3 th January 2019 Agenda dispatch: 4 th January 2019	Integrated Commissioning – CYP and Maternity Workstream	Amy Wilkinson, Workstream Director Children, Young People and Maternity Services Integrated Commissioning Workstream	
	Annual Question Time with Cabinet Member for Children’s Services	Cllr Anntoinette Bramble, Deputy Mayor and Cabinet Member for Children’s Services –TBC	The Commission to identify 3 areas for depth questioning in advance. To include budget and performance monitoring of service area - to look ‘beyond’ data set to gain a better understanding of complex issues. In order to promote ‘investigative rather than for information’.
	Draft report: Outcomes of Exclusions		
	Substantive discussion item – as suggested by the commission and key stakeholders		
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To review and monitor progress
25th February	Substantive discussion item – as suggested by the commission and		

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
2019 Papers deadline: 14 th February 2019 Agenda dispatch: 15 th February 2019	key stakeholders		
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To review and monitor progress
25th March 2019 Papers deadline: 14 th March 2019 Agenda dispatch: 15 th March 2019	Substantive discussion item – as suggested by the commission and key stakeholders		
	Children and Families Service Bi-Annual Report to Members	Sarah Wright, Director of Children & Family Services Lisa Aldridge, Head of Service, Safeguarding and Learning Deborah Ennis, Service Manager - Safeguarding and Learning Children and Families Service	Including a separate paper on the outcomes of and the tracking of the social and emotional development of children in Temporary Accommodation
	6-months recommendation update on Recruitment and Support to Foster Carers review.	Children & Family Services	
Annual Update on Achievement of Students at Early Years Foundation Stage, Key Stage 2 and Key Stage 4.	Sara Morgan, Principal Adviser Primary, Hackney Learning Trust; Anton Francic, Principal Secondary Adviser, Hackney Learning Trust – TBC Head of Early Years, HLT –TBC	HLT to provide a narrative outlining in more detail the progress in regards to the SEN and Education Health and Care plan cohorts as a part of the annual update as well as provide a document showing each cohort's progress from	

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
			Early Years through to Key Stage. (actions for HLT that came out of the CYP Commission meeting in March 2018)
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To review and monitor progress
30th April 2019 Papers deadline: 19 th April 2019 Agenda dispatch: 22 nd April 2019	Substantive discussion item – as suggested by the commission and key stakeholders		
	Annual Report City and Hackney Safeguarding Board	Jim Gamble, Chair of the City and Hackney Safeguarding Children Board – TBC Rory McCallum, Senior Processional Adviser	
	6 months recommendation update – Unregistered Educational Settings review	Anne Canning, Group Director, Children, Adults and Community Health, LBH Andrew Lee, Assistant Director Education Services, Hackney Learning Trust Paul Kelly, Head of Wellbeing and	

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
		Education Safeguarding Education Services, Hackney Learning Trust	
	Discussion of 2019/20 work programme	Sanna Melling, Scrutiny Team	Commission to identify, suggest and agree possible topics for inclusion within the Children and Young People Scrutiny Commission work programme for 2019/20.