

# 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

**Monday, 9th September, 2019**

**7.00 pm**

**Room 102, Hackney Town Hall, Mare Street, London E8 1EA**

Contact:

Martin Bradford

☎ 020 8356 3315

✉ martin.bradford@hackney.gov.uk

**Tim Shields**

Chief Executive, London Borough of Hackney

**Members:** Cllr Sophie Conway (Chair), Cllr Margaret Gordon (Vice-Chair), Cllr Sade Etti, Cllr Ajay Chauhan, Cllr Humaira Garasia, Cllr Katie Hanson, Cllr Clare Joseph, Cllr Sharon Patrick, Cllr James Peters, Cllr Clare Potter and Cllr Caroline Woodley

**Co-optees:** Graham Hunter, Jo Macleod, Ernell Watson, Shuja Shaikh, Michael Lobenstein, Maariyah Patel, Jodine Clarke and Aleigha Reeves

## Agenda

**ALL MEETINGS ARE OPEN TO THE PUBLIC**

- 1 Apologies for Absence**
- 2 Urgent Items / Order of Business**
- 3 Declarations of Interest**
- 4 New arrangements for Local Safeguarding Children Board (19.00)** (Pages 1 - 48)
- 5 Off-rolling in schools (19.20)** (Pages 49 - 86)
- 6 CYP Commission Work Programme 2019/20 (21.00)** (Pages 87 - 120)
- 7 Minutes of the Previous Meeting (21.15)** (Pages 121 - 140)
- 8 Any Other Business (21.20)**



## Access and Information

### Getting to the Town Hall

For a map of how to find the Town Hall, please visit the council's website <http://www.hackney.gov.uk/contact-us.htm> or contact the Overview and Scrutiny Officer using the details provided on the front cover of this agenda.

### Accessibility

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall.

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>



### Public Involvement and Recording

Scrutiny meetings are held in public, rather than being public meetings. This means that whilst residents and press are welcome to attend, they can only ask questions at the discretion of the Chair. For further information relating to public access to information, please see Part 4 of the council's constitution, available at <http://www.hackney.gov.uk/l-gm-constitution.htm> or by contacting Governance Services (020 8356 3503)

### Rights of Press and Public to Report on Meetings

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

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.



<b>Children and Young People Scrutiny Commission</b> <b>9<sup>th</sup> September 2019</b> <b>Item 4 – New Arrangements for Local Safeguarding Children Board</b>	<b>Item No</b>  <b>4</b>
--	--------------------------------

## **Outline**

Under the Children Act 2004 (as amended by the Children and Social Work Act 2017), Local Safeguarding Children's Boards (LSCB) set up by local authorities will be replaced.

Under the new legislation, the three safeguarding partners (local authorities, chief officers of police, and clinical commissioning groups) must make arrangements to work together with relevant agencies (as they consider appropriate) to safeguard and protect the welfare of children in the area.

Local Authorities are required to establish new safeguarding arrangements by September 2019. The following report sets out the new safeguarding arrangements for Hackney.

## **Attending:**

- Anne Canning, Group Director, Adults, Children and Community Health Services
- Rory McCallum, Senior Professional Adviser, City & Hackney Safeguarding Children Board

## **Action**

Members are requested to review new safeguarding arrangements.

This page is intentionally left blank

# Overview & Scrutiny

## Children & Young People Scrutiny Commission

**Date of Meeting: 9 September 2019**

**Title of Report: The City & Hackney Safeguarding Partnership**

**Report Author: Rory McCallum, Senior Professional Advisor**

**Authorised by: Anne Canning / Jim Gamble QPM**

### 1. **Introduction & Background**

1.1 This report provides a summary of the safeguarding arrangements covering the City of London and Hackney. The full arrangements can be found [HERE](#).

1.2 In 2015, the government commissioned Sir Alan Wood to review the role and functions of Local Safeguarding Children Boards (LSCBs). The Wood Report<sup>1</sup> was published in March 2016, with the government formally responding<sup>2</sup> in May 2016. The Wood Report recommendations were subsequently embedded in statute in April 2017 with the granting of Royal Assent to the Children and Social Work Act 2017. As a consequence, four important areas of change have followed.

- Firstly, LSCBs, set up by local authorities, are being replaced. Three safeguarding partners (*local authorities, clinical commissioning groups and chief officers of police in a local area*) must now make **new safeguarding arrangements** to work together with relevant agencies (as they consider appropriate) to safeguard and protect the welfare of children in the area.
- Secondly, the current system of Serious Case Reviews is being replaced. Safeguarding partners must now make arrangements to identify and review **serious child safeguarding cases** which, in their view, raise issues of importance in relation to their area.
- Thirdly, a **National Child Safeguarding Practice Review Panel** has been created and is responsible for identifying and overseeing the review of serious child safeguarding cases which, in its view, raise issues that are complex or of national importance.
- Fourthly, two partners (*local authorities and clinical commissioning groups*) have been specified as 'child death review partners' and must set up new **child death review arrangements**. These new arrangements should facilitate a wider geographic footprint and respond to the statutory guidance defining how deaths will be reviewed and how the bereaved will be supported.

---

<sup>1</sup> [The Wood Report March 2016](#)

<sup>2</sup> [The Government response to the Wood Review May 2016](#)

## **2. Timescales**

- 2.1 Statutory guidance<sup>3</sup> covering the transition from LSCBs to the new safeguarding and child death review arrangements was issued in July 2018. Safeguarding partners were required to publish their arrangements by 29 June 2019 following a 'compliance check' by the DfE. The local safeguarding arrangements covering the City of London and Hackney were published on 26 June 2019. All new local arrangements must be implemented by 29 September 2019.
- 2.2 Child death review partners are working to the same timescale set for safeguarding arrangements. Safeguarding and child death review partners have been meeting regularly to develop the new arrangements and plan for their implementation.

## **3. The Purpose of the New Safeguarding Arrangements**

- 3.1 The purpose of the new arrangements is set out in Chapter 3 of Working Together 2018 (para 3). Safeguarding arrangements aim to support and enable local organisations and agencies to work together in a system where:
- children are safeguarded and their welfare promoted
  - partner organisations and agencies collaborate, share and co-own the vision for how to achieve improved outcomes for vulnerable children
  - organisations and agencies challenge appropriately and hold one another to account effectively
  - there is early identification and analysis of new safeguarding issues and emerging threats
  - learning is promoted and embedded in a way that local services for children and families can become more reflective and implement changes to practice
  - information is shared effectively to facilitate more accurate and timely decision making for children and families.
- 3.2 Statutory guidance (WT 2018 Chapter 3, para 9) also sets out that the safeguarding partners with other local organisations and agencies should develop processes that:
- facilitate and drive action beyond usual institutional and agency constraints and boundaries
  - ensure the effective protection of children is founded on practitioners developing lasting and trusting relationships with children and their families

---

<sup>3</sup> [Working Together – Transitional Guidance July 2018](#)



3.3 To achieve the best possible outcomes, statutory guidance is also clear that children and families should receive targeted services that meet their needs in a co-ordinated way. The responsibility for this join-up locally rests with the *three safeguarding partners who have a shared and equal duty to make arrangements to work together to safeguard and promote the welfare of all children in a local area.*

#### **4. Local Flexibility**

4.1 Whilst legislation and statutory guidance has set out clear requirements, there has been a degree of freedom for safeguarding partners to determine how they organise themselves to meet those requirements and improve outcomes for children locally. For local safeguarding partners, this is undoubtedly an important starting point given the CHSCB was the first LSCB to be judged as Outstanding by Ofsted in 2016. Indeed, whilst acknowledging both the statutory requirements and opportunities for improvement, there is a need to ensure that we don't dismantle what has been evidenced as working well.

4.2 Whilst a simple point, the naming convention for the new safeguarding arrangements has been agreed as **The City & Hackney Safeguarding Children Partnership**. Most areas have named their arrangements along similar lines.

#### **5. Statutory Guidance**

5.1 Working Together 2018 includes statutory guidance on the following areas that must be included in the written arrangements.

##### **Safeguarding Partners**

5.2 The safeguarding partners are defined in statute and agree on ways to co-ordinate their safeguarding services; act as a strategic leadership group in supporting and engaging others; and implement local and national learning including from serious child safeguarding incidents. Safeguarding partners include the following.

- For Hackney: Hackney Council, the City & Hackney Clinical Commissioning Group and the Metropolitan Police Service
- For the City of London: The City of London Corporation, the City & Hackney Clinical Commissioning Group and the City of London Police

## **Leadership**

- 5.3 The lead representatives for safeguarding partners are:
- the local authority chief executive,
  - the accountable officer of a clinical commissioning group, and
  - the chief officer of police.
- 5.4 Similar to the current LSCB arrangements, the lead representatives can delegate their functions, although they remain accountable for any actions or decisions taken on behalf of their agency. If delegated, it is the responsibility of the lead representative to identify and nominate a senior officer in their agency to have responsibility and authority for ensuring full participation with these arrangements.
- 5.5 Working Together 2018 sets out the need for the new arrangements to link to other strategic partnership work happening locally to support children and families. This includes other public boards including Health and wellbeing boards, Adult Safeguarding Boards, Channel Panels, Improvement Boards, Community Safety Partnerships, the Local Family Justice Board and MAPPAs.

## **Geographic Area**

- 5.6 The CHSCB currently covers the City of London and the London Borough of Hackney. This arrangement will continue.

## **Relevant Agencies**

- 5.7 Safeguarding partners are obliged to set out within their arrangements which organisations and agencies are required to work as part of those arrangements to safeguard and promote the welfare of local children. These organisations and agencies are referred to as relevant agencies and have a statutory duty to act in accordance with the arrangements.
- 5.8 A schedule of relevant agencies can be found under [part 4 of the Child Safeguarding Practice Review and Relevant Agency \(England\) Regulations 2018](#). It should be noted that the safeguarding partners may include any local or national organisation or agency in their arrangements regardless of whether they are named within the regulations.

- 5.9 The new guidance does not include a requirement to have either Lead members or Lay members but safeguarding partners have committed to their ongoing inclusion in the arrangements.

### **Schools, Colleges and other Education Providers**

- 5.10 Local safeguarding partners have named schools, colleges and other educational providers as relevant agencies, with existing forums / support being judged sufficient to establish the active engagement of individual institutions.

### **Information Requests**

- 5.11 Safeguarding partners may require any person or organisation or agency to provide them, any relevant agency for the area, a reviewer or another person or organisation or agency, with specified information. This is clearly set out in the written arrangements.

### **Independent Scrutiny**

- 5.12 This is a key aspect of the new arrangements that safeguarding partners have considered. Safeguarding partners need to ensure that the scrutiny is objective, acts as a constructive critical friend and promotes reflection to drive continuous improvement.
- 5.13 In addition to the work of the various inspectorates, independent scrutiny is currently discharged through the role of the independent chair and the CHSCB's Learning & Improvement Framework (*i.e. such as through the existing SCR / review process, multi-agency case audits, Section 11 audits, peer reviews etc*).
- 5.14 The independence provided by the CHSCB has worked well to date, with relevant recognition of these driving a strong culture of constructive challenge, debate and improvement. They have also ensured the necessary rigour to provide challenge to the named safeguarding partners. Safeguarding partners have agreed an independent person (The Independent Child Safeguarding Commissioner) is retained in the new arrangements to provide the necessary independent scrutiny and independent leadership for the local safeguarding agenda.

### **Funding**

- 5.15 The funding for the new arrangements for 2019/20 will be maintained at the same level as that previously provided to the CHSCB in 2018/19. A review of the funding will be undertaken during 2019 to enable the safeguarding partners to consider the future

resourcing requirements, agree the level of funding provided by each safeguarding partner and any contributions from relevant agencies

### **Publication of Arrangements**

5.16 Published arrangements reference each of the following points.

- how the arrangements will include the voice of children and families
- arrangements for the safeguarding partners to work together to identify and respond to the needs of children in the area
- arrangements for commissioning and publishing local child safeguarding practice reviews and for embedding learning across organisations and agencies,
- how any youth custody and residential homes for children will be included in the safeguarding arrangements.
- how the safeguarding partners will use data and intelligence to assess the effectiveness of the help being provided to children and families, including early help
- how inter-agency training will be commissioned, delivered and monitored for impact and how they will undertake any multiagency and interagency audits
- how the threshold document setting out the local criteria for action aligns with the arrangements

### **Dispute Resolution**

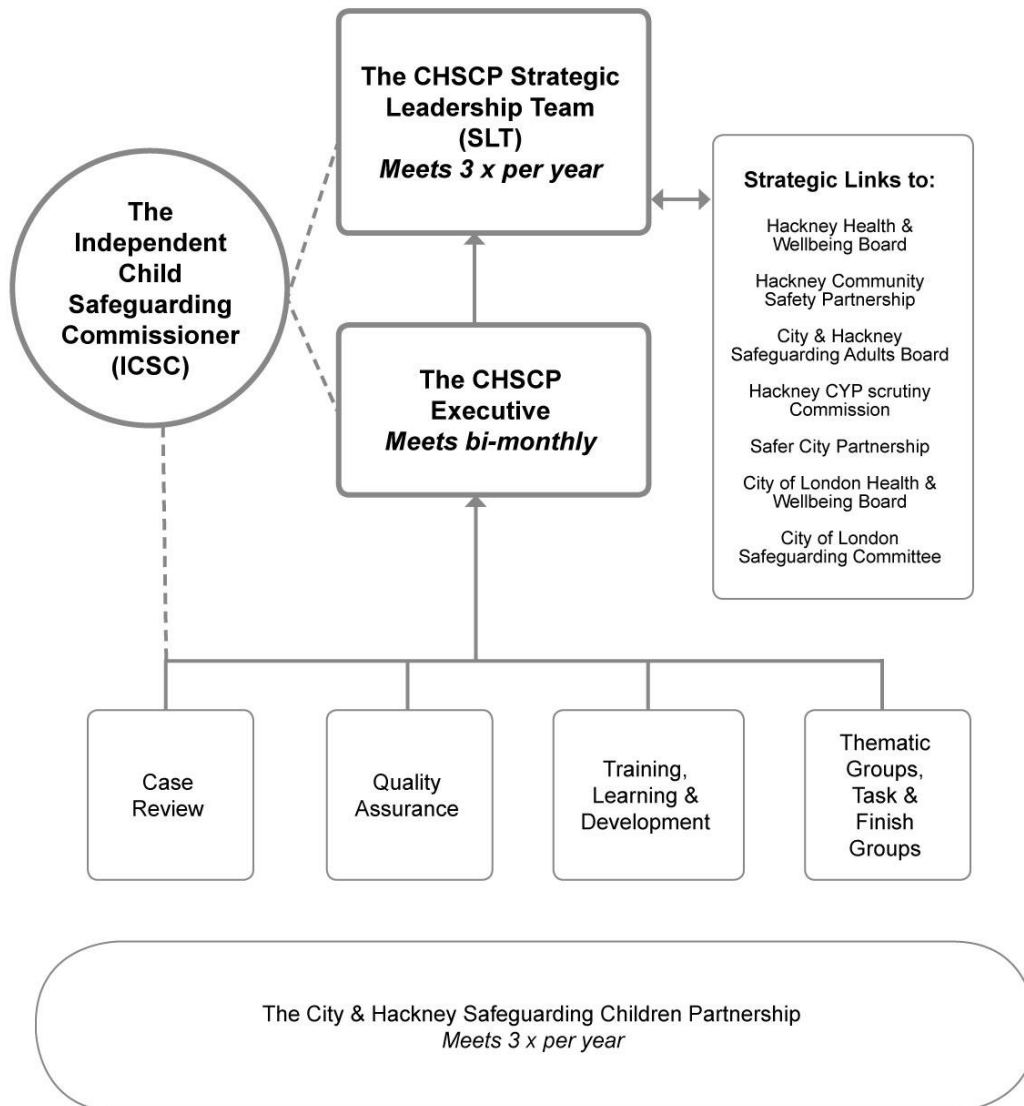
5.17 Safeguarding partners and relevant agencies must act in accordance with the arrangements for their area and will be expected to work together to resolve any disputes locally. Locally, an existing escalation protocol sets out how operational disputes are resolved, and this has been used as the basis for this requirement.

### **Reporting**

5.18 Safeguarding partners will be responsible for producing an annual report. The report must set out what they have done as a result of the arrangements, including on child safeguarding practice reviews, and how effective these arrangements have been in practice.

## 6. Partnership Structure

6.1 Safeguarding partners have agreed the following structural arrangements through which they can deliver on the statutory requirements set out within Working Together 2018.



This page is intentionally left blank



# Safeguarding Arrangements

## The City & Hackney Safeguarding Children Partnership

Issue Date	Date of Next Review	Lead Officers
26 June 2019	1 July 2020	Group Director of Children, Adults and Community Health (Hackney Council) Director of Children and Community Services (The City of London Corporation) Managing Director (The City & Hackney Clinical Commissioning Group) Central East BCU Commander (The Metropolitan Police) T/Commander (The City of London Police)

## Contents

1.	Introduction.....	2
2.	Background to the CHSCP .....	3
3.	Vision of the CHSCP .....	4
4.	Principles of the CHSCP .....	4
5.	Purpose of the CHSCP .....	6
6.	The Safeguarding Partners.....	7
7.	Geographic Area.....	9
8.	Relevant Agencies.....	9
9.	Schools, Educational Establishments and Early Years Settings .....	12
10.	Youth Custody & Residential Homes.....	12
11.	Independent Scrutiny .....	13
12.	Lead Members .....	15
13.	Lay Members.....	15
14.	The CHSCP Structure.....	16
15.	Funding .....	20
16.	Annual Reporting .....	20
17.	Learning and Improvement.....	21
18.	The Voice of the Child, Family & Community .....	21
19.	Local Child Safeguarding Practice Reviews .....	22
20.	Auditing .....	28
21.	Data.....	30
22.	Front-Line Intelligence .....	30
23.	External Learning .....	31
24.	Training and Development.....	31
25.	Threshold Tools.....	32
26.	Information Requests.....	33
27.	Dispute Resolution.....	34
28.	The CHSCP Support Team.....	34
29.	Amendments to the Safeguarding Arrangements .....	34
	Appendix 1: Relevant Agencies .....	35



# 1. Introduction

- 1.1 The City of London and Hackney Safeguarding Children Partnership (CHSCP) is established in accordance with the Children and Social Work Act 2017 and Working Together to Safeguard Children 2018.
- 1.2 The CHSCP’s safeguarding arrangements, as set out within this document, define how statutory safeguarding partners and relevant agencies will work together to coordinate their safeguarding services. The arrangements also include how the CHSCP will identify and respond to the needs of children, commission and publish local child safeguarding practice reviews and provide for independent leadership and scrutiny.
- 1.3 The arrangements meet the requirements of statutory guidance, in addition to taking advantage of the government’s prescribed flexibility as set out in its response<sup>1</sup> to the Wood report in 2016<sup>2</sup>. They have been developed to build on the strengths of the outstanding performance<sup>34</sup> of the City and Hackney Safeguarding Children Board (CHSCB), maintaining what has been evidenced as working well and making a positive difference to children’s lives.



**Tim Shields, Chief Executive**  
Hackney Council



**John Barradell, The Town Clerk**  
City of London Corporation



**Jane Milligan, Accountable Officer**  
City & Hackney CCG



**Marcus Barnett, Commander**  
Central East Basic Command Unit (MPS)



**Ian Dyson, Commissioner**  
City of London Police

<sup>1</sup> [Government response to the Wood Review May 2016](#)

<sup>2</sup> [The Wood Report March 2016](#)

<sup>3</sup> [Review of the effectiveness of the Local Safeguarding Children Board, Hackney Ofsted report, September 2016](#)

<sup>4</sup> [Review of the effectiveness of the Local Safeguarding Children Board, City of London Ofsted report, September 2016](#)

## 2. Background to the CHSCP

- 2.1 In 2015, the government commissioned Sir Alan Wood to review the role and functions of Local Safeguarding Children Boards (LSCBs). The Wood Report was published in March 2016, with the government formally responding in May 2016.
- 2.2 The recommendations from the Wood Report were subsequently embedded in statute on 27<sup>th</sup> April 2017, with the granting of Royal Assent to the Children and Social Work Act 2017. As a consequence, four important areas of change have followed.
- 2.3 Firstly, LSCBs, set up by local authorities have been replaced. Three '*safeguarding partners*' are now responsible for leading new safeguarding arrangements and working with relevant agencies to safeguard and promote the welfare of children.
- 2.4 Secondly, the system of Serious Case Reviews has been replaced. Safeguarding partners now make arrangements to identify and review *serious child safeguarding cases* which, in their view, raise issues of importance in relation to the local area. They commission and oversee the review of those cases, where they consider it appropriate for a review to be undertaken.
- 2.5 Thirdly, an independent *Child Safeguarding Practice Review Panel* has also been created and operational since June 2018. This panel is responsible for identifying and overseeing the review of serious child safeguarding cases which, in its view, raise issues that are complex or of national importance.
- 2.6 Fourthly, local authorities and clinical commissioning groups have been specified as '*child death review partners*' and operate to new child death review arrangements. These new arrangements facilitate a wider geographic footprint and respond to the statutory guidance defining how deaths are reviewed and how the bereaved are supported.

### 3. Vision of the CHSCP

- 3.1 **That all children in the City of London and Hackney are seen, heard and helped; they are effectively safeguarded, properly supported and their lives improved by everyone working together.**

### 4. Principles of the CHSCP

- 4.1 As leaders across a range of organisations, the commitment of the CHSCP is to work together to make the lives of children safer by protecting them from harm; preventing impairment to their health and/or development, ensuring they receive safe and effective care; and ensuring a safe and nurturing environment for them to live in.

- 4.2 The CHSCP wants to make sure that everyone who works with children across the City of London and Hackney has the protection of vulnerable children and young people at the heart of what they do. In practice, this means that children are seen, heard and helped:

- **Seen;** *in the context of their lives at home, friendship circles, health, education and public spaces (both off-line and on-line).*
- **Heard;** *by professionals taking time to hear what children and young people are saying - putting themselves in their shoes and thinking about what their life might truly be like.*
- **Helped;** *by professionals remaining curious and by implementing timely, effective and imaginative solutions that help make children and young people safer.*

- 4.3 The CHSCP's aim is to ensure that safeguarding practice and outcomes for children are at least good, and that staff and volunteers in every agency, at every level, know what they need to do to keep children protected, and communicate effectively to ensure this happens. All of our activity is underpinned by the following principles:

- **Safeguarding is everyone’s responsibility.** As a partnership, we will champion the most vulnerable and maintain a single child-centred culture.
- **Context is key.** Capitalising on the unique opportunities presented by a dual-borough partnership, we will have an unswerving focus on both intra-familial and extra-familial safeguarding contexts across the City of London and the London Borough of Hackney.
- **The voice of children and young people.** We will collaborate with children and young people and use their lived experience to inform the way we work. We will regularly engage with them as part of our core business and ensure their voices help both design and improve our local multi-agency safeguarding arrangements.
- **The voice of communities.** Improving our understanding of the diverse communities across the CHSCP’s footprint, we will regularly communicate with, listen to and engage local communities in the work of the CHSCP. We will harness their experience to both inform and improve the way we safeguard and promote the welfare of children and young people.
- **Enabling high quality safeguarding practice.** We will promote awareness, improve knowledge and work in a way that is characterised by an attitude of constructive professional challenge.
- **Fostering a culture of transparency.** We will enable the CHSCP to learn from individual experience and **continuously improve** the quality of multi-agency practice.

## 5. Purpose of the CHSCP

5.1 The purpose of new safeguarding arrangements, as set out in Working Together 2018 (Chapter 3, para 3), is to support and enable local organisations and agencies to work together in a system where:

- Children are safeguarded and their welfare promoted.
- Partner organisations and agencies collaborate, share and co-own the vision for how to achieve improved outcomes for vulnerable children.
- Organisations and agencies challenge appropriately and hold one another to account effectively.
- There is early identification and analysis of new safeguarding issues and emerging threats.
- Learning is promoted and embedded in a way that local services for children and families can become more reflective and implement changes to practice.
- Information is shared effectively to facilitate accurate and timely decision making for children and families.

5.2 Working Together 2018 also sets out that the safeguarding partners, with other local organisations and agencies, should develop processes that:

- Facilitate and drive action beyond usual institutional and agency constraints and boundaries.
- Ensure the effective protection of children is founded on practitioners developing lasting and trusting relationships with children and their families.

5.3 To achieve the best possible outcomes, children and families should receive targeted services that meet their needs in a co-ordinated way. The responsibility for this join-up locally rests with the three safeguarding partners who have a shared and equal duty to make arrangements to work together to safeguard and promote the welfare of all children in a local area.

## 6. The Safeguarding Partners

6.1 The safeguarding partners agree on ways to co-ordinate safeguarding services; act as a strategic leadership group in supporting and engaging others; and implement local and national learning. The safeguarding partners<sup>5</sup> in the City of London and the London Borough of Hackney are:

- Hackney Council
- The City of London Corporation
- The City & Hackney Clinical Commissioning Group (CCG)
- The Metropolitan Police Service (MPS)
- The City of London Police

6.2 Safeguarding partner duties within the CHSCP's arrangements have not been delegated to partners in one local authority area. As such, all safeguarding partners in the City of London and Hackney retain an equal and joint responsibility for local safeguarding arrangements. In situations that require a single point of leadership, safeguarding partners will decide on which partner will take the lead on relevant issues that arise.

6.3 The lead representatives of the safeguarding partners are:

- **Tim Shields, The Chief Executive of Hackney Council**
- **John Barradell, The Town Clerk of the City of London Corporation**
- **Jane Milligan, The Accountable Officer of the City & Hackney CCG**
- **Marcus Barnett, The Commander of the MPS Central East BCU**
- **Ian Dyson, Commissioner, City of London Police**

---

<sup>5</sup> All service areas of the safeguarding partners retain a similar responsibility to cooperate with these arrangements, not just those with a defined focus on children and young people. (See para 8.7 and 8.8)

6.4 Whilst remaining accountable for any actions or decisions taken on behalf of their agency, the lead representatives of the CHSCP have either retained or nominated a senior officer to ensure full participation with these arrangements. Lead representatives can:

- Speak with authority for the safeguarding partner they represent.
- Take decisions on behalf of their organisation or agency and commit them on policy, resourcing and practice matters.
- Hold their own organisation or agency to account on how effectively they participate and implement the local arrangements.

6.5 The following roles comprise the CHSCP Strategic Leadership Team (SLT):

- **Anne Canning, The Group Director of Children, Adults and Community Health (Hackney Council)**
- **Andrew Carter, The Director of Children and Community Services (The City of London Corporation)**
- **David Maher, The Managing Director (The City & Hackney CCG)**
- **Marcus Barnett, The Commander of the MPS Central East BCU**
- **Dai Evans, T/Commander, City of London Police**

6.6 Safeguarding partners will continue to ensure the ongoing strategic alignment with other multi-agency forums as defined within the respective inter-board protocols in the City of London and the London Borough of Hackney.

6.7 These protocols define how the Health and Wellbeing Boards and the Community Safety Partnerships work together with the CHSCP and the City & Hackney Safeguarding Adults Board (CHSAB) in the pursuit of safeguarding and promoting the health and wellbeing of children, young people and adults.

- 6.8 The protocols set out the principles underpinning how partners work across their defined remits, the specific function of each arrangement / Board, how communication and engagement will operate and the practical means by which effective co-ordination and coherence will be secured.

## **7. Geographic Area**

- 7.1 The geographic footprint covered by the CHSCP is defined by the boundaries of the City of London Corporation and the London Borough of Hackney. The Central East Basic Command Unit of the MPS has responsibility for services outside of this area due to its organisational boundaries overlapping with Tower Hamlets.
- 7.2 The structure of the CHSCP will continue to enable safeguarding partners to apply proper focus to the contexts of both the City of London and Hackney, maximising opportunities for cross-border working, scrutiny and learning.
- 7.3 It may also be necessary for partners to work with another area's arrangements, for example during a child safeguarding practice review commissioned by another area. Operationally, the pan-London children procedures include guidance for circumstances where a child and / or their family is living in another area or moving between areas.

## **8. Relevant Agencies**

- 8.1 Safeguarding partners are obliged to set out which agencies are required to work as part of the CHSCP's arrangements to safeguard and promote the welfare of local children. These agencies are referred to as *relevant agencies* and have a statutory duty to cooperate with the CHSCP's published arrangements.



- 8.2 A defined number of relevant agencies will meet regularly with safeguarding partners as the CHSCP Executive. Others will be invited when deemed necessary and/or be included in various CHSCP sub groups / thematic groups.
- 8.3 Wider engagement events will also be facilitated through the City & Hackney Safeguarding Partnership which includes a much broader range of agencies, professionals and volunteers involved in safeguarding children and young people.
- 8.4 A schedule of relevant agencies as defined in part 4 of the Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018 is set out in Appendix 1.
- 8.5 Safeguarding partners can also include any local or national organisation or agency in their arrangements regardless of whether they are named in the above regulations. The list of relevant agencies will be reviewed by the safeguarding partners as and when required and at least annually.
- 8.6 The relevant agencies to which these safeguarding arrangements apply includes:
- Homerton University Hospital NHS Foundation Trust
  - East London NHS Foundation Trust (ELFT)
  - All schools (including independent schools, academies and free schools), colleges and other educational providers.
  - The National Probation Service (NPS)
  - The London Community Rehabilitation Company (CRC)
  - Children and Family Court Advisory and Support Service (CAFCASS)
  - Hackney Council for Voluntary Services (HCVS)
  - London Ambulance Service (LAS)
  - London Fire Brigade (LFB)
  - NHS England
  - All registered charities within the geographic area of the CHSCP whose staff / volunteers either work with or come into contact with children and their families.

- All out of school settings providing tuition, training, instruction or activities without the supervision of parents or carers.
- British Transport Police (BTP)
- Social Housing providers

8.7 Alongside relevant agencies, all services and departments within safeguarding partner agencies have an inherent responsibility to cooperate in the context of these defined arrangements. This includes:

- Public Health
- The City of London Education & Learning Service
- The City of London Youth Services<sup>6</sup>
- Hackney Learning Trust
- Young Hackney
- Adult Services in both the City of London and Hackney

8.8 Of particular relevance to the evolving work on contextual safeguarding<sup>7</sup> are the following:

- The City of London Department of Built Environment
- The City of London Community & Children's Services (incl. Libraries & Housing)
- Hackney Community Safety, Business Regulations & Enforcement
- Hackney Libraries, Leisure Centres & Green Spaces
- Hackney Trading Standards, Licencing & Environmental Health
- Hackney Housing Services
- Youth Offending Services in both the City of London and Hackney.

---

<sup>6</sup> Youth services in the City of London are provided by the London Borough of Tower Hamlets.

<sup>7</sup> Contextual Safeguarding

## **9. Schools, Educational Establishments and Early Years Settings**

9.1 The CHSCP recognises the vital role of schools (including independent schools, academies and free schools), educational establishments and early years settings in safeguarding and promoting the welfare of children and young people. As such, all are designated as relevant agencies within the CHSCP's safeguarding arrangements. This defines all such settings as having a statutory duty to cooperate. Full engagement and contribution will be facilitated as follows;

- In the City of London, engagement of schools and the City of London Corporation's Children's Centre will continue to be secured through its Safeguarding Education Forum.
- In Hackney, involvement of schools and the Council's Children's Centres will be supported via the Designated Safeguarding Leads Forum, Head Teacher briefings and the work of the Safeguarding Education Team.
- For Private, Voluntary and Independent Early Years settings in both the City of London and Hackney, support and services are available through the work of the Safeguarding Education Team in Hackney and respective forums in both local authority areas.
- All schools, educational establishments and early years settings will be engaged via the CHSCP Learning and Improvement framework and as required in respect of other CHSCP activity. This may include representation at the CHSCP Executive and Sub Groups / Thematic Groups.

## **10. Youth Custody & Residential Homes**

10.1 Neither the City of London Corporation nor Hackney Council own or run any youth custody or residential homes for children. Any private providers operating children's homes<sup>8</sup> locally either now or in the future, will be named as relevant agencies to these safeguarding arrangements.

---

<sup>8</sup> Children's homes include residential special schools, secure children's homes and children's homes.

## 11. Independent Scrutiny

- 11.1 Consistent with Working Together 2018, independent scrutiny of the safeguarding arrangements in the City of London and Hackney is robust, objective, acts as a constructive critical friend and promotes reflection to drive continuous improvement. It helps improve outcomes for children and young people.
- 11.2 The CHSCP's approach to independent scrutiny is built on the fundamental premise that multi-agency working neither happens by itself nor via the good will of dedicated staff. Multi-agency work needs to be harnessed and driven and must at its heart be open to independent challenge to do better.
- 11.3 Local independent scrutiny in the City of London and Hackney is led by an Independent Child Safeguarding Commissioner (ICSC). However, it is delivered by more than one role and one person. It is embedded in the culture of how the CHSCP operates and how cross-agency challenge from one agency to another can provide both a level of independence and the support needed for improvement. It is also part of a wider system which includes the independent inspectorates' assessment of safeguarding partners, relevant agencies and the partnership itself via the Joint Targeted Area Inspection's regime.
- 11.4 It similarly features as a fundamental principle of the CHSCP's Learning & Improvement Framework, reflecting the continuing commitment to drive a strong culture of constructive challenge, debate and improvement.
- 11.5 In the context of local safeguarding arrangements, independent scrutiny is focused on driving good and safe outcomes as follows:
- Agencies being subject to external inspection and positively responding to any findings and recommendations for practice improvement.

- An ICSC being appointed<sup>9</sup> by safeguarding partners and given authority to coordinate the independent scrutiny of the local child safeguarding arrangements. This person will be fundamentally independent to local safeguarding partners and relevant agencies. The ICSC will also have significant experience of operating at a senior level in the strategic coordination of multi-agency services to safeguard and promote the welfare of children.
- The ICSC providing independent leadership (through engagement, commentary and lobbying) in respect of local matters relevant to the safeguarding of children and young people.
- The ICSC holding both safeguarding partners and relevant agencies to account for their effectiveness in safeguarding children and young people. This will ensure ongoing alignment with the existing statutory arrangements for safeguarding adult boards.
- The ICSC chairing the CHSCP Strategic Leadership Team to ensure fundamental independence is built into the oversight of statutory safeguarding partners.
- The ICSC also chairing the CHSCP Executive to both facilitate meetings and hold relevant agencies to account in the context of their effectiveness and their performance against defined priorities set by safeguarding partners.
- The ICSC chairing the Case Review Group to ensure fundamentally independent decision making in respect of the commissioning and progress of reviews. Safeguarding partners delegate this decision-making function to the ICSC and ratify any decisions made.
- A Senior Professional Advisor (SPA) appointed by safeguarding partners and working on behalf of the ICSC to lead the CHSCP support team.
- The SPA chairing the Quality Assurance Group and being responsible for the delivery of the CHSCP's Learning and Improvement Framework.
- The ICSC providing an objective and independent assessment of the effectiveness of the safeguarding arrangements as part of an annual reporting

---

<sup>9</sup> Safeguarding Partners are responsible for appointing or dismissing the ICSC.

cycle, in addition to independently evaluating the annual report of safeguarding partners.

- The ICSC being engaged in resolving operational disputes through the CHSCP's escalation process.
- Safeguarding partners, relevant agencies and the ICSC actively strengthening networks and building opportunities for local peer review and sector-led support. Where available, this will include independent support as negotiated with safeguarding partners in other local authority areas and/or any such support coordinated via the Local Government Association and pan-London Safeguarding Children Board.

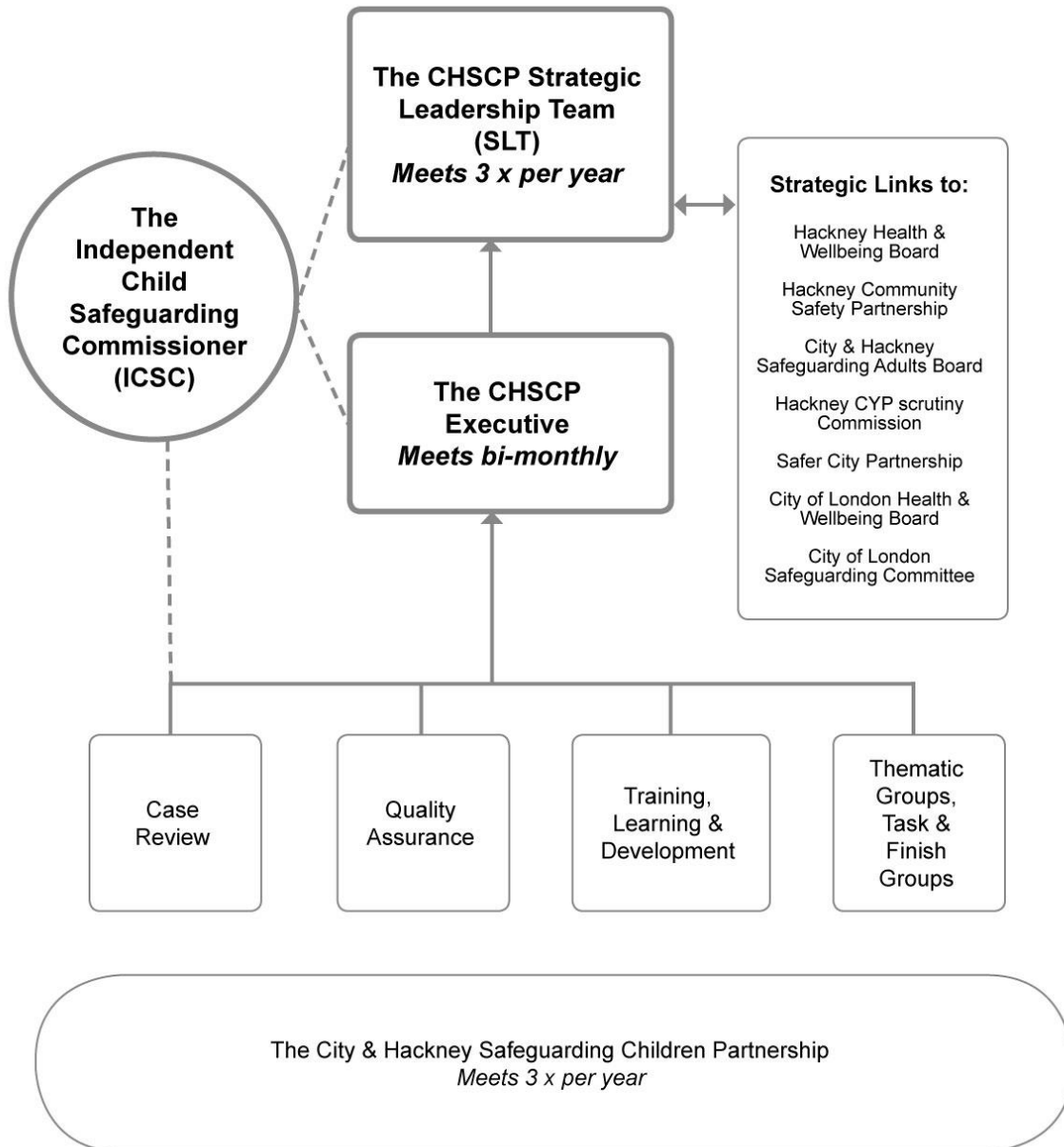
## **12. Lead Members**

- 12.1 Lead Members will continue to participate in the CHSCP, engaging alongside safeguarding partners and relevant agencies as 'participant observers' (non-voting) in the CHSCP Executive.

## **13. Lay Members**

- 13.1 Two lay members will continue to participate in the CHSCP Executive. One representing the City of London and one representing the London Borough of Hackney. Lay members make links between the CHSCP and community groups, support stronger public engagement in local child safety issues and develop an improved public understanding of the local safeguarding arrangements.
- 13.2 The role and responsibilities of Lay Members will be subject to review in the 12 months following implementation of the safeguarding arrangements.

## 14. The CHSCP Structure



14.1 The structural arrangements supporting the CHSCP have been developed to ensure that strategy can swiftly translate into the tangible actions required to maintain and improve local safeguarding practice.

## **14.2 The CHSCP Strategic Leadership Team**

14.3 The following summary sets out the key functions of the CHSCP Strategic Leadership Team (SLT).

- The SLT comprises the safeguarding partners.
- The SLT meets 3 times per year.
- It is independently chaired by the ICSC with a nominated safeguarding partner representative being Vice-Chair (Vice-Chairs rotate annually)
- The SLT is accountable for the delivery against statutory and local requirements and provides the overarching leadership, strategy and governance framework for the CHSCP's safeguarding arrangements.
- The SLT leads on the business plan development for the partnership, agreeing priorities and monitoring progress via formal updates and the ongoing maintenance of a risk register.

## **14.4 The CHSCP Executive**

14.5 The following summary sets out the key functions of the CHSCP Executive.

- The CHSCP Executive comprises representatives from safeguarding partners and a number of relevant agencies and named / designated professionals.
- Other relevant agencies will be invited to participate / engage in the CHSCP Executive as and when required.
- The CHSCP Executive meets bi-monthly.
- It is independently chaired by the ICSC with a nominated safeguarding partner representative being Vice-Chair (Vice-Chairs rotate annually)
- The CHSCP Executive is responsible for delivering the CHSCP business plan and mitigating any identified risks.



14.6 The core membership of the CHSCP Executive includes the following agencies.

- The City of London Corporation (Community & Children's Services / Community Safety)
- Hackney Council (Children & Families Services / Hackney Learning Trust / Housing Services / Community Safety)
- The Central East BCU (MPS)
- The City of London Police
- The City & Hackney CCG
- Public Health
- Schools representatives (The City of London and Hackney)
- Health Providers (Homerton University Hospital NHS Foundation Trust and East London NHS Foundation Trust)
- Probation (The National Probation Service & The London Community Rehabilitation Company)
- CAFCASS
- Voluntary Organisations (Hackney Council for Voluntary Services)

14.7 Lead Members and Lay Members will also attend the CHSCP Executive

#### **14.8 The City & Hackney Safeguarding Children Partnership**

14.9 The following summary sets out the key functions of the City & Hackney Safeguarding Partnership.

- All professionals and volunteers within safeguarding partner and relevant agencies are members of the CHSCP. Representatives will have a role that involves them working with or coming into contact with children and young people. They may have operational responsibilities for safeguarding children, such as a Designated Safeguarding Lead.
- The CHSCP will meet 3 times per year.

- One session will incorporate the CHSCP annual conference with other multi-agency events aimed at:
  - Strengthening working relationships between all organisations.
  - Improving awareness about how the CHSCP is making a difference to people's lives and how the voices of children and young people, their families and their communities are influencing the work of the CHSCP.
  - Sharing learning from case reviews and other findings from the CHSCP's Learning & Improvement Framework.
  - Consulting on the key issues impacting upon practice, helping to identify emerging issues and participating in the development of solutions.

#### **14.10 Sub Groups / Thematic Groups / Task & Finish Groups**

14.11 Safeguarding partners will create (and dissolve) sub-groups as necessary. Safeguarding partners will also create (and dissolve) thematic or 'task and finish' groups to manage key pieces of development work. The CHSCP will operate with following core sub groups:

- Case Review
- Quality Assurance
- Training, Learning & Development

14.12 The CHSCP will continue with the following *thematic groups*:

- Vulnerable Adolescents Steering Group (City of London and Hackney)
- Early Help (City of London)

14.13 Each group will work to agreed terms of reference and be chaired by safeguarding partner representatives, the ICSC or the SPA. The frequency of meetings will depend upon the nature of the work being undertaken, but it is generally expected that groups will meet between six to eight times a year and no less than four.

## **15. Funding**

- 15.1 The funding arrangements for the CHSCP for 2019/20 will be maintained at the same level as that previously provided to the CHSCB in 2018/19.
- 15.2 A review of the funding will be undertaken during 2019 to enable the safeguarding partners to consider the future resourcing requirements, agree the level of funding provided by each safeguarding partner and confirm any contributions from relevant agencies.

## **16. Annual Reporting**

16.1 Safeguarding partners will be responsible for producing and publishing an annual report. The report will set out what they have done as a result of the arrangements, including on child safeguarding practice reviews, and how effective these arrangements have been in practice. The report will also cover:

- Evidence of the impact of the work of the safeguarding partners and relevant agencies, including training, on outcomes for children and families from early help to looked-after children and care leavers.
- An analysis of any areas where there has been little or no evidence of progress on agreed priorities.
- A record of decisions and actions taken by the partners in the report's period (or planned to be taken) to implement the recommendations of any local and national child safeguarding practice reviews, including any resulting improvements.
- Ways in which the partners have sought and utilised feedback from children and families to inform their work and influence service provision.

16.2 The ICSC will similarly produce an annual report. This will include the ICSC's independent critique of the contents of the safeguarding partners' report, alongside

referencing the activities of the ICSC in providing insight, oversight and challenge and the impact this has had on practice improvement and outcomes for children and young people.

16.3 The annual report will be presented by the lead responsible person from each safeguarding partner to their respective governance arrangements.

## **17. Learning and Improvement**

17.1 The CHSCP operates a learning and improvement framework to enable agencies to be clear about their responsibilities, to learn from experience and improve services as a result.

17.2 The ICSC is responsible for the implementation and oversight of the learning and improvement framework through the Quality Assurance Group. This ensures fundamental transparency on the interpretation and analysis of key safeguarding information, leading to meaningful challenge, change and impact in respect of performance and practice improvement. The framework includes:

- Capturing the voices of the child, family and community.
- Learning from reviews of practice.
- Auditing.
- Using data and intelligence to monitor performance.
- Capturing front-line Intelligence.
- Using external learning to improve local practice.

## **18. The Voice of the Child, Family & Community**

18.1 An effective approach to learning includes capturing the views and experiences of those directly or indirectly engaged with local services and using this intelligence to both inform and improve safeguarding practice.

- 18.2 There is already a wide range of information already collected from children, young people, families and communities by safeguarding partners and relevant agencies. The CHSCP will not duplicate this activity, but systematically gather this intelligence and use it to influence the design and delivery of services relating to safeguarding children and young people.
- 18.3 At the heart of this work is trying to understand what children and families themselves believe could have made a positive impact on their lives had agencies worked differently or indeed, what worked well, so this can be sustained.
- 18.4 In the first year following implementation, the CHSCP will prioritise a review of how it captures the authentic voice of children and young people and will seek to enhance its multi-agency practice in this regard.

## **19. Local Child Safeguarding Practice Reviews**

- 19.1 Reviews of serious child safeguarding cases, at both local and national level, can help identify learning and areas for improvement to the safeguarding system for children and young people.
- 19.2 Serious child safeguarding cases are those in which the abuse or neglect of a child is known or suspected and the child has died or been seriously harmed.
- 19.3 Serious harm includes (but is not limited to) serious and/or long-term impairment of a child's mental health or intellectual, emotional, social or behavioural development. It also covers impairment of physical health<sup>10</sup>. This is not an exhaustive list. When making decisions, judgment should be exercised in cases where impairment is likely to be long-term, even if this is not immediately certain. Even if a child recovers, including from a one-off incident, serious harm may still have occurred.

---

<sup>10</sup> Child perpetrators may also be the subject of a review, if the definition of 'serious child safeguarding case' is met.

#### **19.4 Identification and Notification of Incidents**

19.5 The Child Safeguarding Practice Review Panel (the Panel) must be notified by a local authority when it is known or suspected that a child has been abused or neglected and either:

- a) the child dies or is seriously harmed in the local authority's area, or*
- b) while normally resident in the local authority's area, the child dies or is seriously harmed outside England.*

19.6 The duty to notify the Panel rests with the City of London Corporation and Hackney Council. However, any person or organisation with statutory or official duties or responsibilities relating to children can recommend a case be considered for a child safeguarding practice review.

19.7 The relevant local authority must notify the Panel of any incident that meets the notification criteria within five working days of becoming aware that the incident has occurred. Notification will be undertaken using the approved online notification process.

19.8 The local authority will also report the event to all the safeguarding partners in their area (and in other areas if appropriate), the CHSCP support team and the ICSC within five working days.

19.9 The local authority must notify the Secretary of State and Ofsted where a looked after child has died, whether or not abuse or neglect is known or suspected.

#### **19.10 The Rapid Review**

19.11 Following formal notification to the Panel or the raising of a case for consideration by another agency, the CHSCP's SPA will lead on the completion of a Rapid Review. The Rapid Review will be overseen by the ICSC. The ICSC has locally delegated authority

from the safeguarding partners to independently determine whether a review is appropriate. The maintenance of independence in this regard, ensures a system of reviewing that maintains transparency at its heart.

19.12 The Rapid Review will address the following:

- The facts about the case, as far as they can be readily established at the time;
- Whether there is any immediate action needed to ensure children's safety and share any learning appropriately;
- The potential for identifying improvements to safeguard and promote the welfare of children;
- What steps they should take next, including whether or not to undertake a child safeguarding practice review.

19.13 The content of the Rapid Review will be agreed by the ICSC and shared with all safeguarding partners prior to submission to the Panel within 15 working days. The Rapid Review will include the decision about whether a local child safeguarding practice review is appropriate, or whether the case may raise issues which are complex or of national importance such that a national review may be appropriate.

#### **19.14 Guidance on decision making**

19.15 In determining whether or not a review is required, the following criteria must be considered by the ICSC:

- The case highlights or may highlight improvements needed to safeguard and promote the welfare of children, including where those improvements have been previously identified;
- The case highlights or may highlight recurrent themes in the safeguarding and promotion of the welfare of children;

- The case highlights or may highlight concerns regarding two or more organisations or agencies working together effectively to safeguard and promote the welfare of children;
- The case is one which the Child Safeguarding Practice Review Panel have considered and concluded a local review may be more appropriate.

19.16 The following circumstances should also be considered by the ICSC:

- Where the safeguarding partners have cause for concern about the actions of a single agency.
- Where there has been no agency involvement, and this gives the safeguarding partners cause for concern.
- Where more than one local authority, police area or clinical commissioning group is involved, including in cases where families have moved around.
- Where the case may raise issues relating to safeguarding or promoting the welfare of children in institutional settings<sup>11</sup>.

19.17 Some cases may not meet the definition of a ‘serious child safeguarding case’, but nevertheless raise issues of importance to the City of London and /or Hackney. This might include cases where there has been good practice, poor practice or where there have been ‘*near-miss*’ events. The ICSC may choose to initiate a local child safeguarding practice review in these or other circumstances.

### **19.18 The Panel Response to the Rapid Review**

19.19 The response of the Panel to the Rapid Review will be reported back to the safeguarding partners. Should the Panel disagree with the decision of the Rapid Review, the SPA will circulate the details of the response and convene a

---

<sup>11</sup> Includes children’s homes (including secure children’s homes) and other settings with residential provision for children; custodial settings where a child is held, including police custody, young offender institutions and secure training centres; and all settings where detention of a child takes place, including under the Mental Health Act 1983 or the Mental Capacity Act 2005.



meeting/telephone conference of the ICSC and safeguarding partners to consider the information provided and review the initial decision.

### **19.20 Engaging the Child / Family**

19.21 The outcome and rationale for any decision on whether or not to conduct a review will be communicated in writing to the child/family concerned by the CHSCP support team. Where possible this will also be provided in person through the practitioner currently working with the family (social worker/police officer).

19.22 Where there are ongoing criminal investigations or pending criminal proceedings, the decision about how and when to notify the family needs to involve both the police and the Crown Prosecution Service as appropriate.

### **19.23 Timescales**

19.24 Reviews will be completed and published within six months unless there are extenuating circumstances such as an ongoing criminal investigation, inquest or future prosecution.

19.25 Any delay to the completion or publication of a review recommended by the ICSC will be approved by the Strategic Leadership Team and the reasons notified to the Child Safeguarding Practice Review Panel and Secretary of State.

### **19.26 Publication**

19.27 In some circumstances, it may be inappropriate to publish a review report. In such circumstances. The ICSC, on behalf of the Strategic Leadership Team, will set out for the Panel and the Secretary of State the justification for any decision not to publish either the full report or information relating to improvements.

19.28 Publication of Child Safeguarding Practice Reviews or information about the improvements that should be made will be via the partnership website. The NSPCC maintains a national case review repository where case reviews remain available electronically for five years.

### **19.29 Disseminating and Embedding Learning**

19.30 Disseminating and embedding learning is an important part of supporting a culture of continuous improvement. Senior leaders across all organisations will be expected to drive a culture whereby learning is effectively disseminated and embedded into the day to day practice of front-line staff. Key learning will be delivered by the following mechanisms.

- The CHSCP training programme and annual conference
- Single agency training
- CHSCP TUSK (Things You Should Know) briefings
- Single agency briefings
- Campaigns and promotional material
- Communications through CHSCP Web / Twitter
- Publication of reviews and hosting of learning seminars
- The CHSCP annual report
- Policy and protocol development
- Reflective practice and supervision of staff and volunteers
- Service team meetings that focus on how identified improvements will be implemented

## **20. Auditing**

20.1 Having a systematic auditing process in place allows the CHSCP to monitor the quality of practice and judge where there is a need to target areas for development. Auditing provides one of the best learning opportunities for both workers and organisations. It both assesses and measures the quality of professional practice and tests:

- Whether the child / young person's voice has been heard through intervention.
- Whether multi-agency practice is making a difference for children, young people and their families.
- Whether or not what is happening ought to be happening
- Whether current practice meets required standards, procedures and published guidelines
- Whether current evidence about good practice is being applied.

20.2 As a minimum, the CHSCP will engage the following auditing processes:

### **20.3 Multi-Agency Case Audits**

20.4 Multi-Agency Case Audits (MACAs) provide a valuable means of identifying key lessons for improvement alongside informing the CHSCP about the effectiveness of frontline practice.

20.5 The CHSCP maintains a MACA programme that will run throughout the year. MACAs are formally scheduled and involve a multi-agency team auditing a number of cases following a set structure. The selection of themes for audit are guided by the knowledge arising from the identified learning as part of the learning and improvement framework; including local professional knowledge and feedback from children, families and communities that identifies possible practice issues.

20.6 Frontline practitioners and managers are involved. Parents and young people will be involved wherever possible. The MACA process focuses on the child's lived experience, the quality and impact of practice and involves 'appreciative elements', to highlight what worked well in cases as well as areas for action.

20.7 Lessons and recommendations for practice improvement are identified and reported to safeguarding partners and relevant agencies via the Quality Assurance Sub Group.

### **20.8 Single-Agency Audits**

20.9 Multi-agency audits are complimentary to single agency case auditing undertaken by safeguarding partners and relevant agencies as part of their internal assurance processes. Relevant findings and recommendations are reported to safeguarding partners and relevant agencies via the Quality Assurance Sub Group.

### **20.10 Section 11 Audits**

20.11 Section 11 of the Children Act 2004 requires a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

20.12 Partner agencies self-evaluate their compliance with Section 11 using an on-line audit tool reflecting a range of safeguarding standards. The Section 11 audit process is further supported by peer reviews to further test compliance and a staff survey to triangulate results from safeguarding partners and relevant agencies.

### **20.13 Section 175 and 157 Audits**

20.14 Section 175 of the Education Act 2002 came into effect on the 1 June 2004. Section 175 requires school governing bodies, local education authorities and further education institutions to make arrangements to safeguard and promote the welfare of

children. Similar requirements are in place for proprietors of Independent Schools under Section 157 of the Education Act 2002.

20.15 The CHSCP monitors the effectiveness of safeguarding arrangements in schools and undertakes an audit cycle consistent with the Section 11 audit process. The findings are analysed with suggested improvements made to assist schools who have not yet reached the required standard.

## **21. Data**

21.1 The CHSCP will oversee an agreed dataset that monitors key points in the '*journey of the child*'. Its use allows for the identification of themes, patterns and trends relating to safeguarding activity. This information is used to support and challenge both safeguarding partners and relevant agencies in respect of their performance, on both an individual and multi-agency perspective.

21.2 The CHSCP data set utilises the Children's Safeguarding Information Framework and other locally defined safeguarding metrics. The Quality Assurance Group is responsible for reviewing this data alongside other qualitative information as part of a rolling cycle.

21.3 In its first year of operation, the CHSCP will prioritise a review of existing analytical capabilities across the partnership. The intention will be to develop a much more dynamic approach to the harvesting and analysis of relevant intelligence for the use of safeguarding partners in identifying key threats, themes, patterns and trends.

## **22. Front-Line Intelligence**

22.1 Engagement with front-line staff, first-line managers, Child Protection Chairs and Independent Reviewing Officers helps the CHSCP understand their experiences of

what is working well and what isn't. This is key for the CHSCP in gaining a transparent understanding of the realities of front-line child protection / safeguarding work.

22.2 The CHSCP will facilitate such engagement via the following mechanisms:

- Front-line visits / listening events
- Feedback through CHSCB training / conferences
- Staff Surveys
- IRO feedback

## **23. External Learning**

23.1 Opportunities for learning from national reviews, feedback from corporate structures and other forums external to the CHSCP are equally relevant to how the local safeguarding systems in the City and Hackney improve.

23.2 The CHSCP takes account of such learning and ensures it is appropriately disseminated or included in related action plans targeting service improvement.

## **24. Training and Development**

24.1 The CHSCP provides a range of inter-agency training and development opportunities for staff and volunteers working within the City of London and Hackney. These are designed to meet the diverse needs of staff at different levels across the wide range of agencies that work with children or adult family members.

24.2 Training and development sessions delivered by the CHSCP address generic skills around recognition and response to possible abuse, alongside focussing on areas of practice prioritised by the CHSCP at any given time. Learning from local and national reviews is always fully integrated in course material.

24.3 The CHSCP's approach to training and development is underpinned by:

- A clear strategy for commissioning
- A defined programme for delivery and;
- A robust framework for monitoring and evaluation.

## 25. Threshold Tools

25.1 Consistent with Working Together 2018, safeguarding partners have approved and published guidance which sets out the local criteria for action in a way that is transparent, accessible and easily understood.

25.2 This guidance is set out within the relevant threshold tools covering the City of London and Hackney. These documents cover:

- The process for the early help assessment and the type and level of early help services to be provided;
- The criteria, including the level of need, for when a case should be referred to local authority children's social care for assessment and for statutory services under:
  - Section 17 of the Children Act 1989 (children in need);
  - Section 47 of the Children Act 1989 (reasonable cause to suspect a child is suffering or likely to suffer significant harm);
  - Section 31 of the Children Act 1989 (care and supervision orders);
  - Section 20 of the Children Act 1989 (duty to accommodate a child).

25.3 Clear procedures and processes for cases relating to the abuse, neglect and exploitation of children, children managed within the youth secure estate and disabled children are set out in the [Pan-London CP Procedures](#).

- 25.4 **The City of London Thresholds of Need** document offers guidance on a multi-agency, whole-system approach to assessment, prevention and intervention for children, young people and their families across the City of London. The guidance supports the Common Assessment Framework (CAF).
- 25.5 The City of London Thresholds of Need is based on a 'Continuum of Need' model. This gives consistency for professionals, sets out a dynamic and needs-led framework which, when used effectively, can match the child or young person's needs with the appropriate assessment and provision. This makes sure that the right help is given at the right time.
- 25.6 **The Hackney Resource Guide for Professionals** includes the Hackney Wellbeing Framework that sets out the criteria for action. This document also provides guidance on how to identify needs and risks associated with contextual safeguarding.
- 25.7 The Resource Guide includes a comprehensive directory of services, from health through to education and youth services, as well as adult services, in recognition that much of the work with children also involves work with the adults around them. The directory includes contact details, a service description, access criteria and referral processes for each service.

## **26. Information Requests**

- 26.1 Safeguarding partners may require any person or organisation or agency to provide them, any relevant agency for the area, a reviewer or another person or organisation or agency, with specified information. This must be information which enables and assists the safeguarding partners to perform their functions to safeguard and promote the welfare of children in their area, including as related to local and national child safeguarding practice reviews.



26.2 The person or organisation to whom a request is made must comply with such a request and if they do not do so, the safeguarding partners may take legal action against them. As public authorities, safeguarding partners should be aware of their own responsibilities under the relevant information law and have regard to guidance provided by the Information Commissioner's Office when issuing and responding to requests for information.

## **27. Dispute Resolution**

27.1 Safeguarding partners and relevant agencies in the City of London and Hackney must act in accordance with these arrangements and will be expected to work together to resolve any disputes locally. For any professional disputes, all agencies are expected to follow and promote the use of the CHSCP's escalation policy.

27.2 Public bodies that fail to comply with their obligations under law are held to account through a variety of regulatory and inspection activity. In extremis, any non-compliance will be referred to the Secretary of State.

## **28. The CHSCP Support Team**

28.1 The CHSCP retains a dedicated team of staff who support all aspects of the CHSCP's work.

## **29. Amendments to the Safeguarding Arrangements**

29.1 The safeguarding arrangements will be reviewed annually by the safeguarding partners or at a time prescribed by changes in legislation and/or statutory guidance.

29.2 Any proposed change must be agreed by all safeguarding partners. Where no agreement can be reached, safeguarding partners should engage ICSC to facilitate resolution.

## Appendix 1: Relevant Agencies

The agencies listed under part 4 of the Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018 are relevant agencies for the purposes of section 16E(3) of the Act, to the extent that their activities are carried out in England.

### Education and childcare

- The proprietor of an Academy school within the meaning given by section 1A of the Academies Act 2010(1).
- The proprietor of a 16-19 Academy within the meaning given by section 1B of the Academies Act 2010.
- The proprietor of an alternative provision Academy within the meaning given by section 1C of the Academies Act 2010.
- The governing body of a maintained school within the meaning given by section 20(7) of the School Standards and Framework Act 1998(2).
- The governing body of a maintained nursery school within the meaning given by section 22(9) of the School Standards and Framework Act 1998.
- The governing body of a pupil referral unit within the meaning given by section 19(2) of the Education Act 1996(3).
- The proprietor of an independent educational institution registered under section 95(1) of the Education and Skills Act 2008(4).
- The proprietor of a school approved under section 342 of the Education Act 1996(5).
- The proprietor of a Special post-16 institution within the meaning given by section 83(2) of the Children and Families Act 2014(6).
- The governing body of an institution within the further education sector within the meaning given by section 91(3) of the Further and Higher Education Act 1992(7).
- The governing body of an English higher education provider within the meaning of section 83 of the Higher Education and Research Act 2017(8).
- Any provider of education or training—
- (a) to which Chapter 3 of Part 8 of the Education and Inspections Act 2006(9), and
- (b) in respect of which funding is provided by, or under arrangements made by, the Secretary of State.
- A person registered under Chapter 2, 2A, 3 or 3A of Part 3 of the Childcare Act 2006(10).
- The provider of a children's centre within the meaning given by section 5A(4) of the Childcare Act 2006(11).

## Health and Social Care

- The National Health Service Commissioning Board (known as NHS England) as established under section 1H (1) of the National Health Service Act 2006(12).
- An NHS trust established under section 25 of the National Health Service Act 2006.
- An NHS foundation trust within the meaning given by section 30 of the National Health Service Act 2006(13).
- The registered provider of an adoption support agency within the meaning given by section 8(1) of the Adoption and Children Act 2002(14).
- The registered provider of a registered adoption society within the meaning given by section 2 of the Adoption and Children Act 2002(15).
- A registered provider of a fostering agency within the meaning given by section 4 of the Care Standards Act 2000(16).
- A registered provider of a children's homes within the meaning given by section 1 of the Care Standards Act 2000(17).
- A registered provider of residential family centre within the meaning given by section 4(2) of the Care Standards Act 2000.
- The registered provider of a residential holiday schemes for disabled children within the meaning given by regulation 2(1) of the Residential Holiday Schemes for Disabled Children (England) Regulations 2013/1394(18).

## Local Government

- District Councils within the meaning given by section 1(1) of the Local Government Act 1972(19).

## Criminal Justice

- The Children and Family Court Advisory and Support Service (Cafcass) as established under section 11 of the Criminal Justice and Court Services Act 2000(20).
- A governor of a prison in England (or, in the case of a contracted out prison, its director)
- Providers of probation services as defined by section 3(6) of the Offender Management Act 2007(21).
- The principal of a secure college.
- The governor of a secure training centre (or, in the case of a contracted out secure training centre, its director).
- The governor of a young offender institution (or, in the case of a contracted out young offender institution its director) (22).
- Youth offending teams as established under section 39 of the Crime and Disorder Act 1998(23).

## Police and Immigration

- The British Transport Police as established under section 18(1) the Railways and Transport Safety Act 2003(24).
- The Common Council of the City of London in its capacity as a police authority.
- Port Police Forces as established under an order made under section 14 of the Harbours Act 1964(25), under Part 10 of the Port of London Act 1968(26), or under section 79 of the Harbours, Docks and Piers Clauses Act 1847 (c.27)(27).
- Any person or body for whom the Secretary of State must make arrangements for ensuring the discharge of functions under section 55 of the Borders Citizenship and Immigration Act 2009(28).

## Miscellaneous

- Charities within the meaning given by section 1 of the Charities Act 2011(29).
- Religious Organisations as set out in regulation 34 of, and Schedule 3 to, the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012(30).
- Any person or body involved in the provision, supervision or oversight of sport or leisure.

## Locally Defined Relevant Agencies

- All out of school settings providing tuition, training, instruction or activities without the supervision of parents or carers. The following is a non-exhaustive list of what is considered to be an out-of-school setting:
  - Tuition or learning centres (which may be used to support mainstream, or home education) e.g. in term time or holiday courses in key stage 1-4 curriculum;
  - English and mathematics skills; examination preparation (i.e. SATs, GCSE, A Level and 11 plus / school entry exams) etc;
  - Extracurricular clubs or settings, e.g. ballet classes, gymnastic training, sports tuition, instrumental music tuition, martial arts training, drama classes, etc;
  - Uniformed youth organisations, e.g. the Scouts and Guides;
  - Open access youth providers, e.g. centre-based and detached youth work;
  - Supplementary schools or what are sometimes called complementary schools, e.g. those offering support or education in addition to the mainstream, or core learning, and which operate after school hours or during the weekend;
  - Private language schools, including those for children coming from abroad;
  - Religious settings which offer education in their own faith, e.g. Jewish yeshivas and chedarim, Muslim madrassahs, Hindu OOSS, Sikh OOSS, Christian Sunday schools, etc.
- Social Housing providers



<p><b>Children and Young People Scrutiny Commission</b></p> <p><b>9<sup>th</sup> September 2019</b></p> <p><b>Item 5 – Off-rolling in schools</b></p>	<p>Item No</p> <p><b>5</b></p>
---	--------------------------------

**Outline**

Off-rolling is the practice of removing a pupil from school roll (without using a permanent exclusion) when the removal is in the best interests of the school and not the child. This includes pressuring a parent to remove their child from school.

In February 2019, the Children’s Commissioner published research into off-rolling in schools; *Skipping School: missing children*. This report highlighted a number of ways in which children can ‘go missing’ from the school roll each year, including off-rolling. Reports suggest that off-rolling can have a detrimental impact on children and their families and disproportionately affects disadvantaged pupils, those with special educational needs, and pupils with low prior attainment.

Off-rolling is a complex issue however, which is by its nature difficult to identify particularly as this practice is unlawful if it is for a non-disciplinary reason. This item aims to explore the nature and extent of off-rolling locally, and identify what actions the Council and its partners can take to prevent this from occurring.

Objectives

- To define off-rolling, how this relates to home schooling but differs from exclusion;
- To assess the nature and scale of off-rolling (both nationally and locally);
- To determine how off-rolling is identified, and how best to work with schools to prevent this from occurring;
- To assess what support children and parents may need to prevent off-rolling;
- To identify the role of the local authority in preventing off-rolling, and how best it can work with schools and other partners in this process.

Contributing Panel

- Simone Vibert, Senior Public Affairs & Policy Analyst, Office of the Children Commissioner
- Annie Gammon, Director of Education and Head of Hackney Learning Trust
- Mike Sheridan HMI, London Regional Director, Ofsted
- Kiran Gill, Chief Executive, The Difference

Format of session (1hr 30 mins)

- Contributor presentations and short Q & A (10min each)
- Open panel discussion (30 mins)
- Summing up and conclusions Commission and Chair (10 mins)

Background documents previously circulated:

1. [Skipping school: invisible children](#) - Office of the Children's Commissioner
2. [Off-rolling in English schools](#) - House of Commons Briefing
3. [Off-rolling in Schools](#) - LGiU Briefing
4. [Exploring the issue of off-rolling](#) – Ofsted/YouGov
5. [Unexplained pupil exits from schools: a growing problem?](#) – Education Policy Institute

# Skipping School: Invisible Children

---

How children disappear from England's schools

FEBRUARY 2019



## Contents

Introduction from the Children’s Commissioner, Anne Longfield .....	2
A growing problem .....	4
When a child’s needs are not being met .....	7
Off-rolling or exclusion? .....	9
A small but growing number of schools .....	10
Under the radar .....	14
Illegal schools .....	14
What is the impact on children? .....	16
What can be done? .....	17
Conclusion and recommendations .....	18



## Introduction from the Children's Commissioner, Anne Longfield



One exhausted mother described her daughter's secondary school to me as being like the Hunger Games. She, like thousands of other parents, had eventually removed her miserable child from school – just one more effectively excluded through no fault of their own from an unforgiving school system which appears to have lost the kindness, the skill or the patience to keep them. When did

school become like this? Schools have always been places of some rough and tumble, where the carefree days of early childhood meet the reality of work, of timetables, of expectations, and of more complex social relationships. Schools are places where you develop the skills, the independence and the resilience to grow up well.

But for thousands of children – and increasing each year – there is no school where they fit in. There is no school bell, no timetables, no lesson – no education. And that often means no friendships either.

The phrase 'home education' unhelpfully encompasses a wide range of parenting styles – from those who choose to educate their children themselves for social and philosophical reasons and do so perfectly well, to those who choose to keep children out of the school system to avoid the eyes of the authorities or to deny them a secular education; and then those who would love to have their kids in school but cannot find a school to fit their needs.

For this group of parents, educating their children at home is not a choice, but a forced response to difficulties fitting in at school. The child who is being bullied. The child struggling to cope with noisy corridors and classrooms; or sometimes with school uniform policies, homework and timetables. The child not receiving the specialist help she needs. These kids can reach crisis point and without additional care from schools or from external agencies such as CAMHS, the children fall through the gaps.

It is sometimes schools themselves that put pressure on parents to remove children who don't 'fit in'. This practice, known as off-rolling, can amount to informal, illegal exclusion. New research by my Office, published here, suggests that 1 in 10 schools account for half of the pupil movement, but that this is becoming more common, even in some local authority-managed schools. Some schools are believed to have pro forma letters ready for harassed parents to sign, agreeing that their child would be better off home educated, when they come to meet the head after yet another problem. It is unacceptable that some schools are washing their hands of children - particularly the most vulnerable - in this way.

Children off-rolled into home education do not show up in school records – they just disappear from the roll. Which is why I've done a data collection from 11 local authorities to see how many children are withdrawn for home education in their area, and from which schools. Later this year we will extend it to all councils and publish school-by-school results.

This report examines what happens to these invisible children – the off-rolled and the hidden. It explores what we know about the growth in home education: what is driving it, the impact it is having on children and what should be done to address it. Whether or not you get an education in this country shouldn't be about survival of the fittest.

A handwritten signature in black ink that reads "Anne Longfield". The signature is written in a cursive style with a horizontal line underneath.

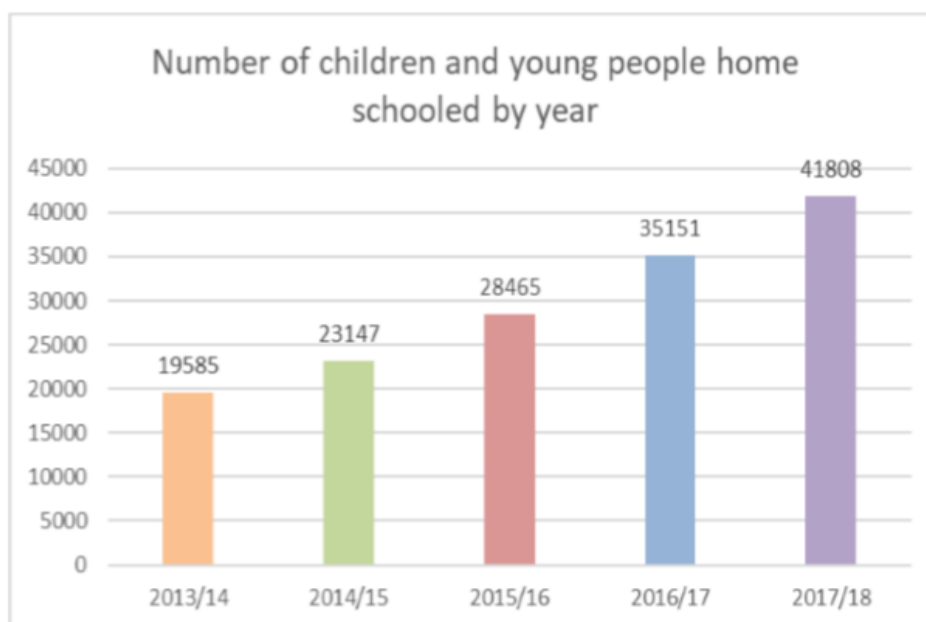
**Anne Longfield OBE**  
**Children's Commissioner for England**

## A growing problem

The Schools Adjudicator<sup>1</sup> reports that the total number of children local authorities said were being electively home educated was 52,770 children across all 152 local authorities on 29 March 2018.<sup>2</sup>

An Association of Directors of Children's Services (ADCS) survey in autumn 2018 found that across the 106 councils which completed the survey, around 40,000 children were being home educated. That suggests around 58,000 children were being home educated across England as a whole. The precise figures are unknown because parents do not have to register children who are home-educated, hence councils use various other sources to estimate the numbers.

ADCS found that the number of children known by councils to be home educated was 27% higher than in 2017. This is not an anomaly: the figure has risen by about 20% in each of the last five years and has doubled since 2013/14, as shown in the chart below<sup>3</sup>.



(Source: ADCS)

---

<sup>1</sup> The Office of the Schools Adjudicator rules on objections to school admission arrangements, hears appeals by schools against a LA decision to direct the admission of a child, and advises the government in cases where an LA wants to direct an academy to admit a child

<sup>2</sup> Office of the Schools Adjudicator Annual Report: September 2017 to August 2018 Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/771529/OSA annual report September 2017 to August 2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771529/OSA_annual_report_September_2017_to_August_2018.pdf)

<sup>3</sup> ADCS Elective Home Education Survey 2018, Available at: <http://adcs.org.uk/education/article/elective-home-education-survey-2018>

Finally, the ADCS survey suggests that 80,000 children could be being home educated at some point during the school year; they may dip in and out of school.

Although the evidence suggests a marked increase in children being home educated, there cannot be complete certainty on the numbers due to the lack of formal registration – something that sets England apart from many other European countries in which home education is legal<sup>4</sup>. According to a survey by ADCS, only 7% of local authorities are confident that they are aware of all the children being home schooled in their area<sup>5</sup>. The total number of children being home educated is therefore likely to be higher than the figures above suggest.

### ***The current legal and policy context***

In England, if you want to home educate your children you just have to write a letter to the school,<sup>6</sup> who must then notify the local authority, but children who have never attended school, or who move area, may be completely unknown to the authorities. Parents should provide children with a suitable full time education but that is loosely defined as one that “primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so.”<sup>7</sup> If a child is withdrawn from school to be home educated they do not have any right to return to that school at a later date. Parents who choose to home educate assume full financial responsibility for doing so, including exam costs.

Local councils have an obligation to identify children not receiving a suitable education<sup>8</sup>, but they have no legal duty to monitor home-educators and do not have the powers to insist on visiting the home to carry out checks on the education (unless they have a welfare concern). 92% of councils say that they do not have the powers they need to ensure children are getting a decent education<sup>9</sup> and 28% of home educating families refused an offered home visit<sup>10</sup>. Councils can request information from a parent and if they are concerned can issue a school attendance order (SAO) requiring the child to attend a school. However, this process can take months and there are concerns that SAOs are too weak.<sup>11</sup> A handful of councils adopt positive

---

<sup>4</sup> *Report to the Secretary of State on the Review of Elective Home Education in England*, G Badman, House of Commons, 11<sup>th</sup> June 2009 Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/328186/Review\\_of\\_Elective\\_Home\\_Education\\_in\\_England.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/328186/Review_of_Elective_Home_Education_in_England.pdf)

<sup>5</sup> ADCS/Dispatches Home Education Survey 2018; exclusive research carried out for Dispatches

<sup>6</sup> Note that the bar is higher for children being withdrawn from a special school, as in these cases parents must seek the school's permission to de-register the child rather than simply notifying the school

<sup>7</sup> Mr Justice Woolf in the case of *R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust* (12 April 1985)

<sup>8</sup> Section 436A of the Education Act 1996

<sup>9</sup> ADCS/Dispatches Home Education Survey 2018

<sup>10</sup> ADCS Elective Home Education Survey 2018, Available at:

<http://adcs.org.uk/education/article/elective-home-education-survey-2018>

<sup>11</sup> 'Stronger laws needed to send home-educated children back to school, says ADCS', by J Lepper, CYPNOW, 5<sup>th</sup> July 2018 Available at: <https://www.cypnow.co.uk/cyp/news/2005513/stronger-laws-needed-to-send-home-educated-children-back-to-school-says-adcs>

practices, such as giving parents cooling off periods and support them to get children into a new school. Councils, however, lack resources to effectively monitor and support home education. According to recent research, there are an average of 295 home educated children for each full-time council home education officer<sup>12</sup>, and 87% of councils say they do not have the resources necessary to offer support to all of the children and families who choose to home school in their areas<sup>13</sup>. Local authorities do not have a duty to provide support: some offer a home visit, but many just provide links to websites.

---

<sup>12</sup> ADCS/Dispatches Home Education Survey 2018

<sup>13</sup> ADCS/Dispatches Home Education Survey 2018

## When a child's needs are not being met

Many parents withdraw their child from school because s/he is unhappy or not coping. These parents often feel that the school has been insensitive or unsupportive, whether the child has special educational needs, challenging behaviour, mental health issues or is being bullied. Some parents have reached crisis point as the relationship with a school breaks down.

There are clear indications that the growth in home education is related to the rise in children leaving school due to their needs being unmet. Local authorities say the main reasons children in their area are being home educated are "general dissatisfaction with the school" and "health/emotional reasons"<sup>14</sup>. Ofsted's Chief Inspector Amanda Spielman has warned that there is a lot of anecdotal evidence that parents are also home educating their children under duress, because they are being encouraged to do so by the school, or because they want to keep the child out of sight of the state<sup>15</sup>.

The Children's Commissioner's Office has spoken to many children and parents who said that they only chose home education because the situation at school had become so desperate – sometimes traumatic for the children involved. This includes many children with special educational needs (SEND). Recent research by Channel 4's 'Dispatches' programme found that 22% of children withdrawn from school to be home-educated in the 2017-18 academic year had special educational needs.

12 year old Lily is autistic and is being home educated. She has been to 11 schools in 8 years, a mixture of mainstream and special schools, which have struggled to meet her needs and she has been excluded on multiple occasions. Her mother says:

*"The idea, when people talk about homeschooling as elective, there is nothing elective about this at all. I don't want to be here, doing this. I love her, we love her, we want to help her but this isn't a choice....when your child sits on a sofa and says they'd rather be dead than go to school, you know your choice. That's your choice. And we chose we'll keep her home".*

Lily also wants to find the right school that would support her needs<sup>16</sup>.

Schools should be helping every child to meet their potential. This means identifying and acknowledging individual children's needs and providing extra support where necessary.

'Dispatches' visited one school with the Children's Commissioner which has created a gentler school environment. Passmores Academy in Essex has a greater than average proportion of disadvantaged pupils and pupils with special educational needs and/or disabilities. At the core of its offer to these pupils and others with additional needs is the Inclusion Department, which offers support including an early intervention programme

---

<sup>14</sup> ADCS Elective Home Education Survey 2018

<sup>15</sup> Letter from Amanda Spielman, Ofsted, to Meg Hillier MP, Chair of Public Accounts Committee, 30<sup>th</sup> October 2018, Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/752721/HMCI\\_PAC\\_letter\\_311018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752721/HMCI_PAC_letter_311018.pdf)

<sup>16</sup> Case Study from Channel 4 Dispatches programme, to be aired on 4<sup>th</sup> February

for students with behavioural difficulties, an independent school counsellor, and an autism hub.

Sadly, schools like Passmores Academy are not the norm. The Children’s Commissioner has heard of numerous school practices which have the effect of making it much more difficult, not easier, for children with additional needs to succeed. These include hard-line behaviour policies in which pupils receive two or three warnings for any breach of the behavior code (however big or small) before being sent to a seclusion room or isolation booth to work in silence for the rest of the day. Policies such as these might improve conduct among the majority of pupils, but can be counter-productive when applied without any flexibility for other pupils, including those with additional needs – such as children with ADHD who are very unlikely to be able to cope with being put in an isolation room. Another strategy illegally used by some schools is sending children home to “cool off” or “calm down” if they become angry or overwhelmed, rather than addressing their needs head on in school. While schools should not allow one or two pupils to disrupt the education of the rest, this shouldn’t undermine their duty to educate all their students – not just those that are the easiest to teach.

But schools across the country are feeling the dual strain of squeezed budgets and the drive for good results. Funding per pupil has fallen by 8 percent since 2010<sup>17</sup> and 94% of school leaders say that they are finding it harder to fund support for pupils with SEND.<sup>18</sup> This means that, according to the National Association of Headteachers, “the financial burden of additional support penalizes those schools that are the most inclusive”.<sup>19</sup> Schools are being forced to cut additional support such as learning assistants and pastoral teams, making it more difficult for children with additional needs to cope.

Then, a key indicator of school performance is exam results. There are concerns that children who are not making good progress in the run up to exams, perhaps because they have additional needs that are not being met, are being abandoned by schools in order to protect the schools’ overall Progress 8 scores<sup>20</sup>.

Another issue is the under-identification of children’s needs. This is particularly a concern for children who do not have an Education, Health and Care Plan but may have low-level autism, ADHD or other conditions which may present serious problems in the classroom. Teachers say they do not have the training or support to diagnose these problems accurately – and that they have limited capacity to do so given the pressures on the school system.

---

<sup>17</sup> *School spending on pupils cut by 8%, says IFS*, S Coughlan, BBC, 12<sup>th</sup> July 2018, Available at: <https://www.bbc.co.uk/news/education-44794205>

<sup>18</sup> *Empty Promises; The crisis in supporting children with SEND*, NAHT, 6<sup>th</sup> September 2018 Available at: <https://www.naht.org.uk/news-and-opinion/news/funding-news/empty-promises-the-crisis-in-supporting-children-with-send/>

<sup>19</sup> Paul Whiteman, general secretary of NAHT, comments on LGA SEN report Available at: <https://www.naht.org.uk/news-and-opinion/press-room/naht-comments-on-lga-sen-funding-report/>

<sup>20</sup> *Forgotten children: alternative provision and the scandal of ever increasing exclusion*, House of Commons Education Committee, 18<sup>th</sup> July 2018, Available at: <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

## Off-rolling or exclusion?

The decision to home educate may be taken by a child's parents in response to a school's poor treatment of a child, but at other times it is driven by the school itself. This can be because the school is focused on improving overall exam results and not the individual needs of each child. The practice is known as "off-rolling". Ofsted defines off-rolling as: "The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil." Off-rolling is distinct from formal exclusion, when a proper process must be followed. It is often referred to as illegal exclusion.

It is important that schools have the ability to exclude pupils as a last resort in order to maintain safe and effective classrooms for all children. However there is a clear process that must be followed for this to be lawful, with rights for parents, as set out in statutory guidance<sup>21</sup>. The Children's Commissioner is concerned that parents may feel obliged to accept home education to avoid a formal exclusion, without realising that by doing so they are giving up important safeguards. Moreover, schools can only exclude pupils on disciplinary grounds – not for other reasons such as low attainment or because the child has emotional needs which the school feels unable to meet. Schools that off-roll for these reasons are effectively excluding children for non-disciplinary grounds, a form of informal and illegal exclusion.

Some parents report that they opted for home education after the school threatened to exclude their child or fine them for non-attendance, believing that this would help their children by avoiding a formal record of exclusion. The Children's Commissioner has heard of schools, anecdotally, where pro forma letters declaring a decision to home educate are kept at reception, ready for parents to sign when things at school get tough. She has met distraught parents who have signed up to home-educating their child without even realising that was what they were doing.

9 out of 10 local authorities (88%) say that they are concerned about off-rolling,<sup>22</sup> but to date what is known about it has been fairly limited. Until now, evidence has mainly been drawn from pupils disappearing from school rolls (some of whom may have left the country or gone to private school as well as those who have been offrolled). FFT Education Datalab found that 22,000 children who would have sat GCSEs in 2017 left state education during secondary school, up from 20,000 two years earlier<sup>23</sup>. These children have higher rates of special educational needs, English as an additional language and free school meals. Nobody knows what happens to lots of these pupils afterwards.

---

<sup>21</sup> *Exclusion from maintained schools, academies and pupil referral units in England: Statutory guidance for those with legal responsibilities in relation to exclusion*, Department for Education, September 2017, Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/641418/20170831\\_Exclusion\\_Stat\\_guidance\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf)

<sup>22</sup> ADCS/Dispatches Home Education Survey 2018

<sup>23</sup> *Who's Left 2018, part one: The main findings*, P Nye and D Thompson, FFT Education Datalab, 21<sup>st</sup> June 2018, Available at: <https://ffteducationdatalab.org.uk/2018/06/whos-left-2018-part-one-the-main-findings/>



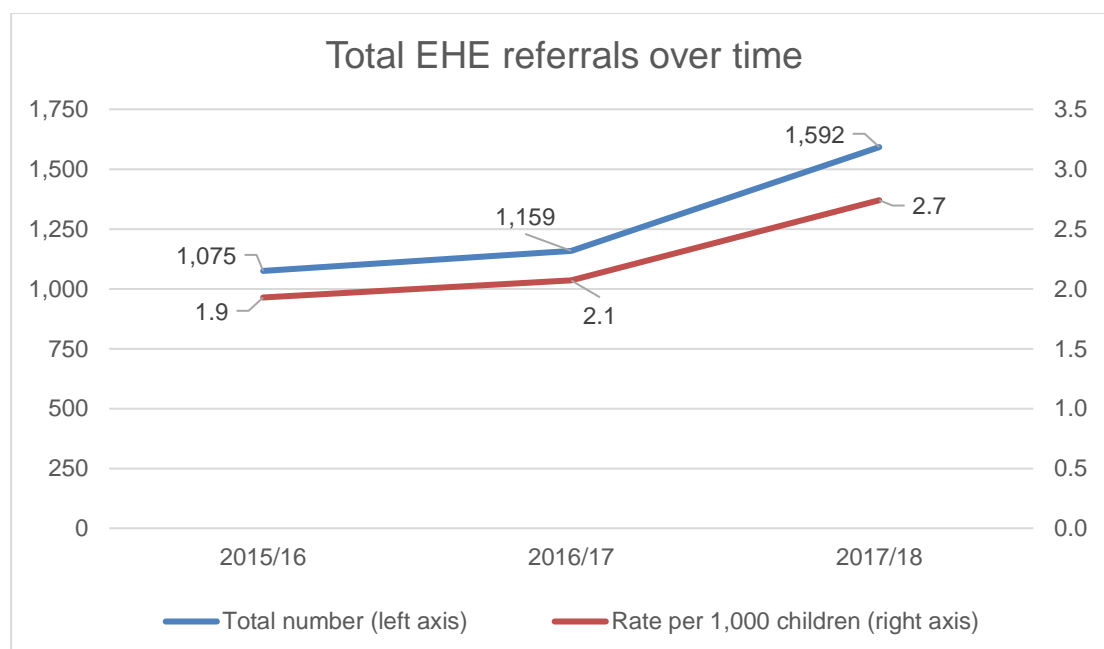
The ADCS survey suggests that the age group where home education is rising most rapidly is key stage 4, the critical GCSE years – up by 32% since 2017, possibly evidence of increased off-rolling of pupils who are about to sit their GCSEs and might negatively affect a school’s results.

## A small but growing number of schools

Recognising a gap in the evidence, the Children’s Commissioner’s Office gathered data on the number of children being withdrawn specifically to be home educated across 11 local areas<sup>24</sup> in England. Councils were chosen where there were a high number of fixed term exclusions, which our qualitative research had suggested might be associated with off-rolling. The findings are therefore unlikely to be representative of the country as a whole.

The number of children known by councils to have been withdrawn from school into home education increased across the majority of areas between 2015-16 and 2017-18. Across the nine areas which provided data for the whole period,<sup>25</sup> it rose by 48%. The year-on-year growth has also accelerated: from 8% between 2015-16 and 2016-17, to 37% between 2016-17 and 2017-18.

Both London LAs saw sharp increases in this number between 2015-16 and 2017-18: 94% in Hackney and 176% in Newham. Hackney academies saw an increase in children moving into home education of 238% between 2016-17 and 2017-18; Newham academies saw a 112% increase. Among local authority-run schools in the two boroughs, the increases over the same period were 21% (Hackney) and 66% (Newham).

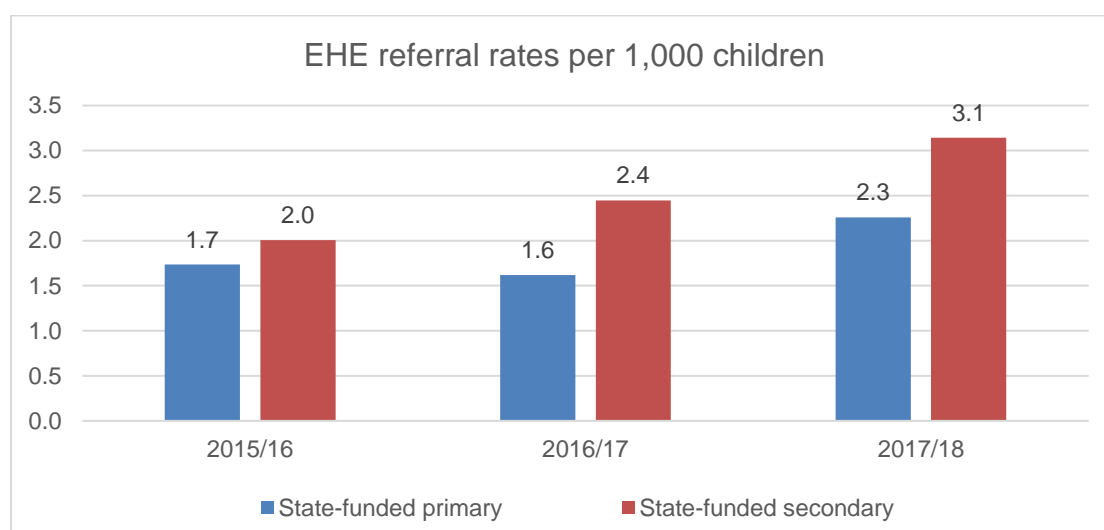


<sup>24</sup> Birmingham, Bristol, Doncaster, Hackney, Leeds, Middlesbrough, Newham, North Yorkshire, Nottingham, Stoke-on-Trent, Wakefield

<sup>25</sup> Middlesbrough did not return data for 2015-16 or 2016-17, while North Yorkshire did not return data for 2015-16.

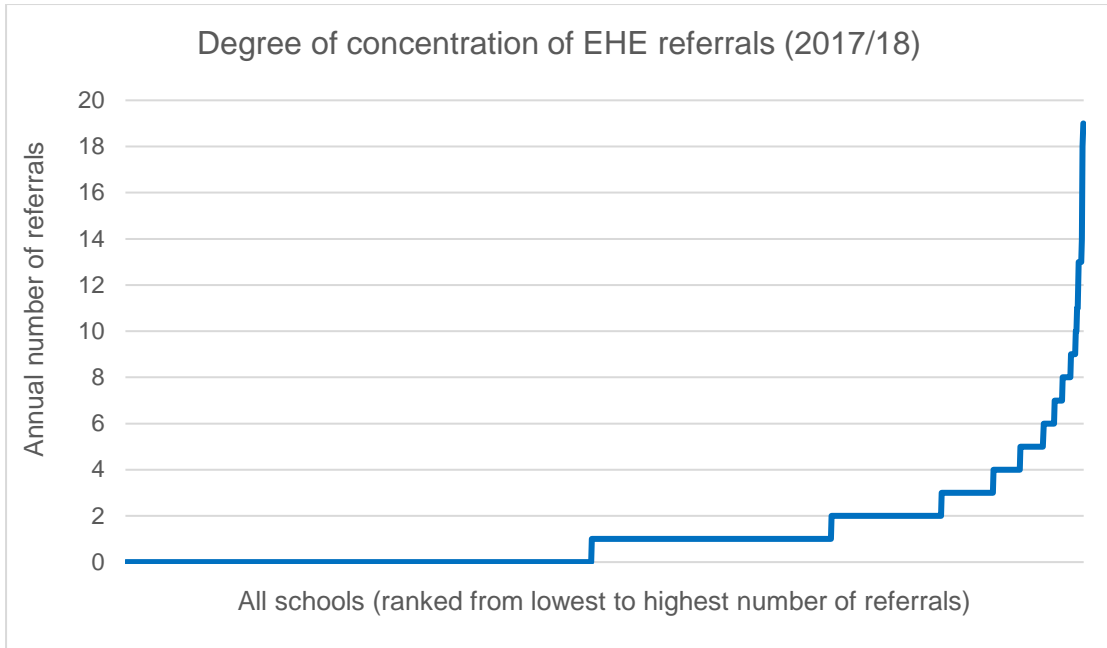
*Note: Total number is based only on the nine areas which provided data for all three years, so it excludes Middlesbrough and North Yorkshire. The rate per 1,000 children is based on all 11 areas.*

Alarming, the numbers of children being withdrawn into home education are increasing significantly among primary school children as well. The overall rate of increase in the nine areas providing data from 2015-16 to 2017-18 was 32% at primary schools and 71% at secondary schools, over this period. But between 2016-17 and 2017-18, the total number rose at a higher rate in primary schools (43%) than in secondaries (35%). It still remains the case that children in a secondary school are more likely to be withdrawn into EHE: across all 11 areas in 2017-18, the rate of EHE referrals stood at 3.1 per 1,000 children in secondary schools, compared with 2.3 per 1,000 children in primary schools.



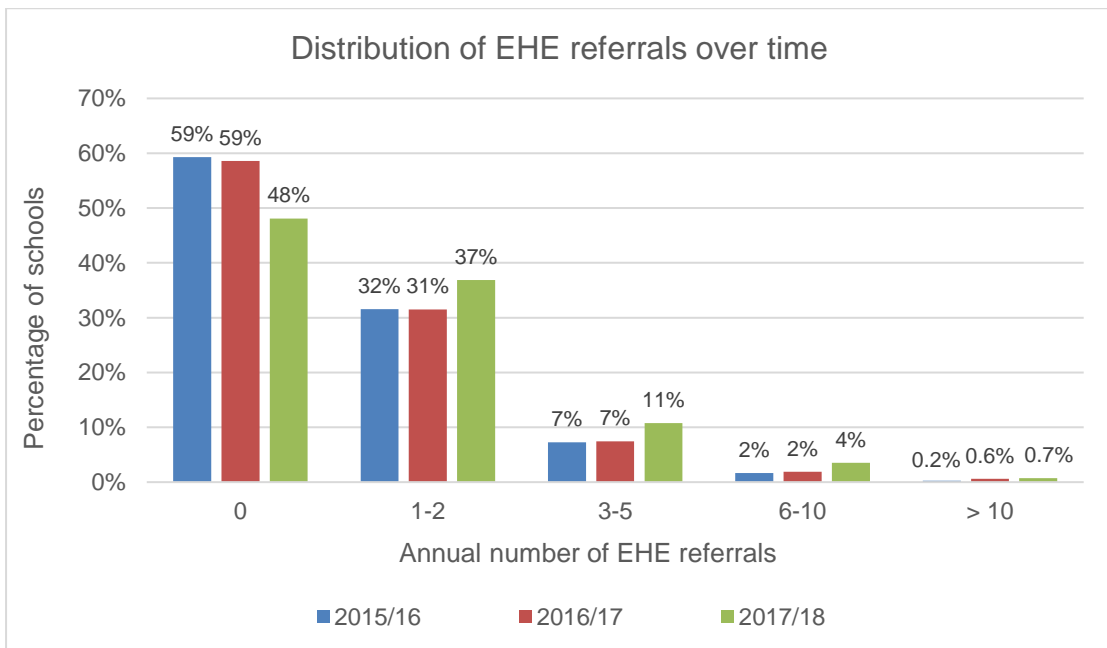
The data shows that very few schools are responsible for the majority of moves into home education. Roughly nine out of ten schools only saw 0-2 referrals into home education a year, but for a tiny minority of schools it can be more than 15 a year.

The chart on the next page visualises the degree of concentration in the number of EHE referrals. It plots the EHE referrals for all of the 1,400 schools in the data, ranked from the lowest number of referrals on the left to the highest numbers on the right. There is a big 'spike' at the end, which illustrates that a very small number of schools have very high levels of EHE referrals.



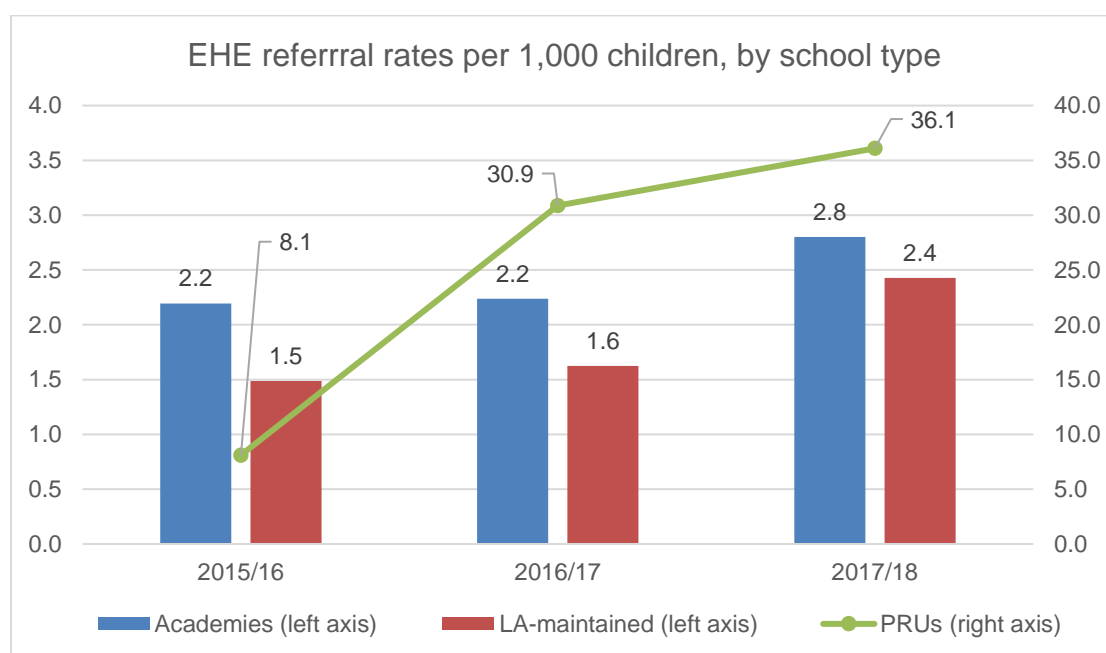
In 2017-18, half of elective home education referrals in these 11 LAs were from only 10% of schools, while 80% of the referrals came from a quarter of the schools. However there is evidence that the practice is spreading: between 2015-16 and 2017-18, the proportion of schools making no referrals at all to home education fell from 59% to 49%. The chart below shows that this has mostly happened between 2016-17 and 2017-18.

It is also becoming less uncommon for a school to have a significant number of EHE referrals in a year. In 2015/16, only 1.9% of the schools in this sample had more than five referrals; in 2017/18, it was 4.3%.



The analysis also sheds new light on the oft-cited claim that academy chains are ‘off-rolling’ more than LA-run schools. According to the data from all 11 LAs, academies do see children move into home education at a higher rate than LA schools: in 2017-18, academies had a rate of 2.8 EHE referrals for every 1,000 children, compared with 2.4 per 1,000 children for LA-run schools. However, LA schools are catching up. Overall, between 2015-16 and 2017-18, the numbers of children moving from academies into home education increased by 43%, but from LA schools it grew by 58% (across the nine areas which provided data for the whole period).

Our data also indicates among pupil referral units (PRUs), the rates of EHE referral are much higher – 36 per 1,000 children in 2017-18. This has also grown much more since 2015-16, when it stood at 8.1 per 1,000 children. However these figures relate to a much smaller cohort of pupils, so it may be difficult to extrapolate more widely.



The Children’s Commissioner has sent all the data collected to Ofsted, including the names of individual schools with very high rates of children moving into home education. She will also be writing to Regional School Commissioners about the schools with the highest rates of elective home education, asking how they plan to tackle the issue locally. And later this year the Children’s Commissioner’s Office will collect data from all councils in England and publish it, school by school, identifying which schools have high numbers of children being withdrawn into home education which may suggest practices of off-rolling.

## Under the radar

Many home educators say they would welcome more support, and many make great efforts to keep in touch with the council. One of the most problematic consequences of home education, however, is that it means that some children are completely out of sight of the authorities. 93% of councils say they don't feel confident that they're aware of all the home educated children living in their area.<sup>26</sup> Worryingly, there are some parents who are well aware of the light touch regulation around home education and actively use this to their advantage, for example to keep out of sight of social services. In some cases a parent might choose to home educate their child after the school has made a referral to social services. Around one in 10 home educated children are known to social services<sup>27</sup> – some of these are current cases but some have been closed, meaning that there is not continued contact between children's services and the family. It is possible that some of those families will genuinely no longer need the support of social services, but they will have become less visible to the authorities since withdrawing their children from school, which could be very worrying if problems at home escalate.

Parents are under no obligation to register that they are home educating their children, and local authorities have no duty to monitor the education these children are receiving – only to make informal enquiries about those who might not be receiving a suitable education. This means that children can go for months or even years without contact with any professional. Local authorities may not even know about those who have never been educated at school as there are no records. The consequences of lack of oversight can be disastrous – for example, in 2011 the nation was shocked by the case of Dylan Seabridge, an eight year old boy who died of scurvy after collapsing at his home in rural Wales, having been completely off the radar of health and education professionals.<sup>28</sup> Dylan is one of six children to have died in the past decade, where their home education was seen to be a contributory factor<sup>29</sup>.

## Illegal schools

Some parents claim that they are home educating their children, when in reality they are sending them to unregistered and illegal schools (or "tuition centres") where they receive a substandard education and welfare standards are dubious. Illegal schools operate under the radar and outside the statutory frameworks designed to keep children safe. The definition of them is hazy, allowing many 'tuition centres', madrassas and yeshivas to operate off grid. Since setting up a specialist taskforce in 2016, Ofsted has identified 439 schools which are possibly operating illegally.<sup>30</sup>

---

<sup>26</sup> ADCS/Dispatches Home Education Survey 2018

<sup>27</sup> *One in 10 home-schooled children 'known to social services'*, J Lepper, CYPNOW, 15<sup>th</sup> November 2018. Available at: <https://www.cypnow.co.uk/cyp/news/2006075/one-in-10-home-schooled-children-known-to-social-services>

<sup>28</sup> *Concise Child Practice Review*, CYSUR Mid and West Wales Safeguarding Children Board, 7<sup>th</sup> July 2016. Available at: <https://www.whatdotheyknow.com/request/452376/response/1084174/attach/html/2/CYSUR%20%202015%20CPR%20Report%20080716.pdf.html>

<sup>29</sup> Dispatches analysis of Serious Case Reviews into child deaths which refer to home education

<sup>30</sup> *Figure provided by Ofsted to Dispatches*

It is difficult for Ofsted to prosecute these schools, as registers may be incomplete or false, children can attend on a full-time basis or spend part of their time at the 'school' and part at home, and the centres are expert at keeping their answers within the legal framework. Children are believed to be coached not to respond to inspectors' questions.

The Children's Commissioner has accompanied Ofsted inspectors on visits to suspected illegal schools and found dozens, sometimes hundreds of children in filthy cramped rooms and Portakabins, with only religious texts in sight. Because home education does not have to be registered, nobody knows who the children are or what the true state of their education is.

Under current guidance, a setting must register as a school with the Department for Education as the regulator if it is attended by five or more pupils on a full-time basis (generally interpreted as more than 18 hours per week)<sup>31</sup>. Ofsted's Chief Inspector Amanda Spielman has raised concerns about parents who use home education as a guise to enable them to use illegal schools<sup>32</sup>, for instance those offering a predominantly or exclusively religious education. Of the local authorities that responded to ADCS's 2018 home education survey, nearly half were aware of tuition centres operating in their area (not all illegally) and over one in ten were aware of unregistered schools.

The first ever conviction for running an unregistered school was in October 2018. Al-Istiqamah Learning Centre taught around 58 pupils from a West London office block. The defendants claimed that they ran a part-time tuition centre for home-educated children rather than a school and that children did not attend for more than 18 hours, but the court heard evidence that at least 27 children were at the school for 25 hours per week and were therefore considered to be educated there full-time. With Channel 4 'Dispatches', the Commissioner joined Ofsted on a visit to this tuition centre, which appeared still to be teaching students – albeit now on a part time basis. This demonstrates what Ofsted has warned about - that settings learn how to avoid registration by keeping within the legal definition of what constitutes "full-time" education.<sup>33</sup> It is difficult for inspectors to ascertain the truth about how long pupils spend at such schools as registers are not kept clearly, Ofsted does not have the powers to seize documents, and children may be told to lie to inspectors when they visit.

---

<sup>31</sup>*Registration of independent schools*, Department for Education, January 2016. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/492259/Registration\\_of\\_independent\\_schools.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/492259/Registration_of_independent_schools.pdf)

<sup>32</sup>Letter from Amanda Spielman, Ofsted, to Meg Hillier MP, Chair of Public Accounts Committee, 30<sup>th</sup> October 2018

<sup>33</sup>*The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2017/18*, Ofsted, 4<sup>th</sup> December 2018.

## What is the impact on children?

*“For like eight months . . . [I was home schooled] and like, I never saw my friends. I literally had like no friends for ages... I used to smoke all the time.”*

*“I had work sent home for like 2 weeks and then they stopped sending it.”*

*Home-schooled teenagers, Children’s Commissioner 2018-19  
Business Plan consultation*

Some children have very positive experiences of home education, where parents are educating them at home for all the right reasons, are well prepared and have the right support. In other cases, children have described feeling lonely and depressed, left alone for long periods in unstructured days. They miss their friends at school and can become isolated.

Parents who lack any kind of teaching experience, or who may even struggle to read and write themselves, are expected to draw up a curriculum with little or no support. Children are missing out on weeks, months if not years of education, only to return to school and then drop out again as their problems remain unaddressed.

Sam is currently home educating her 12 year old son, Baillie, because he has ADHD, was being bullied and was temporarily excluded for fighting. Sam says:

*“Although education is very important, for me it’s more important that his mental health is top priority. When he was at school everyday he was coming home in some sort of mood, he was crying, he’d go up to his room and not really speak to anyone. But now since I’ve had him off school he’s wanting to be around people a lot more, he’s just a lot more happier”.*

Sam is concerned that there isn’t much support for parents who are home educating either to provide an education or to help find another school. She says:

*“I have huge doubts on my ability to be able to educate him in a way that a school could. Reading and writing aren't my strong points. I was diagnosed with dyslexia when I was a child.. there is no help out there and it’s a scary thought”<sup>34</sup>.*

For many children, home education is only meant to be a short term arrangement. The real goal is for the child to be able to return to their old school, or a new school so that they can have a fresh start. But this can take a long time. During this time, the problems that led to the child being home educated in the first place, such as school refusal, anxiety and other mental health problems, can become much worse, making it even less likely that school will be a success for the child when they do eventually return. This creates a vicious cycle where children oscillate between home education and school, with a significant impact on their education. It is not surprising that they often reach

---

<sup>34</sup> Case Study from Channel 4 Dispatches programme, to be aired on 4<sup>th</sup> February

school leaving age without any qualifications. Data on future outcomes of home educated children is inconclusive. But evidence given to one parliamentary review showed they are four times as likely to end up classed as NEET - not in education, employment or training - once they turn 16.<sup>35</sup>

## What can be done?

The Government is updating and consulting on possible changes to current non statutory guidance, focusing on registration, monitoring and oversight, family support and financial consequences for schools when parents opt to home educate.<sup>36</sup> The proposed changes are minimal - they simply aim to ensure that existing laws are better used by local authorities. In contrast, Wales has announced they will be consulting on the introduction of statutory guidance which will require Local Authorities to establish a database to assist them in identifying children not on the school register<sup>37</sup>

Ofsted has been working to tackle off-rolling, for example by using data to prioritise and plan for inspections<sup>38</sup>. In January 2019, it announced further measures in the draft of its new inspection framework, which will be effective from September 2019 and is currently open for consultation<sup>39</sup>. Off-rolling is specifically mentioned: “leaders .... [should] not allow gaming or off-rolling”. According to the draft school inspection handbook, if a school is caught off-rolling, management will likely be judged “inadequate”. This effectively means that a school found to be illegally-off-rolling will most likely be graded “inadequate” overall.

Ofsted has been criticised over the charge that its inspection outcomes are heavily shaped by exam results, to the point that schools are forced into becoming “exam factories” in order to do well. In the new proposed framework, a “quality of education” is proposed to reward schools that are doing the best by all their pupils rather than just the easiest to teach. The Children’s Commissioner’s office welcomes this improvement.

---

<sup>35</sup> *Children educated at home twice as likely to be known to social services select committee told*, J Shepherd, Guardian, 13<sup>th</sup> October 2009. Available at:

<https://www.theguardian.com/education/2009/oct/13/home-education-badman-inquiry>

<sup>36</sup> *Home Education – Call for Evidence and revised DfE guidance*, Department for Education, 10<sup>th</sup> April 2018. Available at: <https://consult.education.gov.uk/school-frameworks/home-education-call-for-evidence-and-revised-dfe-a/>

<sup>37</sup> Announcement by Education Secretary, Kirsty Williams, on 30<sup>th</sup> January 2018. Available at: <https://gov.wales/newsroom/educationandskills/2018/education-secretary-announces-package-of-support-for-home-educating-families/?lang=en>

<sup>38</sup> *The Annual Report of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills 2017/18*, Ofsted, 4<sup>th</sup> December 2018.

<sup>39</sup> Education inspection framework 2019: inspecting the substance of education, Ofsted, 16<sup>th</sup> January 2019. Consultation, draft handbook and draft inspection framework available at: <https://www.gov.uk/government/consultations/education-inspection-framework-2019-inspecting-the-substance-of-education>



## Conclusion and recommendations

Many parents who make a philosophical decision to home educate put a substantial amount of thought and dedication into providing their children with a high quality education. But as this report has shown, there are many other families out there who have ended up home educating for other reasons, and are struggling to cope. There needs to be a cultural shift away from pressurised, hot-housing schools, to help stem the tide of children entering home education when it is not in the family's true interests or wishes.

There is also a pressing need for more immediate measures to improve the experiences, safety and wellbeing of children who do end up being home educated.

The Children's Commissioner's Office is calling for the following:

### A home education register

Parents who are home educating their children should be required to register their children with the local authority. In a survey of local authorities in Autumn 2018, all 92 respondents agreed that a mandatory register would aid them in their work.<sup>40</sup>

The register should include the child's name, date of birth and the address at which they are being educated. Parents should also be asked why they are home educating their child and whether they intend for the child to re-enter mainstream education at some point.

There should be a requirement for parents to inform the local authority if they move away from the area and to re-register the child with their new local authority. Councils should put information-sharing agreements in place to further ensure that children do not disappear off-grid after moving.

### Strengthened measures to tackle off-rolling

The Children's Commissioner's Office supports ongoing work by Ofsted to identify and tackle off-rolling, and welcomes specific mention of the practice in its new draft inspection framework. It is our hope that Ofsted will grasp this opportunity to come down hard on schools who are letting down some of the most vulnerable children, and we will provide data to Ofsted to identify which schools have high proportions of pupils moving into elective home education.

School behaviour policies should acknowledge that poor behaviour may be linked to additional needs, such as SEND, and ensure that children with additional needs receive appropriate support.

When inspecting schools with high levels of pupil movement, Ofsted should explore if there is any link between their behaviour policies and off-rolling. If particular behaviour policies are consistently a feature of schools found to be off-rolling, Ofsted should provide the evidence to the sector to enable schools to modify their policies.

---

<sup>40</sup> ADCS/Dispatches Home Education Survey 2018

Children who are withdrawn from school should be entitled to re-register with the same school without going through the usual admissions procedures. Local authorities should have the power to direct an academy school to admit a child who is being home educated and wants a school place.

A financial penalty should be considered for schools that are found to be off-rolling pupils.

### **Advice and support for children and families**

Within three days of a decision being taken for a child to be withdrawn from school to be home educated, the local authority should visit the child and family to provide advice and support on alternative options, including other schools the child could attend. Local authorities should provide information at this point so that parents are aware of what they are taking on, including their responsibility to meet exam costs, and offer help negotiating entry to another school if desired.

This should be followed by another visit 4-6 weeks later once the family has had the opportunity to settle in to home education and understands better what is involved.

### **Greater oversight of children**

Council education officers should visit each child being home educated at least once per term to assess the suitability of their education and their welfare. This will require additional funding for local authorities. Where there are concerns over a child's welfare, they should be spoken to without parents present.

### **Decisive action against unregistered schools**

The government must strengthen the law so that it is easier to prosecute illegal schools. We support Ofsted in calling for a clearer definition of "full-time education" in law, so that unregistered settings can no longer exploit this loophole to evade prosecution.



**Children's Commissioner for England**

Sanctuary Buildings  
20 Great Smith Street  
London  
SW1P 3BT

Tel: 020 7783 8330

Email: [info.request@childrenscommissioner.gov.uk](mailto:info.request@childrenscommissioner.gov.uk)

Visit: [www.childrenscommissioner.gov.uk](http://www.childrenscommissioner.gov.uk)

Twitter: [@ChildrensComm](https://twitter.com/ChildrensComm)

This page is intentionally left blank

# Overview & Scrutiny

## Children & Young People Scrutiny Commission

**Date of meeting:** Monday, 9 September 2019

**Title of report:** HLT response to the Children Commissioner's report – Hackney led activity to address off rolling issues

**Report author:** Andrew Lee, Assistant Director, Education Services

**Authorised by:** Annie Gammon, Director of Education, Head of Hackney Learning Trust  
30 August 2019

### Brief:

The Children's Commissioner published a report in February 2019 – 'Skipping School: Invisible Children'

<https://www.childrenscommissioner.gov.uk/publication/skipping-school-invisible-children/>

Around 58,000 children are being home educated across England as a whole. The precise figures are unknown because parents do not have to register children who are home-educated, hence councils use various other sources to estimate the numbers.

In addition, concern has been raised about "off-rolling" and its link with EHE.

This term, off-rolling, was not well defined and had previously been used to describe any movement away from a mainstream school.

The Children's Commissioner report made a series of recommendation including:

- i) A home education register
- ii) Strengthened measures to tackle off rolling
- iii) Advice and support for children and families
- iv) Greater oversight of children
- v) Decisive action against unregistered schools

The attached report discusses these issues in more detail, what has been done locally to address them, and what further actions are required.

This page is intentionally left blank

# Scrutiny Commission September 2019

HLT response to the Children  
Commissioner's report - Hackney led  
activity to address off rolling issues.

## **Introduction**

There has been an increased focus, rightly, on children missing mainstream education over the past two years. This has been a focus nationally and locally: the reports and information below are from national sources.

The Children's Commissioner published a report in February 2019 – 'Skipping School: Invisible Children' <https://www.childrenscommissioner.gov.uk/publication/skipping-school-invisible-children/>

The Schools Adjudicator reported that the total number of children local authorities said were being electively home educated was 52,770 children across all 152 local authorities on 29 March 2018. An Association of Directors of Children's Services (ADCS) survey in autumn 2018 found that across the 106 councils which completed the survey, around 40,000 children were being home educated. That suggests around 58,000 children were being home educated across England as a whole. The precise figures are unknown because parents do not have to register children who are home-educated, hence councils use various other sources to estimate the numbers.

ADCS found that the number of children known by councils to be home educated was 27% higher than in 2017. This is not an anomaly: the figure has risen by about 20% in each of the last five years and has doubled since 2013/14.

Over the past eighteen months OFSTED has been raising concerns about "off-rolling". This term was not well defined and had previously been used to describe any movement away from a main stream school.

## **Definition of Off rolling**

While there is no legal definition of off-rolling, Ofsted use the following definition:

*Off-rolling is the practice of removing a pupil from the school roll without using a permanent exclusion, **when the removal is primarily in the best interests of the school, rather than the best interests of the pupil.***

This includes exerting pressure in some form on a parent to remove their child from the school roll.

While it may not always be unlawful, Ofsted believes off-rolling is never acceptable.

## **What does and does not constitute off-rolling**

There are many reasons pupils leave school. They might move house, leave the country, or move to another, closer school when a place becomes available. Of course, none of these things is off-rolling.

Other pupils might leave to be home educated. Again, where this is a parent's clear choice, without pressure from the school, it is not off-rolling.

Dual-registering a pupil with another school such as an alternative provider is also not off-rolling. This is because the pupil has not left the roll of their school. The statutory guidance on alternative provision makes it clear that pupils should be dual-registered if they are attending AP. Alternative provision can be a positive move for some young people.

'Managed moves' from one school to another as an alternative to exclusion can sometimes be effective in breaking the cycle of poor pupil behaviour. If these moves are used in pupils' best interests, with the agreement of everyone involved within the statutory guidance, then again, this is not off-rolling.

Some pupils are permanently excluded. But as long as headteachers have followed the relevant legislation and statutory guidance, this is not off-rolling. Schools must be able to exclude pupils where necessary, and we support schools using exclusions as part of their behaviour policy and as a last resort.

Some schools, sadly, pressure families to take their children out of school to avoid an exclusion – many parents simply do not want a permanent exclusion on their child's record. This is a clear example of off-rolling and is never acceptable, as the [statutory guidance](#) on exclusions makes clear. Exclusions rightly go through a robust process to make sure that they are justified. Avoiding this is not fair to pupils or parents.



## **Ofsted's role**

Before an inspection, Ofsted's analysts give the lead inspector information about whether or not a school has exceptional levels of pupils leaving the school in years 10 and 11. Of course, this doesn't always mean that off-rolling is happening. But it makes sure that inspectors explore this possibility during the inspection.

Inspectors will ask leaders about who has left and why. Are there any patterns in the groups who leave? How do they support pupils from these groups who are still in the school? For example, if most of the pupils who left have special educational needs and/or disabilities, how does the school cater for this group? Have they reviewed their provision and improved it if necessary?

If a school uses managed moves, inspectors may ask to see evidence of how these meet the statutory guidance. Again, if these moves are happening during years 10 and 11, inspectors will look closely at whether this decision is in the best interests of the pupils in question.

As recent, high-profile inspections have shown, off-rolling is not a clear cut issue, and inspectors will need to gather evidence on inspection to see what is really happening.

## **Children's Commissioner report**

The Children's Commissioner report made a number of recommendations including :

- i) A home education register
- ii) Strengthened measures to tackle off rolling
- iii) Advice and support for children and families
- iv) Greater oversight of children
- v) Decisive action against unregistered schools

### **1. A Home Education Register**

Parents electively home educate for a number of reasons including:

- Parental educational philosophy
- Parenting philosophy
- Pupil anxiety needs not met
- Pupil socialisation difficulties not met
- Pupil learning needs not met
- Pupil medical needs not met
- Parental concerns about quality of schools in the area
- Parents awaiting vacancy in school of choice
- Parents withdrawing to avoid potential exclusion

Hackney Learning Trust maintains a register of all those families who elect to educate their children at home. However, this can never be a complete picture as there is no mandatory expectation currently placed upon parents to register with their Local Authority.

Current known data (May 2019) is as follows:-

#### **Main cohort:**

- 164 Females
- 144 Males
- SEND: 22 children identified
- EHCP: 14 had been registered in current academic year
- Irish Travellers: 32

**Orthodox Jewish children:**

- 140 Registered (all Male).

Voluntary registration schemes are not effective in ensuring that all children who are being educated at home are known to the respective local authority. Mandatory registration would greatly assist the local authority in establishing a true picture of exactly how many children in the area are being educated at home. It would also assist in enabling the local authority offer of support and guidance to be available to all EHE parents, and to support the LA functions in situations where it appears that no satisfactory educational provision is being made.

*"Birmingham Serious Case Review 2010-*  
[http://northumberlandscb.proceduresonline.com/pdfs/kyhra\\_ishaq\\_scr.pdf](http://northumberlandscb.proceduresonline.com/pdfs/kyhra_ishaq_scr.pdf)

*12.6.11 It is difficult to comprehend how Local Authorities, within the current home education legislative provision, can effectively address a child's right to education, when all of the current rights appear to be conferred on parents. Home educated children are not subject to any independent inspection processes. There appears to be an apparent failure within the current system to address the lack of power to enable Local Authorities to effectively fulfil their safeguarding responsibilities. The current provision appears to take no cognisance of the child's wishes, feelings or welfare and therefore presents as a direct contradiction to the aspirations of the Children Act 2004, Every Child Matters, Section 175 of the Education Act 2002, Working Together 2006 or indeed the UN convention on the rights of the child"*

Underpinning the requirement for mandatory registration, we would encourage the DfE to consider the resourcing issue for Local Authorities who will be required to manage additional responsibilities to co-ordinate if all children are required to be registered. Given that the current guidance to parents does not impose a specific registration requirement, the numbers of children additionally identified within each LA by a mandatory registration requirement is unknown and cannot be predicted. This must be supported by adequate resourcing if it is to have the desired effect.

It is our professional view that such a register should specify whether children are attending an educational setting (other than their own home) during school hours. HLT remains very concerned about the use of unregistered settings to deliver a child's education. Attendance at such settings causes significant concern in terms of safeguarding arrangements, suitability of provision, health and safety and DBS for education providers.

There are likely to be issues in obtaining information from unregistered settings mostly as the LA would have no statutory authority to enter, inspect the register and assess the provision provided (this is the role of Ofsted). Mandatory registration is likely to assist with this and making it a legal requirement for unregistered settings to provide the LA with a copy of the admission register on request.

It is important that such a register should include flexi-schooled children (ie those who are educated at home or elsewhere for some of the week during school hours but are also on the admission register of a state-funded or registered independent school). All children who live in the borough should be included on the registration scheme in particular those who are of compulsory school age, however with the advent of the 0-25 education for children, it would be more appropriate to include all children.

See Appendix A for more information about what should be in a register

## **2. Strengthened measures to tackle off rolling**

We are recommending strong and regular analysis by governors – as well as a check in from HLT via the SIP programme.

Governing bodies should receive a termly report of pupils moving off the roll of the school and those in internal exclusion or dual registered on AP. This recommendation will be rolled out to all Hackney governing bodies for use from Sept 2019. In addition HLT will visit schools for a specific review meeting where movement of pupils is above 4% between Year 10 and Year 11. This happened in 2018-19 for the first time, providing useful advice for schools and scrutiny of figures (see attached letter Sept 2018 – Appendix B).

The following tables summarise some of the Hackney data sent to the Children’s Commissioner in December 2018.

**Highest number of children moving to elective home education per school**

2017/18 Hackney Secondary Schools	
Maintained School	8
VA School	7
Academy/Free	6
Maintained school	6
Academy/Free	6
Academy/Free	4
Academy/Free	4

**Analysis of types of schools in data sent to Children’s Commissioner**

Comparator	2015/16	2016/17	2017/18
Number of academies with EHE moves	6	4	9
Number of maintained schools with EHE moves	18	20	15
Total number of EHE moves in academies	8	8	27
Total number of EHE moves in maintained schools	27	36	41
% of schools with EHE cases that were academies	25	17	38
% of schools with EHE cases that were maintained schools	75	83	63
% of total reported EHE cases in academies	23	18	40
% of total reported EHE cases in maintained schools	77	82	60

HLT has issued guidance to schools in Hackney ( including maintained, academies, free schools and independent registered schools) to provide clarity and definition about ‘joint reasonable enquiries’, in response to the amended Pupils Registration Regulations with effect from September 2016 - <http://www.legislation.gov.uk/uksi/2016/792/contents/made>.

It is important to note that this is now a statutory requirement about pupil movement placed upon all schools. All Schools **must** comply with these new legislative expectations and consider the most effective means by which to share information in order to do so.

From September 2016, HLT requires the following from all schools:-

- 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.
- Schools also have to inform the LA within 5 days of registering new pupils (including at reception and the start of year 7, for independent schools only)
- For a pupil who has not returned after 10 days, the amended regulations require the school and LA to make those enquiries collaboratively, not separately. Schools should ensure that they consult with HLT before any decisions are made to de-register a child without a clear destination having been established and agreed. The Pupils Registration Regulations as below is now amended to make reference to ‘jointly making reasonable enquiries’

The following are prescribed as the grounds on which the name of a pupil of compulsory school age shall be deleted from the admission register—

**8. (1) (f)** *in the case of a pupil granted leave of absence exceeding ten school days for the purpose of a holiday in accordance with regulation 7(3), that —*

*(i) the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted;*

*(ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and*

*(iii) both the proprietor and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is;*

**8. (1) (h)** *that he has been continuously absent from the school for a period of not less than twenty school days and —*

*(i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);*

*(ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and*

*(iii) both the proprietor of the school and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is;*

Since the introduction of the amended Pupil Registration Regulations in September 2016, Hackney schools have been notified and supplied with guidance on the following occasions:-

- 26<sup>th</sup> September 2016 – Letter from Interim Director, HLT guidance and schools lists (B2B and non B2B)
- 26<sup>th</sup> September 2016 - Leadership Update, as above
- 9<sup>th</sup> December 2016 – Leadership Update, reminding Head teachers and Principals of new requirements.
- 4<sup>th</sup> January 2017 – Individual letters from Interim Director to all Academy Principals / Non B2B schools – expressing preference for use of B2B but also attaching spreadsheet.

Non-compliance with the new legislation is of significant concern.

Guidance, as referenced above, has been previously sent to all Hackney Schools during the 2016/17 and the 2018-19 academic year, explaining the rationale for change, and that this is a significant safeguarding issue. Given this, it is now essential that there is a clear definition of what joint reasonable enquiries would look like, and who needs to be involved. It must be noted that the expectation to make such enquiries is the responsibility of 'the Local Authority', not just HLT services – this must be interpreted as all relevant services that are involved in working with schools on issues relating to admissions, registration and de-registration.

### **3. Advice and Support for Children and Families**

Hackney Learning Trust continues to provide advice and support for all families and learners in Hackney, through its operational services and also through advice and guidance provided on the HLT web pages and within the Local Offer –

<http://www.learningtrust.co.uk/content/elective-home-education>

[www.hackneylocaloffer.co.uk](http://www.hackneylocaloffer.co.uk) [www.learningtrust.co.uk](http://www.learningtrust.co.uk) [www.hackneyservicesforschools.co.uk](http://www.hackneyservicesforschools.co.uk)

HLT supports the view that is shared in the Children Commissioners report, in that School behaviour policies should acknowledge that poor behaviour may be linked to additional needs, such as SEND, and ensure that children with additional needs receive appropriate support, rather than exclusion or feeling that they cannot form part of the school community.

The Children Commissioners report recommends that children who are withdrawn from school should be entitled to re-register with the same school without going through the usual admissions procedures. Local authorities should have the power to direct an academy school to admit a child who is being home educated and wants a school place. HLT supports this view and currently, children who have been deregistered on written instruction from parent who subsequently approach HLT to seek re-admission to a school, will be considered at the In Year Fair Access Panel wherein a decision will be made to direct that child back to their previous school (unless there is sound reason not to do so which can be clearly evidenced and discussed by IYFAP)

The CC report also recommends that within three days of a decision being taken for a child to be withdrawn from school to be home educated, the local authority should visit the child and family to provide advice and support on alternative options, including other schools the child could attend. Local authorities should provide information at this point so that parents are aware of what they are taking on, including their responsibility to meet exam costs, and offer help negotiating entry to another school if desired. HLT seeks to achieve similar results in working with schools and parents – where deemed appropriate – to identify a ‘cooling off period’ wherein some work may be attempted to try to re-establish a link with the school and to overcome barriers, especially in situations where the professional view is that a move to EHE may not be in that particular child’s best interest and is as a result of issues such as parental conflict with school etc.

However, we also hold the view that the timescales recommended at this point in the CC report (within 3 days of decision) are unrealistic without consideration of enhanced levels of resourcing. We believe that most Local Authorities would hold a similar view in this regard

Additionally, we support the view that when inspecting schools with high levels of pupil movement, Ofsted should explore if there is any link between their behaviour policies and off-rolling. If particular behaviour policies are consistently a feature of schools found to be off-rolling, Ofsted should provide the evidence to the sector to enable schools to modify their policies.

#### **4. Greater Oversight of Children**

The Children Commissioners report recommends that Council education officers should visit each child being home educated at least once per term to assess the suitability of their education and their welfare, and that where there are concerns over a child’s welfare, they should be spoken to without parents present.

HLT supports this recommendation as a key safeguarding measure and has expressed such a view in previous surveys and evidence gathering. However, as stated in the CC report, this would require consideration of appropriate resourcing in order to achieve this and especially in the light of the current EHE cohort known to HLT.

Officers are clear that there should be specific duties to comply, and that for any parent who refuses to do so, School Attendance Orders (section 437 Education Act 1996) or Education Supervision Orders (Section 36 Children’s Act 1989) should be pursued at the earliest opportunity and in the interests of the child rather than the parent.

Linked to mandatory registration, parents should be encouraged or expected to engage with the Local Authority in a meaningful way and if failing to do so, legal sanctions may be effective if they are underpinned by mandatory registration. If parents are refusing to register with the LA, then the LA is unable to adequately assess whether suitable education is being provided and as such, a School Attendance Order should be issued.

In addition, we remain very concerned that there remains no definition in statute law for:-

- Efficient education
- Full time education
- Suitable education - a lack of ‘suitable’ education could also warrant s31 Children Act Threshold to be met.

This is particularly important if there is an element of assessment to determine what education is suitable (or not). Therefore, we would suggest that there needs to be a framework of some sort to determine this and HLT officers stated such within the DfE Call for Evidence 2018.

Whilst the concept of full-time education might differ between education settings, there should be a minimum number of hours per day that could be classed for full time education for primary and secondary age children.

Additionally, we remain concerned about situations where pupils are only receiving a religious education and therefore, they are not being provided with an education which could enable them to function as an independent citizen, particularly outside the community in which they are brought up, if they so wish. The lack of regulation around elective home education therefore allows some parents to side step their full legal responsibility in ensuring that their child receives an efficient full-time education suitable to their age, ability and aptitude and any special educational needs they may have.

The voice of the child should be at the centre of all discussions and be given greater status and recognition. Currently, all the rights are conferred on parents and the voice of the child appears silent. We feel that LAs should have stronger powers to intervene, or at least explore when they have concerns that EHE is not providing an efficient and suitable education which provides for the academic needs of the child but also their social and emotional development.

## **5. Decisive action against Unregistered Schools**

Council officers and political leaders in Hackney have worked 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 Hackney Learning Trust, the Council's Children and Families Service and Planning Enforcement team, 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 (2017/18) and recommendations will lead to renewed collaboration and communication with the community on unregistered educational settings.

Following the investigation undertaken by the LBH Scrutiny Commission in 2017 /18, Officers within HLT and CYPS have developed a UES strategy. 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.

Our Vision 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.

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. 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*)

**6. Analysis of Hackney EHE figures within Children Commissioner report**

<https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/02/CCO-Skipping-School-Technical-Appendix-February-2019.pdf>

It is noted that in addition to Hackney only one other London LA – Newham – submitted data

Local Authority	EHE rate per 1,000 pupils 2015/16	EHE rate per 1,000 pupils 2016/17	EHE rate per 1,000 pupils 2017/18	Percentage Change: 15/16 to 16/17	Percentage Change: 16/17 to 17/18	Percentage Change: 15/16 to 17/18
Hackney	1.45	1.79	2.78	24%	55%	92%

Newham	0.75	1.15	1.91	53%	66%	155%
--------	------	------	------	-----	-----	------

- As in the table earlier in the document the 2017-18 figures refer to 68 children in total in Hackney.
- The trend over time and makes clear that the growth in EHE referrals in the national sample accelerated considerably after 2016/17
- The EHE referral rate is higher among secondary schools than among primary schools across the sample of 11 LAs. However, rates have been increasing for both – and between 2016/17 and 2017/18, the rate increased faster among primary schools than among secondary schools
- The EHE referral rate is higher in the sample among academies than among LA maintained schools, however rates have increased for both types of school. Most recently, between 2016/17 and 2017/18, the EHE referral rate increased more quickly in LA-maintained schools (by 49%) than in academies (by 25%).
- The charts also show that EHE referral rates per 1,000 pupils are much higher in pupil referral units (PRUs) across the 11 LAs in this dataset. The rate has also increased very sharply since 2015/16. However, these figures are based on a small number of referrals across a very small cohort of pupils in the 11 LAs: 17 referrals among 471 pupils in 2017/18. By comparison, across the same LAs there were 303,000 pupils in LA maintained schools and 322,000 in academies in 2017/18. The PRU figures may be volatile and difficult to generalise from, in the absence of data from more LAs across more years.



## Appendix A

In terms of what the register should contain about each child and its parents, we would suggest that any register would list the following as a minimum; (Please note HLT has implemented an EHE De-registration form since 2016 which has to be completed by school, health or CSC if a child become EHE, the form details the information below and has been extremely useful for monitoring purposes).

- Name of child
- Dob / age
- UPN
- Name, address and contact details of each parent
- Child's last school (if applicable)
- Whether educated at home for part or all of time
- Settings currently attended other than home
- Reason for decision to educate at home
- Details of any tutors that have been engaged
- Ethnic background
- SEN
- Child known to be CIN/CP or other agencies involved with child
- Exclusion P/T or PEX
- Attendance while on roll at school
- Siblings

As well as fully supporting the introduction of a register, we believe that the DfE should prescribe a national format for a register. We would encourage that the DfE introduce legislation to implement a nationally agreed format and data set and but must be underpinned by a mandatory expectation on registration otherwise data and information sharing cannot provide a true and full picture of the profile of EHE within each LA.

## Appendix B

15<sup>th</sup> October 2018

Dear Headteacher and Chair of Governors,

### **Exclusions and off rolling**

I hope this first half term of the academic year has gone very well for you, your team and all your pupils. I am writing to you about some of our most vulnerable young people. These are pupils who are permanently excluded or who leave schools to move to other settings because their needs cannot be met in their initial school. You will be aware that Hackney has higher than national average rates of exclusion in secondary schools, and one of the highest amongst London boroughs.

Headteachers have, individually and collectively, made very significant efforts to ensure that the young people who start at their schools successfully stay in their schools wherever possible. I am pleased that a number of schools have recently reduced exclusion rates through a range of positive strategies.

There is a range of reasons for children leaving their first secondary school, including families moving home and/or work, a preferred curriculum at another setting and a diagnosed need which is better met in a specialist setting. Sometimes a breakdown in relationships leads to an in-year application, a managed move, a move to elective home education or a permanent exclusion. It is the latter group I am concerned about: where the young person has struggled to cope with being in a school in some way. You will know that, while these are a small proportion of our pupils, they can be significantly challenging. In some cases, they find their life chances significantly diminished by the changes. The move can also be traumatic for their family, although how this is managed and communicated can do much to mitigate the impact.

I know you and your teams are doing a great deal of pre-emptive work to engage and support young people in your school to avoid them moving into this group. Thank you for this focus.

At Hackney Learning Trust we have set up a "Reducing Exclusions action group" to take forward preventative and supportive work in this area: some of the strategies involve central support, some are

about sharing best practice across our schools. This group will report to a board on which we would welcome headteacher or governor representation: if you are interested and able to be involved please do let me know by emailing me by end Thursday 18<sup>th</sup> October. Membership of the board will involve a half termly meeting during the rest of this academic year. If there is significant interest we may also hold a one off event during 2019 to disseminate learning and best practice.

Hackney Council also has the Children and Young People Scrutiny Group (which is led by the councillors) examining provision for young people excluded from schools. These meetings are held in public and colleagues are most welcome to attend. Do contact Thao Ngo at [thao.ngo@learningtrust.co.uk](mailto:thao.ngo@learningtrust.co.uk) if you would like to do so, and she will forward the schedule of meetings.

As you know, there is increased interest from OFSTED about "off-rolling"\*: this has been in several media stories. Inspectors are being supplied with school data about historical changes in KS4 rolls for schools so that, if there are significant numbers, they can ascertain the reasons for pupils being taken off roll.

There will be very good reasons for some pupils moving off roll during KS4 but it is important that the moves provide positive next steps for the pupils involved. It is good practice for governors to be aware of the proportion of pupils for whom this has happened and their destinations.

I, or my secondary school adviser colleagues, will be meeting with headteachers where the percentage decrease in rolls from Year 10 to Year 11 has been more than 5% during either of the last two years so that we can understand the reasons for the change and the destinations of those young people. We will be in touch separately about this.

One of the supporting structures to keeping young people in mainstream education is the In Year Fair Access Panel (IYFAP). This works very well in the great majority of cases. Hackney Learning Trust, in collaboration with secondary headteachers, are reviewing how to make it work optimally and Chris Brown, current chair of the Secondary Headteachers' meetings, has requested any suggestions or concerns are sent to him by 24<sup>th</sup> November in advance of the subsequent meeting.

Meanwhile I would like to thank you for your continued work leading your schools in educating our young people. Please do let me know if you have any queries or suggestions.

Your sincerely,

Annie Gammon  
Director of Education

\*There is a description of off rolling and possible reasons for this in the useful report from the House of Commons "Forgotten Children: Alternative Provision and the Scandal of Ever Increasing Exclusions"  
<https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>



<p><b>Children and Young People Scrutiny Commission</b></p> <p><b>9<sup>th</sup> September 2019</b></p> <p><b>Item 6 – Work Programme 2019/20</b></p>	<p>Item No</p> <p><b>6</b></p>
---	--------------------------------

**Outline**

A new Children and Young People Scrutiny work programme is developed each year in consultation with local stakeholders. Over 80 individual suggestions were put forward as possible topics for scrutiny, these were collated and assessed by a representative stakeholder panel into a short-list of possible topic areas. These topic areas will need to be scoped out with officers and prioritised for inclusion within the 2019/20 work programme.

Items selected from the consultation will be incorporated into the work programme alongside other pre-agreed items which include:

- Standing Items – items which require annual oversight by the Commission;
- Review Items – evidence gathering or monitoring recommendations of current or past policy reviews undertaken by the Commission;
- Items agreed from 2018/19 – items the Commission agreed to take forward from last year’s work programme.

**Action**

Members are requested to:

- (i) Review the draft work programme developed to date;
- (ii) Review those items already suggested for inclusion within the programme;
- (iii) Agree the process for finalisation and agreement of the work programme.

This page is intentionally left blank

**CYP Scrutiny Commission**  
**Suggestions received from consultation to July 2<sup>nd</sup> 2019**

**Safeguarding**

14	Member of the Commission D	Contextual safeguarding particularly in the light of the tragic events.	Safeguarding: contextual safeguarding	
20	Member of the Commission E	Adequacy of Safeguarding procedures	Safeguarding	New arrangements for local safeguarding boards/process.
25	Member of the Commission G	Children safeguarding.	Safeguarding	
30	AC & CH	Contextual Safeguarding – update	Safeguarding: Contextual safeguarding	
31	CHSCB	New Safeguarding Arrangements - CHSCB published the arrangements on 26 June 2019. These will be implemented by 29 September 2019. The statutory accountability for these arrangements now sits with the LA, Police and CCG - Scrutiny to oversee how these new arrangements are making a difference to children's lives and the impact of partnership working on the safeguarding and promotion of welfare.	Safeguarding: new arrangement	
32	CHSCB	Health & Wellbeing of the workforce - with a particular focus on 2 issues - workload, workforce and management oversight (supervision and supervision ratios). Scrutiny can seek to explore the demand pressures across the system from early help through to care leavers and everything in between. We know that these are critical factors in terms of the overall quality of	Safeguarding	

		intervention. Are caseloads manageable? Is the workforce stable and what are the emerging pressures? How effective is management oversight in driving good practice and supporting staff do the difficult job they do?		
17	Member of Commission D	FGM	FGM	The current strategy expires in 2018/19.
78	Homerton HV and Safeguarding	Are we confident that allegations made against staff working in independent schools in Hackney are properly managed?	Independent schools - allegations	

## Mental Health - CAMHS

16	Member of the Commission D	Young people and mental health to obtain further insight as to what factors are driving the epidemic in mental health issues in young people e.g. poverty, exam stress, social media pressure, personal safety issues, undiagnosed SEND and how well services are equipped to respond.	SEND / Mental Health / CAMHS	
34	HCVS	Waiting lists for mental health assessments	Mental Health	
36	HCVS	Lack of tier 1 support for mental health needs of children and young people (prevention)	Mental health -prevention	
48	CCG – Mental Health	Impact of housing / housing strategy on CYP Mental Health and Wellbeing	Housing and mental health	
49	CCG – Mental Health	Non-registered /inadequate Orthodox Jewish Schools what impact on Mental Health and Wellbeing in CYP from Orthodox Jewish Community?	Mental Health - Unregistered schools and OJC	Unregistered schools due to come to Commission again in 19/20.
51	CCG – Mental Health	Prevention approach to poor mental health in CYP	Mental health – prevention	
52	CCG – Mental Health	Mental Health and Well-being in the under 5s	Mental health early years	
53	CCG – Mental Health	A public review of Reach and Resilience? How can Hackney break down the mental health stigma / barriers to access services and meet unmet needs?	Mental health and early intervention	
59	Young Futures	Adequacy of mental health support for children and young people.	Mental health support	
64	CE CCG	CAMHS Transformation (this has been to CYP Scrutiny commission so may be best placed to return there, or to a joint commission). A range of new investment and interventions are in place as part of national and local transformation, in order to complement our CAMH services with earlier identification and work with universal partners (i.e. schools). We also want to strengthen our support for specific groups with high need – i.e. LGBTQ and YBM groups.	Mental health - CAMHS	

<b>7</b>	Member of the Commission B	The accessibility of arts its impact on mental health and happiness of young people.	Mental health	
<b>80</b>	Project Indigo	LGBTQI+ mental health, and young people's mental health in general,	LGBT+ mental health	
<b>81</b>	Integrated Commissioning CCG/LBH/PH	Parental and Family Mental health Rationale as above. Additionally, the interface with wider services, and other council agendas such as domestic violence and housing, make this pertinent.	Family Mental Health	



## SEND

16	Member of the Commission D	Young people and mental health to obtain further insight as to what factors are driving the epidemic in mental health issues in young people e.g. poverty, exam stress, social media pressure, personal safety issues, undiagnosed SEND and how well services are equipped to respond.	SEND / Mental Health / CAMHS	
46	HLT	Support to SEND children post 16 –training and employment	SEND	
35	HCVS	Undiagnosed SEND and additional needs.	SEND	
50	CCG – Mental Health	ASD / LD / Physical Disabilities and Long Term Chronic conditions at Transition (18-25). Do service users face a cliff edge?	Post 18 SEND	
68	HPGA	A look at post-16 SEND provision as this is something that repeatedly arises as a big concern among parents of SEND children/YP.	SEND - provision post 16.	
70	HPGA	Young disabled people – what has been the impact of funding cuts to this service. Update on previous work by the Commission?	SEND	
73	Councillor	The incidence and circumstances of where schools claim that they cannot meet SEND needs of individual pupils.	SEND	
76	Homerton HV and Safeguarding	An integrated review and analysis of the current picture in SEND services across Local Authority and Health Services?	SEND	
79	Homerton HV and Safeguarding	What is the quality of the training and support provided for staff who work with children with challenging behaviour?	SEND (?) training and support	
84	Integrated Commissioning CCG/LBH/PH	Transition at key points – ie. From children’s to adults services, particularly for those with SEND, learning disabilities, autism, and through CAMHS. This is priority of the NHS Long Term Plan and an area of development for us locally. Support for an integrated approach and whole system thinking on this would be useful.	Transition from Child to Adult Services – reference to SEND, LD, CAMHS	



## Children Social Care

3	Member of the Commission B	The impact of housing on children and young people: homelessness, insecure or overcrowded accommodation.	Children's social care - impact of housing on CYP	
6	Member of the Commission B	Looked after children - the impact of being placed outside the borough.	Looked after children	
13	Member of the Commission C	Resourcing for early help and prevention; often not statutorily required to fund but how can this work be maintained?	Early help and prevention	
26	Member of the Commission G	Support for disadvantaged children - especially those families who may face barriers in accessing services	Early help and support	
27	Member of the Commission H	Children's social care - outcome of the focused visit and follow up.	Children Social care	
24	Member of the Commission G	Foster child and refugees.	Looked After Children	
38	CFS	Support to care leavers	Looked after children	
39	CFS	Children in need - support for families	Children's Social care	
40	CFS	Looked after children – who is coming into care (prevention)	Looked after children	
62	Young Futures	How can social care/youth services staff be more reflective of service users?	Children's Social care	
67	HPGA	What is the incidence and impact of Domestic Violence on local children/young people? How coordinated is the local response?	Children's social care – domestic violence.	
29	Member of the Commission H	Impact of domestic violence on children & young people and their families and support services available.	Domestic Violence	

			impact on CYP	
71	HPGA	Young carers	Children Social Care - Young Carers	
28	Member of the Commission H	Impact of housing / homelessness / temporary accommodation on children & young people and their families.	Housing impact on CYP – children social care	
41	CFS	Impact of housing needs on children's social care	Children Social Care	
48	CCG – Mental Health	Impact of housing / housing strategy on CYP Mental Health and Wellbeing	Housing and mental health	
54	CCG – Mental Health	Whole Family Approach: what impact can this have on poor family life / parental issues to help improve CYP (mental health) outcomes.	Children social care/ mental health	
85	Integrated Commissioning CCG/LBH/PH	Adverse Childhood events The workstream is doing some system wide work to develop a City and Hackney approach to mitigating the impact of ACE's and supporting the development of more trauma informed approaches, across all services. This is on the back of recent research (from Public Health England, and a number of other sources) emphasising the negative impact on long term health outcomes as a result of adverse childhood events. This work is developmental, but may benefit from some focus later in the year.	Adverse Childhood events - Early help	



### Educational Attainment

<b>21</b>	Member of the Commission F	<i>'Effective education tools to bridge the attainment gap, broaden the curriculum and strengthen children's wellbeing'</i> . Children with good standard of literacy and numeracy in primary school, find transition secondary school easier. Lower attaining pupils can get stuck in a spiral of poor progress and low motivation, leading to attendance issues, behavioural challenges and exclusion, and limited life opportunities. How are Hackney schools bridging the attainment gap?	Reducing attainment gap	
<b>44</b>	HLT	What is the impact of on educational attainment for those children designated as Children in Need and in receipt of social help and support?	Educational attainment	
<b>47</b>	HLT	Progression of high achievers on pupil premium	Educational Attainment	

### Unregistered Schools

49	CCG – Mental Health	Non-registered /inadequate Orthodox Jewish Schools what impact on Mental Health and Wellbeing in CYP from Orthodox Jewish Community.	Mental Health - Unregistered schools and OJC	Unregistered schools due to come to Commission again in 19/20.
22	Member of the Commission G	Unregistered settings and CRB checks	Unregistered Settings and CRB checks	

## School Exclusions

4	Member of the Commission B	Behavioural policies in Hackney schools and the effects on young people.	School exclusion	Will this be covered by the current review?
37	HCVS	What role can independent advocates play in supporting children at risk of school exclusion?	School Exclusions	Will this be covered by the Commissions current review?
45	HLT	Timson Report (Exclusions) local implications.	School exclusions	The Commissions exclusions review will conclude in September / October 19. Timson review could form part of this response.
55	Young Futures	School Exclusions	School exclusions	Will this be covered by Commissions report?
66	HPGA	<b>Behaviour policies in schools</b> - in particular assessing the impact of sanction/ reward/punishment/level/privilege systems for shaping behaviour. What benefit can a trauma-based approach be beneficial? What can Hackney learn from other approaches e.g. Reach Academy in in Feltham, who have won awards for their approach and are amongst the top schools for progress scores nationally. Hackney Quest and 'Body & Soul' (Islington) Islington and lead work with a trauma informed approach to children with high ACEs. How can HLT influence policy and practice locality wide?	Schools - behaviour policies - exclusions	
72	Councillor	Off rolling	School exclusions	
75	Homerton HV and Safeguarding	Are the health and education needs of young people excluded from school, in PRUs being met?	School exclusions	

### Other schools

18	Member of the Commission E	Provision of career guidance to young people	Career Guidance	
8	Member of the Commission B	Accessibility of the in the arts and creative opportunities to CYP, especially Hackney school leavers.	Post 16 education and training	
43	HLT	New Ofsted inspection framework	School inspection	
74	Councillor	Schools relationships with parents, how does this differ between maintained, academy and other schools?	Schools - general	



## Serious youth violence

11	Member of the Commission B	Assess the evidence of the impact of strategies Hackney have or have not put in place to tackle the roots of serious youth violence. Perhaps in relation to effectiveness of Contextual Safeguarding or the Young Black Men Project?	Youth Violence	This issue has been looked at by Living in Hackney.
12	Member of the Commission C	That Scrutiny Panel consider whether crime and community safety might be anchored in each commission this year to reflect breadth of focus across the social, educational, mental health and employment factors covered by Commissions.	Youth Violence	To be sent to Scrutiny Panel MG/TA.
33	CHSCB	Vulnerable children and adolescents - with a particular focus on serious youth violence, gang affiliation, criminal exploitation and pathways to harm (i.e. through social media / adverse childhood experiences). Is there investment in early intervention in this regard, are we intervening with the right children at the right time, what is the impact of existing services.	Early intervention – prevention of youth violence.	
56	Young Futures	Crime and the negative way that young people are perceived.	Youth crime: perceptions	
63	Young Futures	Knife crime	Serious youth violence	
23	Member of the Commission G	Youth Clubs and funding.	Youth Services	

## SRE, Sexual Health and LGBT+

9	Member of the Commission B	What is the quality of sex and relationship education in school - how do young people learn about relationships and sources of advice they use? What is the impact of this on later experiences?	SRE	New SRE guidance comes in to force September 2020 – could look at this relation to LGBT follow up.
10	Member of the Commission B	Review young people's access to contraception across the borough.	Sexual health and contraception	New PH commissioning arrangements are being introduced.
17	Member of Commission D	FGM	FGM	The current strategy expires in 2018/19.
69	HPGA	Support LGBT+ kids in schools	LGBT+ support for school children	Agreed to come back to Commission in 19/20.
80	Project Indigo	LGBTQI+ mental health, and young people's mental health in general,	LGBT+ mental health	

## CYP Health

<b>1</b>	Member of the Commission A	How effective has Hackney's approach to childhood obesity been - what can we learn from the approach of other local authorities, such as Leeds (see <a href="#">here</a> ).	Childhood obesity	An obesity board chaired by CE of LBH.
<b>65</b>	CE CCG	Immunisations: building on the recent measles outbreak response, CCG committed to increase uptake of immunisations and vaccinations across all communities. Political support and championing of this agenda is key in supporting this, and giving weight to our ongoing dialogue with NHS England on effective commissioning arrangements	Health - Immunisations	

## Voice of young people – consulted and involved

<b>19</b>	Member of the Commission E	Provision of advice and guidance to young people on how to tackle climate change.	General	This is an issue which has emerged strongly from work of Young Futures. Engagement with YFC.
<b>61</b>	Young Futures	How can young people become more involved in planning and regeneration decisions?	Consultation - voice of young people in planning	
<b>15</b>	Member of the Commission D	Update on Young Futures Commission and how this work interrelates with CYP Scrutiny Commission.	Young Futures	Young Futures have been consulted in work programme development
<b>42</b>	CFS	What would a Child Friendly borough look like?	General	
<b>57</b>	Young Futures	Young people's access to parks and open spaces - are these designed with young people in mind?	Consultation and young people	

## Other – general

2	Member of the Commission B	Childhood Poverty – the effects of growing up poor in Hackney, possibly looking at impact of food poverty and employment status of parents (universal credit, zero hours contract)	Childhood poverty	
5	Member of the Commission B	How do young people view class and what effect do these perceptions have on them? How can we as a council challenge stereotypes about class?	General	

## To other commissions

77	Homerton HV and Safeguarding	Are the police held to account when allegations are made about them in relation to their interaction with young people?	Police accountability – voice of CYP	CDRP – Living in Hackney
60	Young Futures	Quality and availability of apprenticeships outside the council scheme?	Quality and access to apprenticeships	Suggestion sent to Living in Hackney.
65	CE CCG	Immunisations: building on the recent measles outbreak response, CCG committed to increase uptake of immunisations and vaccinations across all communities. Political support and championing of this agenda is key in supporting this, and giving weight to our ongoing dialogue with NHS England on effective commissioning arrangements	Health - Immunisations	To HiH / jointly
58	Young Futures	How will air pollution and climate change affect young people in Hackney and what can be done to mitigate the impact?	Impact of environment on health of CYP	With LiH
83	Integrated Commissioning CCG/LBH/PH	Work to understand and tackle increasing children and young people's A&E attendances, in line with wider patterns of increasing demand. (General A&E uptake has been proposed to the HiH scrutiny commission)	Children and Young People A & E attendances	To discuss with Health in Hackney

# Overview & Scrutiny

## Children & Young People Scrutiny Commission Work Programme June 2019 – May 2020

Meeting 1	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<b>24<sup>th</sup> June 2019</b>  Deadline for reports: 12 <sup>th</sup> June 2019  Publication Date: 14 <sup>th</sup> June 2019	Election of Chair and Vice Chair	Martin Bradford, Scrutiny Team/ Chair CYP	
	Children's Social Care – Action Plan in response to Ofsted focused visit.	<ul style="list-style-type: none"> <li>Anne Canning, Group Director, Adults, Children and Community Health,</li> <li>Sarah Wright, Director of Children &amp; Families</li> </ul>	- Circulation of outcome of Ofsted focused visit.
	School Admissions	<ul style="list-style-type: none"> <li>Marian Lavelle, Head of Admissions and Pupil Benefits, HLT</li> <li>Annie Gammon, Director of Education and Head of HLT</li> </ul>	
	Childcare Sufficiency	<ul style="list-style-type: none"> <li>Donna Thomas, Head of Early Years, HLT</li> <li>Annie Gammon, Director of Education and Head of HLT</li> </ul>	- LA required to produce Childcare Sufficiency Report and present to members.
	Developing new CYP Work Programme for 2019/20	Commission/ Scrutiny officer	<ul style="list-style-type: none"> <li>To consult local stakeholders</li> <li>Meet with service Directors</li> <li>Collate topic suggestions</li> </ul>

Meeting 2	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<p><b>Monday 9<sup>th</sup> September 2019</b></p> <p>Papers deadline: <b>12.00pm Thursday 29<sup>th</sup> August</b></p> <p>Agenda dispatch: <b>Friday 30<sup>th</sup> August</b></p>	<p>New arrangements for City &amp; Hackney Safeguarding Children Board</p>	<ul style="list-style-type: none"> <li>• Anne Canning, Group Director Adults, Children and Community Health</li> <li>• Rory McCallum, Senior Professional Adviser, CHSCB</li> </ul>	
	<p>Off-rolling in schools: discussion item to:</p> <ul style="list-style-type: none"> <li>- Clarify and define of off-rolling;</li> <li>- Determine the nature and scale of off-rolling;</li> <li>- Assess the accountability of schools;</li> <li>- Identify what support children and parents may need;</li> <li>- Establish the role and duties of the local authority and how best it should respond to off-rolling.</li> </ul>	<ul style="list-style-type: none"> <li>• Annie Gammon, Director of Education and Head of HLT</li> <li>• Simone Verbert, Office of Children’s Commissioner</li> <li>• Mike Sheridan HMI, Regional Director, Ofsted</li> <li>• Kiran Gill, CEO, The Difference</li> <li>• Suzanne Fraser, Islington Law Centre (TBC)</li> </ul>	<ul style="list-style-type: none"> <li>- Key background documents distributed to members in advance of the meeting.</li> </ul>
	<p>CYP Work Programme 2019/20:</p> <ul style="list-style-type: none"> <li>- Outcomes of the CYP Work Programme Consultation</li> <li>- Identification of training and development needs of Commission, site visits and rapporteurs.</li> </ul>	<ul style="list-style-type: none"> <li>• Martin Bradford, Scrutiny Officer / Commission</li> </ul>	<ul style="list-style-type: none"> <li>- Details of all topic suggestions circulated to members and published in the agenda.</li> <li>- Arrange meetings with senior officers to scope out work items.</li> </ul>

Meeting 3	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<b>Tuesday 29<sup>th</sup> October</b>	Cabinet Question Time: Deputy Mayor and Cabinet member for Education, Young People and Children's Social Care	<ul style="list-style-type: none"> <li>• Cllr Anntoinette Bramble</li> </ul>	- Notification of 3 policy areas need to be with Cabinet member by 16th September 2019.
Papers deadline: <b>12.00 Friday 18<sup>th</sup> October</b>	Children and Families Service Bi-Annual Report to Members  To provide oversight to children social care provision.	<ul style="list-style-type: none"> <li>• Sarah Wright, Director of Children &amp; Family Services</li> <li>• Lisa Aldridge, Head of Service, Safeguarding and Learning</li> <li>• Deborah Ennis, Service Manager - Safeguarding and Learning</li> </ul>	
Agenda dispatch <b>Monday 21<sup>st</sup> October</b>	Recruitment & Retention of Foster Carers - Update 2	<ul style="list-style-type: none"> <li>• Sarah Wright, Director of Children &amp; Family Services</li> <li>• Robert Koglek, Head of Corporate Parenting</li> </ul>	
	Outcomes of Exclusions – report	<ul style="list-style-type: none"> <li>• Martin Bradford, Scrutiny Officer</li> </ul>	
	CYP Work Programme 2019/20	<ul style="list-style-type: none"> <li>• Martin Bradford, Scrutiny Officer</li> <li>• Commission</li> </ul>	- To review and monitor progress.

### Meeting with Health in Hackney Scrutiny Commission

Meeting 3a	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<b>Monday 4<sup>th</sup> November</b>	Update on integrated Commissioning - Children, Young People and Maternity Workstream	Amy Wilkinson, Workstream Director	

Meeting 4	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<p><b>Monday 25<sup>th</sup> November 2019</b></p> <p>Papers deadline: <b>Midday Thursday 14<sup>th</sup> November</b></p> <p>Agenda dispatch: <b>Friday 15<sup>th</sup> November 2019</b></p>			
	Work Programme 2019/20	Martin Bradford, Scrutiny Team	- To review and monitor progress.



Meeting 5	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<b>Tuesday 10<sup>th</sup> December 2019</b>	Support for children and young people with SEND post 16 (Discursive item 90 mins)	To meet with director / senior officers to scope and plan this item.	
Papers deadline:			
<b>Midday Friday 29<sup>th</sup> November 2019</b>	Annual Question Time: Cabinet Member for Families, SEND, Early Years and Play	<ul style="list-style-type: none"> <li>• Cllr Christopher Kennedy</li> </ul>	Notification of 3 policy areas need to be with Cabinet member by 16 <sup>th</sup> December 2019. <b>Possible?:</b> Update from SEND working group - strategic vision direction and funding for this service?  Report of the Social Care Ombudsman – findings around timeliness of EHC Plans and effective support?
Agenda dispatch: <b>Monday 2<sup>nd</sup> December 2019</b>	Work Programme 2018/19	Scrutiny Officer	- To review and monitor progress.

Meeting 6	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<p><b>Monday 27<sup>th</sup> January 2020</b></p> <p>Papers deadline: <b>Thursday 16<sup>th</sup> January 2020</b></p> <p>Agenda dispatch: <b>Friday 17<sup>th</sup> January 2020</b></p>	Contextual Safeguarding (TBC)	<ul style="list-style-type: none"> <li>• Sarah Wright, Director of Children and Families</li> <li>• Lisa Aldridge, Head of Safeguarding and Learning</li> </ul>	Safeguarding children training session for Commission.
	Annual Report City and Hackney Safeguarding Board	<ul style="list-style-type: none"> <li>• Jim Gamble, Independent Chair of the City and Hackney Safeguarding Children Board</li> <li>• Rory McCallum, Senior Processional Adviser</li> </ul>	
	Unregistered Educational Settings -Update 2	<ul style="list-style-type: none"> <li>• Anne Canning, Group Director, Children, Adults and Community Health, LBH</li> <li>• Andrew Lee, Assistant Director Education Services, Hackney Learning Trust</li> <li>• Paul Kelly, Head of Wellbeing and Education Safeguarding, Education Services, Hackney Learning Trust</li> <li>• Rory McCallum, Senior Professional Adviser, CHSCB</li> </ul>	
	Work Programme 2018/19	- Scrutiny Officer	- To review and monitor progress.

Meeting 7	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<p><b>Monday 24<sup>th</sup> February 2020</b></p> <p>Papers deadline: <b>Thursday 13<sup>th</sup> February</b></p> <p>Agenda dispatch: <b>Friday 14<sup>th</sup> February</b></p>	Children and Families Service Bi-Annual Report to Members	<ul style="list-style-type: none"> <li>• Sarah Wright, Director of Children &amp; Family Services</li> <li>• Lisa Aldridge, Head of Service, Safeguarding and Learning</li> <li>• Deborah Ennis, Service Manager - Safeguarding and Learning</li> </ul>	6 month update report to September
	Work Programme 2018/19	Scrutiny Officer	- To review and monitor progress

Meeting 8	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<p><b>Thursday 23<sup>rd</sup> April 2020</b></p> <p>Papers deadline: <b>Tuesday 14<sup>th</sup> April 2020</b></p> <p>Agenda dispatch: <b>Wednesday 15<sup>th</sup> April</b></p>	<p>Annual Update on Achievement of Students at Early Years Foundation Stage, Key Stage 2 and Key Stage 4.</p>	<p><u>Hackney Learning Trust</u></p> <ul style="list-style-type: none"> <li>• Tim Wooldridge, Early Years Team Leader</li> <li>• Sara Morgan, Principal Adviser Primary</li> <li>• Anton Francic, Principal Secondary Adviser</li> </ul>	
	Work Programme 2018/19	Scrutiny Officer	- To review and monitor progress

Standing Items		
Election of Chair	<ul style="list-style-type: none"> <li>• Commission</li> </ul>	Scheduled 24/6/19
School Admissions and Childcare Sufficiency	<ul style="list-style-type: none"> <li>• Annie Gammon, Director of Education</li> <li>• Marian Lavelle</li> <li>• Donna Thomas, Head of Early Years</li> </ul>	Scheduled 24/6/19
Children and Families Service Bi-Annual Report to Members	<ul style="list-style-type: none"> <li>• Sarah Wright, Director of Children &amp; Family Services</li> <li>• Lisa Aldridge, Head of Service, Safeguarding and Learning</li> <li>• Deborah Ennis, Service Manager - Safeguarding and Learning</li> </ul>	Scheduled 29/10/19 and 24/2/20
Annual Report City and Hackney Safeguarding Board	<ul style="list-style-type: none"> <li>• Jim Gamble, Chair of the City and Hackney Safeguarding Children Board</li> <li>• Rory McCallum, Senior Professional Adviser</li> </ul>	Scheduled 27/1/20
Annual Question Time with Cabinet Member for Cabinet Member for Families, Early Years and Play	<ul style="list-style-type: none"> <li>• Cllr Christopher Kennedy</li> </ul>	Scheduled 10/12/18
Annual Question Time with Deputy Mayor and Cabinet Member for Education, Young People and Children's Social Care.	<ul style="list-style-type: none"> <li>• Cllr Anntoinette Bramble</li> </ul>	Scheduled 29/10 (TBC)
Annual Update on Achievement of Students at Early Years Foundation Stage, Key Stage 2 and Key Stage 4.	<ul style="list-style-type: none"> <li>• Sara Morgan, Principal Adviser Primary, HLT</li> <li>• Anton Francic, Principal Secondary Adviser, HLT</li> <li>• Tim Wooldridge, Early Years, HLT</li> </ul>	Scheduled 23/4/20

Review Items		
Outcomes of Exclusions – Final report (TBC)	Martin Bradford, Scrutiny Officer	Scheduled October / November 2019
Recruitment & Retention of Foster Carers - Update 2	<ul style="list-style-type: none"> <li>• Sarah Wright, Director of CFS,</li> <li>• Robert Koglek Head of Corporate Parenting</li> </ul>	Scheduled 29/10/19
Unregistered Educational Settings - Update 2	<ul style="list-style-type: none"> <li>• Anne Canning, Group Director, Children, Adults and Community Health</li> <li>• Andrew Lee, Assistant Director Education Services, Hackney Learning Trust</li> <li>• Paul Kelly, Head of Wellbeing and Education Safeguarding, Education Services, Hackney Learning Trust</li> <li>• Rory McCallum, Senior Professional Adviser, CHSCB</li> </ul>	Scheduled 27/1/20

<b>One off Items agreed from 2018/19</b>		
Action Plan arising from Ofsted Focused Visit	<ul style="list-style-type: none"> <li>• Anne Canning, Group Director, Children, Adults and Community Health, LBH</li> <li>• Sarah Wright, Director of Children &amp; Family Services</li> </ul>	Scheduled 24/6
Off-rolling	<ul style="list-style-type: none"> <li>• Annie Gammon, Director of Education and Head of HLT</li> </ul>	Scheduled 9/9
Support to LGBT students in Schools in Hackney – Cabinet response.	<ul style="list-style-type: none"> <li>• HLT/ Public Health/ Integrated Commissioning/ CCG/ Young Hackney</li> </ul>	To be scheduled – awaiting Cabinet member response.
Well-being and Mental Health Services (WAMHS): early intervention and support to schools	<ul style="list-style-type: none"> <li>• Sophie McElroy, CAMHS Alliance Project Manager</li> <li>• Helena Burke, HLT</li> <li>• Waveney Patel, Consultant Clinical Psychologist, Homerton Hospital (CAMHS)</li> <li>• Greg Condon, Mental Health Programme Manager, NHS City and Hackney Clinical Commissioning Group</li> <li>• Laura Smith, Clinical Lead, Children's Social Care, Hackney Learning Trust</li> </ul>	To be scheduled (with other mental health item)
New arrangements for Local Safeguarding Children Boards	<ul style="list-style-type: none"> <li>• Anne Canning, Group Director Adults, Children and Community Health</li> <li>• Rory McCallum, Senior Professional Adviser, CHSCB</li> </ul>	Scheduled 9/9

Young Futures Commission	Rohney Saggarr Malik, Young Future	(1) Update on work of the YFC. Emerging issues. (2) Views in relation to the planned item on the Voice of Young People.
Hackney Youth Parliament - Report Back (TBC)	Hackney Youth Parliament Representatives: Aleigha Reeves, Maariyah Patel & Jodine Clarke.	(1) Update on work HYP (20 mins). (2) Views in relation to the planned item on the Voice of Young People.



Policy areas identified for possible scrutiny from the consultation process		
<b>Contextual Safeguarding:</b> projects update, how is it being embedded, and what impact is it beginning to have. Has there been universal buy in – cooperation from partner agencies?	One-off item	24 <sup>th</sup> January 2020 (TBC) dependent on if there will be sufficient data at this time. (Alternative that this could be taken as part of the Children's Social Care item in February 2020)
<b>Mental health:</b> What are the drivers for increasing mental health usage among young people? How effectively are services respond to these preventatively? Are there any inequities in the way that young people access services - how can these be redressed?	Review / One off – discursive item	
<b>SEND: support for children and young people post 16?</b> What support is provided for SEND children post 16 to prevent 'cliff-edge' provision? (Consistently raised across consultation)	One off – discursive item	
<b>Children in Need</b> (Children's Social Care)	Review / One off – discursive item	
<b>Whole family approach</b> (Children's Social Care) and how services are coordinated for mental health, housing, DM and substance misuse support.	Review / One off – discursive item	
<b>Childhood Poverty:</b> nature and scale of this issue and what action taken to address this (Environmental poverty; air pollution, road safety and access to	One off – discursive item	

green spaces; Food poverty - ability of parents to clothe and feed children).		
<b>Serious youth violence:</b> informed by outcomes of living in Hackney review. Involve young people.	One off – discursive item (with young people)	Living in Hackney completes its review in autumn 2019. This should inform any work of the CYP Commission.
<b>Sex &amp; Relationship Education:</b> Preparedness of local schools for new SRE regulations in 2020 – with YH.	One off – discursive item	New regulations effect September 2020. To obtain assurance that schools were sufficiently prepared – scrutiny would need to be 6-12 months in advance to enable implementation of any recommendations.
<b>Childhood obesity (healthy weight)</b> - update on local strategy - effectiveness of local interventions.	One-off item	
<b>What does a child-friendly borough look like?</b> How is the voice of young people reflected in service design, planning and delivery? Young Futures/ HYP and young people focused session. Could also involve Planning, Consultation, CCG, IG, PH	One off – discursive item (with young people)	

<b>Other items that may emerge in the course of the year which may require scrutiny.</b>		
Further Ofsted inspection of Children and Families Service.	Anne Canning, Group Director, Adults, Children and Community Health, Sarah Wright, Director of CFS	Inspection expected autumn 2019 -outcome autumn onwards
Children's Centre's - engagement exercise completed July 2019 – report on outcomes.	Annie Gammon, Director of Education Donna Thomas, Head of Early Years	Oct-December 2019
Reports of the social care ombudsman (reported to Cabinet July) on two upheld SEND cases; timeliness of EHC assessments.	Annie Gammon, Director of Education	
Serious Case Reviews of young people that took their own life (from March 2019 meeting).	CHSCB/ CCG	Discussion with CHSCB - autumn
Impact of no-deal Brexit on schools, education and children's social care	Anne Canning, Group Director, Adults, Children and Community Health	May require just require a brief question - before October 31 <sup>st</sup> 2019. September 2019?

This page is intentionally left blank



<b>Children and Young People Scrutiny Commission</b> <b>9<sup>th</sup> September 2019</b> <b>Item 7 – Minutes of the previous meeting</b>	<b>Item No</b>  <b>7</b>
---	--------------------------------

**Outline**

The minutes of the meeting held on 24<sup>th</sup> June are attached for members to review and agree.

There were two action points which required the provision of additional information (included):

- 1) Further details of school transfers for children with SEND;
- 2) Secondary school place planning.

**Action**

To note actions, and to review and agree minutes.

This page is intentionally left blank

## Action from 24<sup>th</sup> June 2019 – School Admissions

### Secondary projections

Planning secondary places is achieved by comparing the number of Year 7 places with the number of children on roll in year 6. To do this, the number of out borough children in our primary schools is subtracted, before adding the estimated number of Hackney resident children in out borough schools.

The final calculation looks at the number of out borough children that are likely to obtain places in our secondary schools and the number of Hackney residents that are likely to obtain places in out borough secondary schools in order to derive a 'final' projected figure. Secondary projections are based on providing places for 86% of the secondary transfer cohort which is broadly in line with the number of parents that express a first preference for Hackney school.

There is no division of secondary schools by planning area when planning secondary places, as secondary aged pupils are expected to travel further than primary aged pupils to attend school.

Secondary Transfer year	No. of pupils on roll Jan 2019	Total number of pupils expected to require places (86% +OB pupils 324)	Total number of secondary school places available	Total number of places needed based on the total number of places available	Number of Forms of Entry needed (30 pupils per class).	Final projected deficit given bulges and overallocation by approx 100
Sep-19	2613	2617	2459	-158	-5	-58
Sep-20	2569	2487	2429	-58	-2	42
Sep-21	2667	2575	2479	-96	-3	4
Sep-22	2680	2557	2479	-78	-3	22
Sep-23	2675	2557	2479	-78	-3	22
Sep-24	2612	2477	2479	2	0	102
Sep-25	2562	2469	2479	10	0	104
Sep-26	2756	2613	2479	-134	-4	-34
Sep-27	2790	2642	2479	-163	-5	-63
Sep-28	2817	2665	2479	-186	-6	-86
Sep-29	2829	2675	2479	-196	-7	-96
Sep-30	2828	2674	2479	-195	-6	-95

Note: Negative values represent a deficit of places

The table above shows secondary projections based on the January 2019 primary roll data. Although a shortfall of places (-158), is projected in 2019, this is expected to be absorbed by Haggerston opening two bulge classes in 2019, the natural movement of pupils before they start school in September and from an over allocation of places, resulting in a projected shortfall of -58 places as shown in the last column. There are currently no pupils that have not been offered a place for September 2019.

Over allocation (an informal arrangement which provides a safeguard for schools which ensures that as pupils leave, or do not start, the final number on October census day or shortly afterwards is in line with the PAN), creates approximately 70 additional secondary places each year.

Projections from 2026 onward are based on 2019 GLA projections which show a need for additional places however these may change as revised projections are received. HLT continues to analyse each release of primary rolls as noted and GLA projections to determine the likely effect on future secondary places.

This page is intentionally left blank



## Action from 24<sup>th</sup> June meeting – school admissions

### Update for Scrutiny

#### Primary Transfer

There were 44 children with an EHC plan transferring to primary school in September 2019; 3 children have deferred primary transfer until 2020.

Type of setting named

Type	2019	2019 % of transfer	2018	2018 % of transfer
Hackney maintained mainstream schools	19	46.3%	28	58.3%
Hackney maintained special schools	11	26.8%	14	29.1%
Independent faith school	1	2.4%	0	0
Out borough maintained mainstream schools	0	0	1	2.1%
Out borough maintained special schools	4	9.7%	2	4.1%
Hackney independent special schools	3	7.3%	3	6.2%
Hackney Autism Resource Provisions	2	4.8%	0	0
Out of borough Hearing Impairment Resource Provision	1	2.4%	0	0
<b>Total</b>	<b>41</b>	<b>100%</b>	<b>48</b>	<b>100%</b>

Order of preference named

Preference	2019	2019 % of transfer	2018	2018 % of transfer
1 <sup>st</sup> Preference	36	88%	41	85%
2 <sup>nd</sup> preference	2	5%	6	13%
3 <sup>rd</sup> preference	1	2%	0	0
Other	2	5%	1	2%
<b>Total</b>	<b>41</b>	<b>100%</b>	<b>48</b>	<b>100%</b>

## Secondary

There were 127 children with an EHC plan transferring to secondary school in September 2019. 2 children have deferred secondary transfer until 2020.

Type of setting named

<b>Type</b>	<b>2019</b>	<b>2019 % of transfer</b>	<b>2018</b>	<b>2018 % of transfer</b>
Hackney maintained mainstream schools	61	48%	80	54%
Hackney maintained special schools	38	30%	36	24%
Independent faith school	13	10%	12	8%
Out borough maintained mainstream schools	3	3%	8	6%
Hackney independent special schools	2	1.5%	2	1%
Out borough independent special schools	8	6%	6	4%
Out borough independent schools	2	1.5%	0	0
Out borough maintained special school	0	0	4	3%
<b>Total</b>	<b>127</b>	<b>100%</b>	<b>148</b>	<b>100%</b>

Order of preference named



<b>Preference</b>	<b>2019</b>	<b>2019 % of transfer</b>	<b>2018</b>	<b>2018 % of transfer</b>
1 <sup>st</sup> Preference	104	82%	121	81%
2 <sup>nd</sup> preference	13	10%	19	13%
3 <sup>rd</sup> preference	5	4%	1	1%
Other	5	4%	7	5%
<b>Total</b>	<b>127</b>	<b>100%</b>	<b>148</b>	<b>100%</b>

There are no pan-London comparisons available.

London Borough of Hackney  
Children and Young People Scrutiny Commission  
Municipal Year 2018/19  
Date of Meeting Monday, 24th June, 2019

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

---

<b>Chair</b>	<b>Councillor Sophie Conway</b>
<b>Councillors in Attendance</b>	<b>Cllr Margaret Gordon (Vice-Chair), Cllr Sade Etti, Cllr Ajay Chauhan, Cllr Humaira Garasia, Cllr Katie Hanson and Cllr Clare Potter</b>
<b>Apologies:</b>	<b>Cllr Clare Joseph, Cllr Sharon Patrick, Cllr James Peters and Cllr Caroline Woodley</b>
<b>Co-optees</b>	<b>Graham Hunter and Shuja Shaikh</b>
<b>In Attendance</b>	<b>Cllr Anntoinette Bramble, Cabinet Member for Children and Young People; Anne Canning, Group Director, Children Families and Community Health; Sarah Wright, Director of Children and Families Service; Annie Gammon, Director of Education and Head of Hackney Learning Trust; Marian Lavelle, Head of Section (Admissions and School Place Planning), Hackney Learning Trust; Donna Thomas, Head of Early Years, Hackney Learning Trust.</b>
<b>Members of the Public</b>	<b>One member of the public was in attendance.</b>
<b>Officer Contact:</b>	<b>Martin Bradford</b>  020 8356 3315  martin.bradford@hackney.gov.uk

---

## **Councillor Sophie Conway in the Chair**

### **1 Election of Chair and Vice Chair (19.00)**

1.1 Councillor Sophie Conway was nominated for the position of Chair by Cllr Ajay Chauhan and was seconded by Cllr Katie Hanson. There being no other nominations, Cllr Conway was duly elected to the position of Chair of the Commission.

1.2 Cllr Margaret Gordon was nominated for the position of Vice Chair by Cllr Sophie Conway and was seconded by Cllr Ajay Chauhan. There being no other nominations, Cllr Gordon was duly elected to the position of the Vice Chair of the Commission.

## **2 Apologies for Absence (19.05)**

2.1 Apologies for absence were received from:

- Cllr Clare Joseph
- Cllr Sharon Patrick
- Cllr Caroline Woodley
- Cllr James Peters

2.2 Apologies for lateness were received from:

- Cllr Clare Potter
- Cllr Sade Etti
- Shuja Shaikh

## **3 Urgent Items / Order of Business (19.05)**

3.1 There were no late or urgent items of business.

## **4 Declarations of Interest (19.05)**

4.1 The following declarations were received by members of the Commission:

- Cllr Conway was a Development Manager for Just for Kids Law;
- Cllr Chauhan was a teacher at secondary school in another London borough and a member of the NEU;
- Graham Hunter declared that he was a Governor of the Primary Advantage Federation.

## **5 Children and Families Action Plan from Ofsted Focused Visit (19.10)**

5.1 In February 2019, Ofsted conducted a focused visit to the Children and Families Service (CFS) in Hackney. At this visit Ofsted assessed the support provided to children on a Child Protection plan and to children in need. Ofsted identified a number of priority actions from this visit for which CFS were required to develop an action plan. At its meeting in March 2019, the Commission agreed that the action plan would be presented for scrutiny once completed.

5.2 Officers presented the action plan and updated the Commission on work that had taken place in CFS in response to the Ofsted focused visit. A summary of the key discussion points discussed are presented below.

- The action plan was submitted for review at the end of March 2019, and Ofsted agreed that the plan would meet the priority actions identified from the focused visit;
- Since the Ofsted visit, CFS had undertaken wide ranging engagement with front-line staff and managers to ensure that there was an awareness of the outcomes of the visit, to keep staff sighted to the developmental actions needed, but also to provide reassurance and support in what was acknowledged to be challenging situation;
- Task and finish groups had been established to deliver improvements in three key areas: performance, systems and data; practice development; management oversight;
- It was noted that a new IT performance monitoring system had been launched since the Ofsted visit and would be fully functional once a few minor operational glitches had been resolved;

- In terms of practice development, plans developed for children in need or on a Child Protection plan were more outcome-focused, so that family progress could be measured more accurately;
- In terms of management oversight, a number of new defined check-points had been agreed to enable managers to review progress against the agreed outcomes for children and their families;
- The Family Information Support Service (FISS) had reviewed 175 cases which had been open for 9 months or longer, in 26 of these cases, actions needed to be accelerated, whilst in 55 cases, the case could have been closed;
- CFS had also engaged CHSCB to understand how the wider safeguarding partnership could contribute to meeting the priority actions set out by Ofsted (e.g. timely actions and reporting) and a series of workshops were planned across the partnership to support this;
- CFS had also developed a number of critical questions to embed within internal and external partners' practice to ensure appropriate support (p7 of agenda report pack);
- CFS continued to track its progress against the targets set out in the action plan and held monthly meetings with the lead Cabinet member to support this review;
- CFS planned to visit a number of other local authorities to inform comparative assessment of services and further inform the development of best practice in Hackney.

### Questions

5.3 Have any external specialist consultants been deployed to help CFS respond to priority actions identified by Ofsted?

- It was noted that no external consultants had been appointed as yet as CFS wanted to develop internal capacity and expertise. The DfE had however appointed a link-worker to liaise and work with CFS in response to the Ofsted focused visit and future inspections.

5.4 What have been the financial implications of the CFS response to the focused visit? Have additional resources been needed and where have these come from?

- Additional management and project management capacity had been needed and this had been financed by a drawing down on a fund used for social work improvement. Additional ICT capacity of a value of £150k had also been secured to support the action plan objectives;
- CFS was also working closely with Finance colleagues and the Chief Executive to document and record the additional spend required, but it should be noted that there was no explicit cap to any additional funds that might be needed. At this stage it was difficult to quantify the level of resources that would be required, but officers sought to reassure the Commission that any funds used would not be diverted from other front-line services;
- It was suggested that at some point in the future, when the CFS response is further embedded, a more detailed look at resourcing for the Service (particularly management support) might be needed.

**Agreed:** The Commission would like further information on the costs of meeting the requirements of the Ofsted focused visit when available.

5.5 In respect of the 26 cases which were identified to need speedier resolution from the internal audit, were there any discernible patterns or other consistencies within them? Has there been any analysis of the nature of the children and families in this cohort against the wider cohort of children in need or on a Child Protection plan?

- No discernible patterns had emerged as yet, though more analysis was needed;
- In terms of the children and young people involved, a broad spectrum of ages were involved. Adolescents were over represented in this group, which perhaps reflected the difficulty of achieving measurable change with this client group. Supporting this particular cohort was a particular challenge to every local authority given the complexity and multiplicity of adolescent needs.
- It was reiterated that further analysis would be undertaken of the cases which were flagged for further action and this would be reported back to the Commission.

**Agreed:** CFS would undertake further analysis of the cases flagged for further action and would write back to the Commission.

5.6 What impact had the Ofsted focused visit had on staff turnover, staff morale or staff caseloads?

- Whilst no discernible impact on staff retention had been recorded as yet, it was clear that the service response to the Ofsted visit had increased pressures on staff. The CFS was aware of the potential adverse impact that this process may have on staff and had attempted to implement new requirements in a measured way which did not over-burden staff. It was acknowledged however, that there would be ongoing tension in the system as the service readied and prepared itself for further Ofsted inspections.
- Whilst there had not been any noticeable differences in caseloads, it was evident that front line practitioners were very busy in adapting to new systems and requirements in response to the Ofsted focused visit. This had promoted wider discussions on the appropriateness of the size of social worker caseloads.
- Social worker caseloads were higher in Hackney, though there was additional administrative support provided within the Hackney 'unit' approach. It was reported that in some sections however, additional administrative capacity did not appear to mitigate the impact of higher caseloads. It was however important to look at caseloads in a sustainable way, rather than in the context of the response to the Ofsted visit.

5.7 Could the interrogation of systems and processes that support children and need and children on a Child Protection plan be applied across the whole of CFS to pre-empt the possible future Ofsted inspection.

- Although the report detailed actions for Children in Need or on a Child Protection plan, there had been a CFS-wide response to the focused visit by Ofsted. A wider self-assessment process had been undertaken to help CFS prepare for the Ofsted inspection anticipated in the autumn.

5.8 As a result of the internal review of cases following the Ofsted visit, had any stepping-up of support been required? For example, had children moved from 'Child in-Need plans' to a 'Child Protection plan' or from a 'Child Protection plan

to becoming looked after child by the council? Had there been a rise in the number of looked after children?

- At this stage, there had been a very small increase in number of children subject to care proceedings. The longer-term impact was however difficult to determine. The objective of this review process had been to speed up assessments, so it is likely that in most cases the outcomes for the child would have been the same but in a shorter time-frame;
- There had been concern at the beginning of this process that the priority actions identified by Ofsted may inhibit CFS from working with families in a very determined way for as long as was needed. The service was wary of creating a system where judgements were being made too early, without giving families time to change. In the context of the Ofsted requirements, this was a very difficult balance for the service to achieve.

5.9 To what extent was the outcome of the focused visit attributable to recent service reductions in the CFS, in particular the de-layering of management?

- Whilst it could not be denied that cuts had been made to the service, it was nonetheless difficult to attribute the priority actions identified by Ofsted to any one singular cause. The wider financial context could not be ignored however, and whilst the Council and the lead member had, where possible, sought to protect children's services from cuts, some savings had been required of CFS. It was nonetheless difficult to determine how the restructuring of CFS management had impacted on this area of service. It should also be noted that there had been a significant increase in demand for services during this time.

5.10 Against a backdrop of ever increasing expectations of staff in respect of service development and improvement, had the requirements of the Ofsted inspection brought the service to a key 'tipping-point'? Was this now a time to fully reflect on resourcing levels going forward?

- The Cabinet member noted that collectively children's services across the country would experience a £3.1 billion funding gap by 2025 and Hackney would not be immune from this. The council had strived to maintain and protect children services where it could, even non-statutory preventative services, but the scale of the future financial challenge was significant and it was difficult to say how this would impact on local services.

#### Next steps

5.11 Officers presented to the Commission the next steps that CFS were taking in response to the action plan and in preparation for the expected Ofsted inspection in the autumn (from 1<sup>st</sup> week in September onwards). It was important that the service developed and prepared the service self-assessment in readiness for the inspection.

5.12 The CFS was clear of the values that underpinned its service, in that keeping a child safe in their family environment was of paramount importance. The Ofsted visit had provided significant challenge which would further help the service to build on this approach.

5.13 The Chair thanked officers for attending and presenting for this item.

## 6 School Admissions (19.40)

6.1 School Admissions is a fixed item and taken annually on the Children and Young People Scrutiny Commission agenda. Officers had prepared a report on admissions to Reception and transfer to Secondary School, together with a commentary on school place planning and how the Council meets its duty to provide sufficient school capacity for children resident in Hackney. A summary of the key points from the presentation are highlighted below:

### Primary Transfer

- For admission to reception, there had been 153 fewer applications than in the previous year and this continued a downward trend established in 2016. Future projections however, would suggest that this trend may be reversed next year where a slight increase was anticipated;
- 98.3% of parents applied on-line which was very encouraging;
- In terms of meeting parental preferences, a slight decrease was recorded for all preferences 1-4, though the borough continues to outperform the pan-London average;
- Of the 492 children that did not have any of their preferences met, these were allocated a school, most of which was to their nearest school to their home address which had a vacancy.

### Secondary Transfer

- There were 2,493 children in this cohort, which was 103 fewer than in 2018;
- 85.2% of children who expressed a first choice, nominated a Hackney school;
- 304 local children were offered a school place outside the borough and 326 children outside the borough were offered a place at a Hackney school, both of these figures are similar to that recorded for previous years;
- 2,164 (86.8%) children obtained a place in their 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> preference school which was slightly higher than in 2018, however, slightly fewer children in Hackney had their 1<sup>st</sup> or 2<sup>nd</sup> preference school met compared to pan London average;
- 166 children did not get a place at any of their preferred choice of schools and were allocated a school nearest to them with a vacancy – further analysis of these figures by postcode and band group demonstrated that lower band children (in bands C and D) were less likely to get a place in school of their choice.

### Place Planning

- As a result of falling reception rolls a number of primary schools were operating at below capacity. In response, the admissions numbers in some schools had been temporarily capped. The reductions were temporary given the uncertainty of population predictions.

### Questions

6.2 Can you explain why two schools (Skinners and Mossbourne Riverside) recorded a high number of out of borough students given places?

- This was because both of these schools were on the boundary with other local authorities (Haringey and Tower Hamlets respectively).



6.3 What was known about the school preferences for children with SEND?

Many children with additional needs may be on a SEND register but not qualify for an EHC plan, how are these children supported in obtaining the school of their choice?

- Generally, SEND children with EHCP's should get their preferred school so long as the school can meet their assessed needs. A more detailed conversation between the school and parents takes place before a place is given to ensure that the school can meet the additional needs of the child;
- It was confirmed that children with SEND but without an EHC plan were considered for places in accordance with the published oversubscription criteria.

**Agreed:** that further information would be provided on school place provision for children with SEND, in particular (i) how local provision compares with other boroughs and (ii) what proportion of children end up in a school setting out of borough compared with other boroughs (statistical neighbours).

6.4 A larger proportion of lower performing children (bands C and D) were among those not obtaining a place at any of their preferred schools at secondary transfer. Does the system disadvantage poor performing or disadvantaged children?

- Whilst the banding-system did provide some support in providing a more level playing field for applications, more affluent or well-resourced parents may overcome this by choosing to move closer to the desired school for their child;
- The key point however, was to ensure that there was sufficient dialogue with parents ahead of the secondary transfer process to ensure that they expressed a preference for schools that they were likely to obtain a place.

6.5 It was suggested that the banding-system was complex and parents did not always fully understand how it related to the school admissions systems; what support does the authority provide to ensure that parents were aware of the admissions process and able to make appropriate choices for their child? It was noted that some of the transfer application documents were quite dense and difficult to read especially if parents had English as an additional language.

- The HLT was very aware of this issue and it was of paramount importance to ensure that as many children as possible were in a school of their choice. Critical to this achievement was the need to facilitate interaction between parents and primary school head teachers who may be able to guide and inform appropriate choices for their child.

6.6 Given the likely overlap between those children not getting a school place of their choice with those children with SEND, what action can be taken to support the parents of such children?

- The only information that the admission authority require and receive is that which related to the application of the oversubscription criteria, no data was passed in respect of a child's SEND status, therefore much depended on the advice and support provided at primary level prior to transition and lead up to choices being made;
- It was suggested that a key development would be for primary schools to monitor applications as they were received and to contact parents before the closing date if an application has been submitted. They could then

discuss with the parent appropriate school choices and the need to apply on-time. Whether primary schools had the capacity to do this however, was debateable.

6.7 What action could be taken to help schools develop less complex admission arrangements which would be more understandable to parents?

- Schools draw up their own admission systems which must be compliant with the law and the School Admissions Code. The test is set out in the school admissions code which has stated that schools admissions procedures must be clear, fair and objective. It was noted that a local school with a particularly complex admission system had recently had this cleared by the DfE.

6.8 The Commission noted that some of the tables in the report were quite detailed and involved very small numbers of children from which it might be possible to identify individual children.

- The HLT is required to publish this information, but would look at other ways to publish this to help protect the identity of individual cases.

6.9 Do children of staff at a school get priority for applications?

- This was allowable in the admissions code and it was the decision of individual school admission authorities whether to adopt this priority.

6.10 In respect of school place appeals, what proportion were successful?

- School appeals were currently being held across the borough for those parents wanting to appeal the decision of a school not to admit their child. There were approximately 300-400 appeals each year but a very small percentage of these were successful. The grounds for successful appeal were limited.

6.11 The report did not provide any analysis of secondary school place planning?

- This was an oversight and would be provided to the Commission.

**Agreed:** Officers to provide an analysis of secondary school place planning for the Commission.

## **7 Childcare Sufficiency (20. 20)**

7.1 An assessment of the sufficiency of local childcare is a fixed item and taken annually on the Children and Young People Scrutiny Commission agenda. The purpose of the item is for officers to provide assurance that there is sufficient childcare capacity to meet local needs.

7.2 Officers provided a verbal update to the Commission, the key points from this presentation are highlighted below.

- The local authority has a duty under the 2006 Childcare Act to 'secure sufficient childcare, so far as is reasonably practicable, for working parents, or parents who are studying or training for employment, for children aged 0-14 (or up to 18 for disabled children)';
- This duty was extended under the Childcare Act 2016 to ensure that parents had access to free entitlement childcare (30 hours and 15 hours);
- The most recent Childcare Sufficiency Assessment was completed in 2018 and the next full report will be due in 2020;

- Officers reported that the overall the picture for childcare in Hackney was healthy as there were sufficient places to meet current demand and that there was sufficient capacity in the system should take-up increase;

7.3 Two, three and four year olds can obtain childcare in a number of settings including private, voluntary or independent nurseries; maintained nursery schools or nursery classes in primary schools or with childminders. Table 1 below was presented to the Commission. This highlighted that:

- A small increase in the number of Childminders and PVI settings was recorded between 2017 and 2019;
- There were 129 private, voluntary and independent (PVI) childcare settings;
- The number of maintained nurseries and state funded primary schools with nursery classes had remained the broadly the same.

**Table 1: Number of schools, settings and childminders 2017-2019**

	2017	2018	2019
<b>Number of Childminders</b>	172	182	178
<b>Number of PVI settings</b>	121	124	129
<b>Maintained nursery school</b>	2	2	2
<b>State Funded primary schools with nursery classes</b>	53	53	52

7.4 Take up of the 3 and 4 year 15 hours free childcare entitlement was 87%, whilst take up of the 2 year old 15 hour free childcare entitlement (for most vulnerable children) was at 60%. The Commission noted that the number of two year olds accessing the free childcare entitlement had increased from 1,040 in 2016 to 1,360 in 2018.

7.5 Updates from the DWP were regularly issued on those local families which were eligible for the 2 year old free childcare. This enabled local services (Early Years) to target these families to ensure that they were aware of this entitlement and to support them to access childcare services.

7.6 From September 2017, working parents of 3 and four year olds were entitled to up to 30 hours of free childcare. The number of parents taking up this free entitlement has continued to grow; in January 2018 (3 months after introduction) 1,476 children were accessing their free 30 hour childcare entitlement but this had grown to 1,918 by January 2019.

7.7 In terms of the quality of childcare provision, 90% of all settings were rated as good or outstanding by Ofsted, this included children’s centres, childminders and PVI settings. The authority had a duty to work with those childcare providers that do not meet this standard to help them improve the quality of provision.

7.8 To determine if there was sufficient childcare locally, the EY service audits all local settings to ascertain the take up of childcare places and the number of vacancies. As of January 2019, occupancy of local childcare places was running at 64% (Table 2). This figure varied by age group; occupancy for under 2’s childcare places was at 49%, occupancy for 2 year olds was 57% and occupancy for 3 and 4 year olds was at 69% (this was across all settings).

**Table 2: Average Occupancy rate (Jan 2019)**

Under 2 years	Two year olds	Three and four	Total Occupancy
---------------	---------------	----------------	-----------------

olds			
49%	57%	69%	64%

7.9 Analysis of occupancy data revealed a varied picture however, for whilst some nurseries and Children Centres did not have any available spaces, and indeed in some case maintained a waiting list, others had spare capacity. Overall, officers reported that there remained ample childcare sufficiency across Hackney.

7.10 Audits had revealed wide ranging differences in the cost of childcare locally. In some childcare settings this was approximately £150 per week, but this rose to in excess of £500 in others. On average, parents could expect to pay around £250 per week for childcare.

### Questions

7.11 How does the council ensure that there was sufficient childcare in the areas where it is most needed, in particular, disadvantaged areas?

- The data suggested that whilst there was a surplus of places across the borough as a whole, more childcare was needed in the north of the borough where there was a large population of under 5's. The Council was therefore working to increase childminding provision in the North of the borough with some success (e.g. the number of childminders had increased in this area of the borough as a result). The council employs an Early Years business support officer to work with local childcare businesses which want to set up in the area, and this officer provides information on the areas of greatest need and demand.

7.12 What is involved in the childcare audit?

- The last childcare sufficiency was undertaken in 2018 and the next one will be in 2020. All PVI childcare providers are assessed for the number of places that they have, the number of places which are filled and the cost of childcare. The audit also consults local parents to ascertain their childcare needs (what they want, where they want it and how much they are able to pay). It was acknowledged that there was a disconnection however, for whilst there was evidently local childcare capacity, parents indicated that they could not find the type of childcare that they wanted, in the area they wanted at a price they could afford.

7.13 Had there been any analysis of why some settings had different occupancy rates? Was occupancy higher among childminders?

- Childminders provided important wraparound childcare to other more formal settings and parents can chose to take their free childcare entitlement with them for this purpose. The council operated a local childminder network to support the quality assurance of provision.
- Data analysis had also showed that there had not been a move from PVI nursery settings to school based nursery settings, this was perhaps a reflection of the more flexible childcare offer available in these settings which were better able to provide wraparound care for their child. Schools may find this more difficult to provide financially, as staffing costs could be significantly higher.

7.14 Recent research had indicated that some nurseries required parents to pay for additional hours when taking up their free 30 hour childcare entitlement with them. Is this happening locally?

- It is up to individual childcare settings to structure their offer to parents. National funding rate for childcare is approximately £5 hour, but the real terms cost of provision can be upwards of £6 hour, so settings have to find other ways to off-set these costs, charging for higher hourly rates outside the free childcare entitlement offer is one such method. Some more expensive nurseries may not take funded children and charge the full rate for their provision.

7.15 The Chair thanked officers for attending and answering questions from the Commission.

## **8 2019-20 CYP Commission Work Programme (20.40)**

8.1 The Officer updated the Commission on the development of the work programme for 2019/20.

8.2 There were a number of standing items which required regular oversight by the Commission and would be taken through the year. These items were:

- Children Social Care – Bi-Annual Report (twice)
- Annual Update on Pupil Achievement
- School Admissions & Childcare Sufficiency
- City & Hackney Safeguarding Children Board – Annual Report
- Annual Cabinet Member Question Time - Cllr Bramble and Cllr Kennedy

8.3 In addition, a number of items had been agreed from the 2018/19 work programme into the 2019/20 work programme. These were:

- Ofsted Focused Visit – Action Plan
- Off-rolling
- Support to LGBT+ schoolchildren
- Wellbeing and Mental Health Service (WAMHS)
- New structure for local safeguarding boards

8.4 The Commission would also need to develop capacity within its work programme to continue to undertake its agreed in-depth review for the forthcoming year as well monitoring the implementation of previous reviews. In this context space within the work programme should be allocated to the following:

- Outcomes from School Exclusions (current review) – final report
- Unregistered Educational Settings (previous review) – follow up
- Recruitment and retention of foster carers (previous review) – follow up
- New review for 2019/20 (topic to be confirmed).

8.5 With 8 formal meeting per year, there was capacity for 24 (45min items). With 14-16 slots taken through standing items, reviews and agreed one-off items, there was additional capacity for a further 6-8 items. Local stakeholders had been consulted for possible topics that could be considered within the work programme which would generate a long list of possible items. A key stakeholder group (Hackney Learning Trust, Children & Families Service and Hackney Community and Voluntary Sector Service) would appraise and prioritise these topic suggestions into a short list of potential topics. The Chair would then

meet with senior officers to assess the potential of these topics and to develop clear lines of enquiry for scrutiny.

8.6 Topics suggested from members of the Commission and from initial meetings with Directors had identified a wide range of potential topics for scrutiny. These included:

Directors suggestions	Commission suggestions
New Ofsted inspection framework	Childhood obesity – impact
Timson Report (Exclusions)	Poor housing impact on children
Children in Need	LAC - impact out of borough placement
Support to SEND children post 16	Contextual safeguarding
High achievers on pupil premium	Young People’s views of class
Support to care leavers	Behaviour policies in schools
Children in need - support for families	Arts and mental health for young people
LAC – prevention	Undiagnosed additional needs
Housing impact on children's social care	FGM – expiration of strategy in 2019
What is a Child Friendly borough?	Focus on serious youth crime across
	Early intervention – early help
	Contextual Safeguarding - progress
	Career Guidance for young people
	Adequacy of safeguarding
	Bridging the attainment gap
	Waiting list for mental health services

8.7 Members of the Commission discussed possible content for the work programme. The key points from this discussion are highlighted below:

- SC - noted that the Commission review would be undertaken through a scrutiny in a day exercise;
- SC - most of the recent in-depth reviews had focused on education matters, so it might be appropriate to move toward another policy areas covered by the Commission, such as mental health or children’s social care;
- Director of Adults, Children and Community Health suggested that a review which encompassed Children in Need would be hugely beneficial to the service;
- GH – Food poverty and the impact that this had on children and families;
- GH – Environmental poverty – air pollution, school road safety and privatisation of green spaces;
- SS – Childhood poverty (it was noted that CPAG were based in Hackney);
- MG – Young Futures Project;
- There was agreement that there would be a slot for the Youth Parliament for them to report on its work;
- CP – agreed that Children in Need would be a good focus if this can focused appropriately;
- ACan - also suggested that poverty might be a useful issue to tackle in scrutiny as the ability of parents to appropriately clothe and feed their children was coming under increasing pressure;

- ACha – also agreed that childhood poverty could be useful for the Commission to explore, in particular the scale of the issue locally and what is being done to address this;
- ACan - ensure that voice of young people and suggestions from Young Futures were reflected in work programme;
- GH – Hackney Citizens – borough organiser – 2020 mayoral assembly – the voice of young people will be the focus of this work;
- Consistent theme would be youth violence and how this impacts on young people.

8.8 The Stakeholder group would meet on 4<sup>th</sup> July to discuss work programme suggestions. The resultant long list would be discussed with Cabinet members and senior officers and forwarded on to Commission. The full work programme would be developed for presentation in September 2019.

## **9 Minutes of the Previous Meeting (21.20)**

9.1 Two actions were confirmed:

- Inclusion of unregistered settings on the 2019/20 work programme
- Inclusion of new safeguarding arrangements on the 2019/20 work programme

9.2 The minutes of the 30<sup>th</sup> April were agreed.

## **10 Support for LGBT+ children in school (21.25)**

10.1 At its meeting in February 2019, the Commission reviewed the support for LGBT+ children in school in Hackney. The Commission heard evidence from a range of stakeholders, and agreed to write to the Cabinet member to summarise its conclusions and recommendations. The letter had been approved by the Commission and had been sent to the Cabinet member and was now awaiting a response.

10.2 The Commission noted the letter to the Cabinet member.

## **11 Any Other Business (21.25)**

11.1 The Chair noted that Sevdie Sal Ali had tendered her resignation as a Parent Governor co-optee on the Commission. The Chair and other members present formerly thanked Sevdie for her support for the work of the Commission over the past three years. The process would begin to recruit a new parent governor representative.

11.2 There was no other business.

11.3 The date of the next meeting was noted as Monday 9<sup>th</sup> September 2019.

**The meeting closed at 9.40pm.**

Duration of the meeting: 7.00 - 9.40 pm

