

**Young People Scrutiny Commission Review**  
**Unregistered Educational Settings**  
**Progress Tracker**

Document Number: 20956632

Document Name: Recommendation tracker - Unregistered Educational Settings in Hackney

## Context

As at January 2020 we believe there to be approximately 23 unregistered settings.

However the situation is very fluid and the total figure is by no means definitive. It is used as a reference figure only.

The term 'unregistered settings' is used as, at the time of being made aware of the setting, it is not clear whether the setting is a Yeshiva, a satellite of an existing registered schools or an unregistered educational setting (UES) or some other setting.

The local authority is made aware of potential UES through a variety of means including but not limited to

- Local residents
- Parents
- Education department officers
- Other services within Hackney Council
- Other local authorities

It is the role of the local authority to alert the DfE of any potential UES. The DfE may then commission Ofsted to undertake an inspection visit to determine whether the setting is operating as an educational setting or not ie as a Yeshiva.

## Recommendation ONE - Unregistered Educational Settings Strategy

Cabinet Response July 2018	Update April 2019	Update January 2020
<p>A strategy has been developed, setting out the Council's approach to Unregistered Educational Settings (UES) in the borough. This is attached as Appendix 1 to the Cabinet Response.</p> <p>The strategy aims for all educational settings in Hackney to be registered, and have clear</p>	<p><b>Overview</b></p> <p>Following completion and sign-off, the UES strategy was launched in September 2018. It will be reviewed annually to ensure its ongoing relevance and effectiveness.</p>	<p><b>Overview</b></p> <p>Whilst the strategy has been produced, its impact has been limited. The overall vision of the strategy remains frustrated on a number of levels.</p> <p>Although the Council has endeavoured to constructively manage this problem, no real</p>

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<p>safeguarding processes in place that are open to external validation, in line with other settings in the borough.</p> <p>The Council and partner agencies have legal duties to ensure that children in Hackney are taught in safe and hygienic conditions, that there are rigorous safeguarding protocols in place, that their well-being is promoted and that the curriculum taught conforms to agreed standards.</p> <p>The Council will continue to encourage unregistered educational settings to register as schools to:</p> <ul style="list-style-type: none"> <li>(i) Operate legally as education establishments,</li> <li>(ii) Be open to independent external validation, for example through inspections by the Independent Schools Inspectorate (ISI) or Ofsted,</li> <li>(iii) Be clear about expectations regarding safeguarding,</li> <li>(iv) Ensure the curriculum taught conforms to agreed standards which will support with raising educational outcomes for children and young people,</li> <li>(v) Ensure educational settings share information with the local authority about the number of pupils and pupil destinations (in line with other schools in the borough) to</li> </ul>	<p>Despite being limited, there have been some areas of progress and this needs to be acknowledged. However, it would be disingenuous to ignore what are some deep-rooted challenges that cannot unilaterally be resolved by the Council.</p> <p>The issue of UES remains complex and there are no easy solutions. The Council and its partners continue to provide focus and maximum effort in translating the strategy into tangible actions that make a positive difference to children and young people.</p> <p>Greater detail is provided throughout this report, but in summary, many of the issues highlighted in last year's scrutiny report remain.</p> <p><b>Actions</b></p> <p>Regular dialogue with the following agencies remains ongoing to ensure that the implementation of any actions are aligned with the Council's wider Borough engagement strategy:</p> <ul style="list-style-type: none"> <li>• Children and Families Service, LBH</li> <li>• Hackney Learning Trust</li> </ul>	<p>progress has been made. There are two primary reasons for this.</p> <p>The first reason is highlighted by the absence of a central faith and community based body with responsibility for and authority over Yeshivots. Each setting is understood to be autonomous and the local proposals to strengthen safeguarding oversight have not gained traction. Whilst there remains an aspiration to work together to ensure that all children in Hackney receive appropriate educational opportunities in safe and suitable environments, there is slow progress in the context of collaboration and co-production in this regard.</p> <p>The second reason is because there is no existing regulatory/statutory framework within which these settings neatly fit. As a consequence, the Council has been both required and encouraged to be lawfully audacious in its approach to assuring the safety of the children who attend these settings, which the Council has done with limited success.</p> <p>The Council has engaged (and continues to engage) the police, fire service and other partners focusing on health and safety to intervene with those running the establishments in an effort to safeguard the young people frequenting them.</p>

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<p>allow for improved planning, safeguarding and support for children,</p> <p>(vi) Ensure schools and settings in any community meet national safeguarding standards and processes that other schools comply with (for example as outlined in the statutory guidance documents - Working Together to Safeguard Children and Keeping Children Safe in Education).</p>	<ul style="list-style-type: none"> <li>• City and Hackney Safeguarding Children Board</li> <li>• Policy and Partnerships, LBH</li> <li>• Legal Services, LBH</li> <li>• Environmental Health, LBH</li> <li>• Metropolitan Police</li> <li>• London Fire Brigade</li> <li>• Interlink</li> </ul> <p>The Council continues to lobby the Department for Education (DfE) and Ofsted on issues relating to the legality and inspection of settings and how the curriculum is being taught.</p> <p>Independent from the Council, the Chair of the CHSCB has also continued in his lobbying and engagement of relevant stakeholders, including the community, central government and local agencies as necessary.</p>	<p>The position the Council finds itself in has recently been summarised succinctly by Amanda Spielman, Ofsted’s Chief Inspector, on 17 October 2019</p> <p>“We can issue a warning notice, but ....no one has the power to close them, neither us, local authorities or, Department for Education. There is no general power to close something that is not registered as a school.</p> <p>We need a better definition of a school – it is too easy to fiddle at the margins and claim that something isn't a school. When people are operating illegally, there should be somebody with powers to make it close.</p> <p>There should be serious consideration of disqualifying people who've run an illegal school. The legal framework needs to evolve.”</p> <p>The Council endorses Amanda Spielman’s comments regarding the need for a clearer definition of a school and the importance of a legal framework within which we can act to inspect and regulate establishments to ensure the welfare of children and young people.</p> <p><b>Actions</b></p> <p>Related actions in respect of attempts at delivering against the strategy are set out under the recommendations below.</p>

## Recommendation TWO: Charedi Orthodox Jewish community developing cooperation with the Local Safeguarding Children Board to establish a safeguarding process

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<p>The Independent Chair of the City &amp; Hackney Safeguarding Children Board, Jim Gamble QPM, has agreed to this recommendation. Actions are underway to establish the contact group and engage relevant partners/individuals. The CHSCB will work with LBH to ensure there is a coherent approach aligned to the Borough engagement strategy</p> <p>The Chair and Senior Professional Advisor, Rory McCallum, met with Mr Myer Rothfeld to further discuss the proposals for a safeguarding reassurance process in UES, which, consistent with this recommendation, will form the basis of the functions and outcomes that the contact group will seek to achieve.</p> <p>Jim Gamble attended a meeting at the DfE in July chaired by Lord Agnew and including Lord Pollock, Amanda Spielman and a delegation from the Charedi community, accompanied by Mr Rothfeld and a lawyer, Mr Greenberg. At this meeting, Lord Agnew made clear that legislation requiring unregistered settings to register was coming, although he did not put a timescale on when this would be introduced.</p>	<p><b>Overview</b></p> <p>Over the last reporting period, little progress has been made against this recommendation. In Hackney, large numbers of local children continue to attend Yeshivas and remain outside the line of sight of safeguarding professionals.</p> <p>The safeguarding partnership continues to have no direct mechanism to ensure that the premises within which children congregate are safe; that the infrastructure is sound; environment appropriate or that contemporary safer recruitment practices are being applied to those working frequently and routinely with children.</p> <p><b>Actions</b></p> <p>Since the initial meeting in February 2018 with the UOHC nominated 'health &amp; safety' link for Yeshivas, , the Independent Chair has written on seven occasions seeking to take this recommendation forward (5 March 2018 / 6 June 2018 / 3 September 2018 / 26 November 2018 (x2) / 13 February 2019 and most recently 26 March 2019.).</p>	<p><b>Overview</b></p> <p>There have been repeated attempts to engage community leaders to seek their cooperation to develop a safeguarding reassurance framework, however they have been unable, unwilling, or lacked the authority, to commit to the changes required.</p> <p>As reported in April, large numbers of local children continue to attend Yeshivas and, therefore, remain outside the line of sight of safeguarding professionals. The safeguarding partnership has no direct mechanism by which to exercise oversight to ensure that these premises - and the children who congregate within them - are safe; that the infrastructure is sound; the environment appropriate. Safeguarding professionals cannot be sure that contemporary safer recruitment practices are being applied to those who are working frequently and routinely with children in these establishments.</p> <p><b>Actions</b></p> <p>In the last update in April 2019, it was reported that a constructive meeting had been held</p>

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<p>Having established a relationship with Mr Rothfeld, the CHSCB will engage with him to encourage the community to work with LBH on safeguarding matters.</p> <p>After several follow-up letters, Mr Rothfeld has agreed to meet with Jim Gamble and Rory McCallum after the Jewish holidays of Rosh Hashanah, Yom Kippur and Tabernacles. Mr Greenberg will also be contacted with an offer to discuss ways in which engagement with the Charedi community can be constructively pursued.</p> <p>Jim Gamble has agreed to the <i>Jewish Chronicle's</i> request for an interview, in which he will address the issues and progress to date.</p> <p>The guidance to parents (appendix 2 of the Cabinet Response) will be placed in the public domain.</p>	<p>The Independent Chair has also contacted Mr Greenberg (the Barrister who attended the meeting with Lord Agnew in July 2018) in September 2018. Mr Greenberg has confirmed he is happy to attend any future meetings if deemed helpful).</p> <p>Whilst noting the delay in taking this recommendation forward, a constructive meeting was recently held between the CHSCB's Independent Chair and Senior Professional Advisor (SPA) with community representatives on 9 April 2019.</p> <p>Whilst revisiting many of the difficult issues, those engaged were positive about the idea of potentially creating a safeguarding committee for Yeshivas. This committee would be chaired by the UOHC and populated with relevant individuals (with some external element of support / specialist advice being provided). This could have the potential to lead to the development of a consistent safeguarding children (in Yeshivas) policy and the equivalent of Section 157/175 audits and reassurance engagement with the multi-agency partnership.</p> <p>Furthermore, whilst the Yeshivas were 'on a break' as families prepared for Passover, the Chair and SPA did undertake an unannounced visit to the local Synagogue (which was operating in the same way as a Yeshiva). There was no indication</p>	<p>between the CHSCB's Independent Chair and Senior Professional Advisor (SPA) with community representatives on 9 April 2019. At this time, those engaged were positive about the idea of potentially creating a safeguarding committee for Yeshivas; chaired by the UOHC and populated with relevant individuals (with some external element of support and specialist advice being provided).</p> <p>The most recent response to these proposals was received via an e-mail to the Independent Chair on 4 June 2019. This communication reflected the ongoing position of some in the community who, having positively engaged, have retreated to a position whereby they say they cannot address the safeguarding concerns (which they acknowledge) unless they are part of a wider '<i>quid pro quo</i>' that exempts Yeshivot from the national curriculum. This is outside the influence of the CHSCB and Hackney Council.</p> <p>In this sense, and with due respect to the barriers encountered by all parties involved; the Independent Chair (<i>now the Independent Child Safeguarding Commissioner (ICSC) in the new safeguarding arrangements</i>) returns to what he has been advocating since 2014: that this matter can only be resolved by central government, through the enactment of legislation.</p>

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	<p>that the young people were in fact prepared for this visit and a number of boys were spoken to randomly.</p> <p>Community leaders continue to voice their support for the 'pure safeguarding' approach, but remain fundamentally opposed to the imposition of curriculum-based changes. The Independent Chair maintains his view that the only way to resolve this issue is through legislative change.</p>	<p>The view of the ICSC is that the definition of a school should be amended in line with that proposed on page 33 of the Integrated Communities Strategy Green Paper (March 2018), with an addition that states: <i>'and any place designated as a school by the Local Authority'</i>.</p> <p>The ICSC firmly believes that local authorities should be given this legal power to designate establishments as schools as and when they are identified. Once brought under such a definition (either voluntarily or by designation), such settings would be subject to registration with the DfE and regulation and accountability via Ofsted. This would have the effect of engaging all settings where children attend full-time during the school day, regardless of the curriculum being taught. Yeshivots would fall under this criterion and, therefore, be accountable.</p> <p>Without any movement in this regard by the government, the ICSC's view remains unchanged: that children and young people will continue to be exposed to a two-tier safeguarding system that is simply unacceptable.</p>

## Recommendation THREE - Lobbying for an effective legislative framework for UES

Cabinet Response July 2018	Update April 2019	Update January 2020
<p>The Independent Chair of the CHSCB has continued to lobby the government to introduce effective legislation. As noted above, he met with Lord Agnew at the DfE in July. Lord Pollock, Amanda Spielman and a delegation from the Charedi community, accompanied by Mr Rothfeld and a lawyer, Mr Greenberg also attended. At this meeting, Lord Agnew made clear that legislation requiring unregistered settings to register was coming, although he did not put a timescale on when this would be introduced.</p> <p>Hackney Learning Trust has submitted a response to the DfE’s call for evidence – ‘Operating the Independent School Regulatory system’ (closing date 5<sup>th</sup> June 2018). In this submission, HLT made clear that any such guidance must be statutory in nature, and opposed the DfE’s proposal that this guidance be non-statutory. The issues regarding engagement and registration for unregistered educational settings is referenced within the HLT’s response to the call for evidence.</p> <p>Actions taken in response to the specific recommendations raised by the CYP Scrutiny Commission are detailed in the Cabinet Response.</p>	<p><b>Overview</b></p> <p>Three areas of development are worthy of note in the context of ongoing lobbying:</p> <p>In March 2018, the government published its Integrated Communities Strategy Green Paper. In the context of issues related to UES, the green paper sets out a range of action intended in respect of Unregistered Schools, Out of School Settings and Home Education.</p> <p>In respect of Unregistered Schools, the green paper sets out the government’s intention to amend the registration requirement for independent education settings, so that all such settings which children attend full- time during the school day have to register. The government will consult in due course on detailed proposals.</p> <p>With regard Out of School Settings (OOSS), the DfE held a recent consultation running from 2 December 2018 to 24 February 2019. This related to the introduction of a voluntary safeguarding code of practice for OOSS, plus accompanying guidance for parents, which sets out the key questions they may wish to consider when choosing such a setting for their child. The government is currently analysing consultation responses.</p>	<p><b>Overview</b></p> <p>The government’s response to the Integrated Communities Strategy Green paper was published in February 2019.</p> <p>The response set out the intention to initiate the Out of Schools Settings (OOSS) project, consult on the voluntary safeguarding code of practice and publish guidance for parents and carers.</p> <p>It did not, however, provide any definitive action with regards to the legislative framework covering the regulation of UES, other than stating the government’s intent as follows:</p> <p><i>‘...we will continue to work with Ofsted to take action against schools operating illegally and intend, when the legislative opportunity arises, to amend the requirement about which independent educational institutions need to register with the Secretary of State.’</i></p> <p>The response also noted the government would publish a formal response to its call for evidence of home education, which it did in April 2019. This response set out the need for further consultation on <i>Children not in School – proposed legislation</i>. This consultation was launched in April 2019 and closed in June 2019.</p>

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	<p>In respect of Home Education, on 2 April 2019, the Secretary of State for Education announced plans to introduce a compulsory register of home schooled children. The government’s consultation focuses on a local authority registration system for children who do not attend state-funded or registered independent schools.</p> <p><b>Actions</b></p> <p>The Council and the Independent Chair of the CHSCB have continued to separately lobby the government for an effective legislative framework for UES.</p> <p>Feedback from the Conference jointly hosted by the Council and the Local Government Association last summer has fed into the LGA’s lobbying plans and has been shared with the DfE.</p> <p>In her role as Chair of the LGA’s Children and Young People Board, Deputy Mayor Cllr Anntoinette Bramble, has spoken on issues raised by home schooling legislation.</p> <p>The Council responded in detail to the consultation on elective home education. The Government’s announcement of plans for a compulsory register of home-schooled children is welcome and will address recommendation 3 (e).</p>	<p>None of the duties proposed in this latter consultation (<i>see Recommendation SIX - Update April 2019</i>) address the existing absence of any oversight and/or regulation on unregistered settings. They broadly deal with the imposition of requirements as to the provision of information.</p> <p>This will not create the necessary conditions required to bring such settings under a regulatory framework.</p> <p><b>Actions</b></p> <p>The Mayor and Deputy Mayor are again intending to write to the government in this regard, calling for an effective framework for UES based on legislation.</p>

## Recommendation FOUR - Development of a local authority alliance

Cabinet Response July 2018	Update April 2019	Update January 2020
<p>Hackney Council will continue to build on and develop the work currently undertaken to share information and good practice with other local authorities in England who also have experience of dealing with the particular circumstances of unregistered educational settings.</p> <p>The Council has hosted at least three discussion forums with a range of authorities to share experiences and will continue to play an instrumental role in ensuring this networking continues to find ways to share good practice, through regular on-line exchanges and, where appropriate, through focused workshops.</p> <p>Following the publication of the Scrutiny Commission's report, the Local Government Association (LGA) co-hosted with Hackney a conference on unregistered schools and home schooling. This was held on 14 June, with an opening address from the Deputy Mayor, Councillor Bramble. Sir Alan Wood chaired the event.</p> <p>This was well attended, with representatives from Ofsted and local authorities, as well as representatives from the Home Education sector. The event comprised of two panel discussions and workshops which focussed on:</p>	<p><b>Overview</b></p> <p>The Council continues to engage with other local authorities. The current focus is on a local alliance through the Out Of School Settings project which is a one year DfE funded project to advance safeguarding practices in OOSS. There are nine East London boroughs participating.</p> <p><b>Actions</b></p> <p>Following the Conference, hosted with the LGA last summer, the Council has made contact with a number of authorities who are concerned about existing legislation – although it's important to note that Hackney's concerns are very distinct and different to those of other councils.</p> <p>The Council successfully bid for and is in receipt of funding for an Out of Schools Settings project.</p> <p>This is part of a wider East London network. The project is aimed at providing these settings with information and guidance on safeguarding issues and helping the settings to minimise any potential risks to themselves and young people.</p> <p>The Council is currently recruiting to two posts to undertake this piece of proactive work. It is anticipated that in Hackney a significant proportion of this resource will be directed to supporting</p>	<p><b>Overview</b></p> <p>As stated previously, the Council has had contact with a number of authorities who are concerned about existing legislation – although it's important to note that Hackney's concerns are distinct and different to those of other councils.</p> <p>The Out of Schools Settings (OOSS) project has, however, assumed this role at a local level. The project brings together 16 Local Authorities, nine of which are East London boroughs. The OOSS Project, which is funded by the DfE, is designed to map and support settings in relation to safeguarding children. It sits alongside existing work undertaken by LBH officers including the Prevent Education Officer and Children Missing Education Team.</p> <p><b>Actions</b></p> <p>The strategic direction of the OOSS project has been to build a comprehensive typology of settings and test interventions to discover what works and identify the challenges or barriers to engagement. In practical terms the interventions have included meetings with trustees, staff and volunteers, policy support and the offer or signposting to safeguarding training.</p>

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<p>(i) Integration and dealing with isolated communities and,</p> <p>(ii) Dealing with illegal schools.</p> <p>The LGA will follow up some of the key findings and concerns with Government and will continue to liaise with the Council over this.</p>	<p>Yeshivas and using this as an avenue for engagement.</p>	<p>The OOSS project team have undertaken extensive mapping of the sector and identified over 300 settings including yeshivas, tuition centres, sports clubs, housing associations, community centres, charities, church halls and other religious settings.</p> <p>The OOSS project team have also developed a RAG rating system. This has been adopted by other pilot projects and promoted, via the DfE, as a model of good practice.</p> <p>Engagement thus far has concentrated in community spaces, particularly those hiring halls to other/smaller organisations or clubs and ensuring hire agreements explicitly describe expectations to safeguard.</p> <p>To support this, an example policy has been written and organisations are signposted to relevant sources of support including the NSPCC's webpages for the sector, the voluntary code for OOSS and CHSCP training.</p> <p>A significant challenge to understanding and embedding effective safeguarding practice is staff and volunteers accessing appropriate safeguarding training. To remedy this the OOSS project team have developed a training offer that will be delivered free of charge either in settings (if there are sufficient staff) or via The Tomlinson Centre. This sits alongside the core training offered by the CHSCP.</p>

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		<p>Promotional materials have been produced for parents/carers and for proprietors; information is presented on the Local Offer and an OOSS App is in development.</p> <p>Following a series of discussions, the OOSS project is partnering with Interlink to improve safeguarding in out-of-school settings (OOSS) in the Orthodox Jewish community by</p> <ul style="list-style-type: none"> <li>• Promoting awareness among OOSS about the importance of safeguarding. At least 150 people in leadership position will be reached by this project.</li> <li>• Providing information, training and resources to OOSS to support them with safeguarding. At least 100 people in leadership positions will be reached by this work.</li> <li>• Providing one-to-one assistance to help OOSS raise safeguarding standards. At least 12 organisations will receive assistance.</li> </ul>

### Recommendation FIVE - Improved partnership working among regulatory partners

Cabinet Response July 2018	Update April 2019	Update January 2020
The overriding aim of partnership working must be to ensure the safeguarding of young people.	<p><b>Overview</b></p> <p>Positive collaboration remains across a range of local agencies and services involved with UES. The</p>	<p><b>Overview</b></p> <p>Positive collaboration remains across a range of local agencies and services involved with UES. The</p>

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<p>Consequently, it has been agreed that until such time as a yeshiva becomes recognised as a separate entity from schools, the Council should use integrated multi agency approaches to:</p> <ol style="list-style-type: none"> <li>1. Encourage known unregistered settings to register, and</li> <li>2. Require and enforce compliance with statutory requirements e.g. safeguarding, health and safety, fire regulations.</li> </ol> <p>It is proposed that a small group of representatives is co-ordinated, from Police, London Fire Brigade, HLT, Hackney Planning Control, Children &amp; Family Services (CFS) and CHSCB to discuss how each agency will work cohesively.</p> <p>The working party on unregistered educational settings will co-ordinate the work of partner agencies to address the perceived lack of statutory education, and substantial concerns about wellbeing and safety for young people attending premises that appear hazardous and unhygienic.</p>	<p>Council also continues to engage with Ofsted and DfE. The most recent meeting was held on 11<sup>TH</sup> March 2019, which focused on issues arising from Ofsted visits to two settings. Getters Talmud Torah and Talmud Torah Yetev Lev. A set of actions was agreed to deliver multi agency support to these settings.</p> <p><b>Actions</b></p> <p>Senior officers from directorates across the Council regularly meet with colleagues from other service areas and authorities to share data, concerns and intelligence. There is a good working relationship, but existing legislation and differing priorities of external partners have prevented the Council from setting up a working party.</p> <p>The Council is confident that information is being shared between key partners through established routes.</p> <p>The proposed representative group has not met as it was felt it would be more productive to have a specific issue to address.</p> <p>An example is the most recent meeting with Ofsted focused on the two school settings.</p> <p>An officer also recently met with a DfE representative to discuss issues round the powers of Ofsted inspectors and what improvement or</p>	<p>Council also continues to engage with Ofsted and DfE.</p> <p><b>Action</b></p> <p>The local authority has been in close contact with senior Ofsted officers and a range of local authority partners following a number of recent issues concerning a number of locations. For example the local authority has recently sought and been granted a stop notice for one setting which commenced refurbishment of a residential property to educational use without the necessary permissions. A request by the proprietor to Judicially Review the LAs decision was not allowed.</p> <p>In another case Ofsted notified the local authority that a registered school had over-age pupils on roll. The LA has been in contact with the school to remind them of the off-roll notification process and is currently contacting the pupils' parents to confirm the educational arrangements being made for those children.</p> <p>The local authority is at the early planning stages of developing a framework to better facilitate and coordinate involvement of regulatory partners, specifically local partners, when notified of a setting where they may be safeguarding or health and safety issues. The intention is to identify a single point of contact in the authority to initiate,</p>

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	<p>changes might be necessary to the Ofsted inspection guidance.</p> <p>Suggestions included:</p> <ul style="list-style-type: none"> <li>• Amending the current process whereby an inspector can visit but leave without making a decision about whether the setting is a school or not.</li> <li>• The possibility of inspectors visiting alongside local authority officers and other partner agencies to ensure the range of possible issues are addressed in one visit - thus enabling a more coordinated debrief and follow up of actions.</li> </ul>	<p>monitor and review actions requested of partners.</p>

### Recommendation SIX - Children Missing Education

Cabinet Response July 2018	Update April 2019	Update January 2020
<p>HLT responded to the DfE call for evidence in regard to Elective Home Education. HLT has also met with London Councils in order to inform and assist the consultation response from this body on this issue. In drafting this response to the DfE, officers have emphasised the following points:</p> <ul style="list-style-type: none"> <li>• HLT respects the right of parents to educate at home. Many parents provide a suitable educational programme, insofar as it is possible</li> </ul>	<p><b>Overview</b></p> <p>The statement by the Secretary of State for Education on 1 April 2019 announcing a compulsory register of all children who are not educated in school is welcome.</p> <p>This is likely to assist councils as they work to identify children who are at risk and/or those children not in receipt of a good standard of education.</p>	<p><b>Overview</b></p> <p>The consultation ended in June 2019. A formal response by government is awaited.</p> <p>Despite the proposed duties undoubtedly strengthening oversight on the children attending such settings, the consultation failed to adequately address the issue of oversight of the settings themselves by way of regulation.</p>

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<p>to assess and determine this, given the vague nature of the existing guidance</p> <ul style="list-style-type: none"> <li>• The role of the Council is significantly undermined in this area, with all rights conferred on parents, but very few responsibilities</li> <li>• The latest guidance remains passive in nature and still falls far short of that required to ensure that all children are adequately safeguarded</li> <li>• The lack of a clear legal definition in regard to what constitutes efficient, suitable and full-time education is unacceptable. This, again, undermines the role of the Council when it comes to fulfilling our responsibilities.</li> <li>• That it is impossible to know how many children may be Electively Home Education without mandatory registration.</li> <li>• That (yet again) the voice of the child is not adequately referenced</li> <li>• That the learning and recommendations from Serious Case Reviews in Birmingham and Pembrokeshire and the Laming Review are contrary to the Departments view that '<i>... there is no proven correlation between home education and safeguarding risk</i>'</li> </ul>	<p>The Education Secretary recognised that the term 'home education' has now acquired a much broader meaning, and is now “a catch-all phrase, used to refer to all children not in a registered school.”</p> <p>The consultation seeks views on proposals for legislation to enable the registering of all children not in a registered school, and the way in which those proposals would be implemented. This includes the introduction of:</p> <ul style="list-style-type: none"> <li>• A duty on local authorities to maintain a register of children of compulsory school age who do not attend schools of a specified type (mostly state-funded or registered independent schools)</li> <li>• A duty on parents to inform their local authority when their child falls within scope of such a register</li> <li>• A duty on settings attended by the children on the register to respond to enquiries from local authorities as to whether a specific child attends that setting. This would not include those providing supplementary education outside school hours.</li> <li>• A duty on local authorities to provide support to home educating families – if requested by such families.</li> </ul> <p>A compulsory register will greater oversight on how many children are being electively home</p>	<p>Further communications by the Mayor and Deputy Mayor will sent to the government in this regard as set out under Recommendation Three.</p> <p><b>Action</b></p> <p>The local authority has recently recruited an additional officer to manage the recent requirement for schools to inform the local authority of non-standard phase admissions. The return rate from schools is subject to ongoing monitoring. This duty to inform the local authority applies to state funded and independent schools. Schools with no or inconsistent returns are reminded of their responsibilities. Where a school 'off rolls' a pupil they are required to specify or undertake joint investigations to determine, the name of the receiving setting. If this cannot be determined the issue is referred to the CME team.</p> <p>The team has a clear protocol for such situations.</p> <p>In addition and in response to the potential for large numbers of children to become EHE, the local authority is in the process of recruiting to the EHE team. The local authority has a duty to 'satisfy' itself that the education the young person is receiving is appropriate. However, as the DFE have been informed on numerous occasions, there is no clear definition of satisfactory.</p>

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<p>Actions taken in response to the specific recommendations raised by the CYP Scrutiny Commission are detailed in the Cabinet Response.</p>	<p>educated, whether or not children are receiving an education at all, or being educated in illegal schools where they might be vulnerable to dangerous influences.</p> <p>The Deputy Mayor, Cllr Anntoinette Bramble, chair of the LGA Children and Young People Board welcomed the announcement, commenting that councils <i>“fully support the rights of parents to educate their children in the best way that they see fit,”</i> but for the <i>“minority”</i> of children not provided a good education, <i>“councils need to be able to check a child's schooling, to make sure they are being taught a suitable and appropriate education in a safe environment.”</i></p> <p>The Council is in the process of recruiting to a new post in order to provide an additional resource to ensure that notifications of pupil movements are closely tracked. In addition to this, the Learning Trust are undertaking a review of the Council's position on and advice about, Elective Home Education. This was already in progress and the new announcement is timely and welcome. This new initiative will no doubt help inform this review.</p>	



## Recommendation SEVEN - Relationship with registered schools within the Independent Sector

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<p>Hackney Council will continue to engage with registered schools within the independent sector. We have already sought to establish the means by which a constructive dialogue with independent registered schools can be pursued.</p> <p>There is a standing invitation to Special Educational Needs and Disability Coordinators (SENDCOs) in these schools to attend events such as the termly SENDCO forum and annual conference that SENDCOs from the maintained sector attend. Independent schools are also encouraged to purchase traded services from HLT in the same way that maintained schools do.</p> <p>In addition to these established activities, HLT has contacted registered independent settings to discuss with them the establishment of an independent school forum.</p> <p>This forum's membership would include partner agencies, such as Public Health. The aim of this forum would be to meet – on a termly basis - to discuss issues that are of concern to the settings and which HLT may be able to advise on; and to establish lines of communication by which good practice can be shared.</p>	<p><b>Overview</b></p> <p>There continues to be a standing invitation to Special Educational Needs and Disability Coordinators (SENDCOs) from independent sector schools to attend events such as the termly SENDCO forum and annual conference that SENDCOs from the maintained sector attend.</p> <p>Independent schools have the same opportunity as maintained schools to purchase services from the Council under the traded services arrangements.</p> <p>In this regard the Council would welcome approaches from the independent sector and is open to suggestions from the Charedi community about the way in which they wish to engage.</p> <p><b>Action</b></p> <p>Officers from Hackney Learning Trust (HLT) has initiated and hosted a regular Orthodox Jewish specific SENCO forum to which a range of speakers have been invited.</p> <p>Independent schools are encouraged to purchase traded services from HLT in the same way that maintained schools do.</p>	<p><b>Overview</b></p> <p>The activities and approaches cited in the previous update continue to be pertinent. A standing invitation remains to Special Educational Needs and Disability Coordinators (SENDCOs) from independent sector schools to attend events such as the termly SENDCO forum and annual conference that SENDCOs from the maintained sector attend.</p> <p><b>Action</b></p> <p>The SENCO forum referenced in the April update is for the independent girls schools and has been well received by the settings. However, as this forum is only for the girls' schools, both parties have committed to, and are working towards, establishing a similar forum for the SENDCOs of the independent boys' schools following discussions in December 2019 with Interlink and representatives from the independent schools</p> <p>In addition, there has been further agreement to establish a separate forum for the senior leaders of the independent schools. The intention is for the forum to be jointly coordinated by a senior leadership and management advisor from HLT</p>

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<p>This forum will provide an opportunity for HLT to share information with settings and update them on new initiatives and expectations, such as the requirement to inform the local authority when pupils go on and off roll.</p> <p>The forum also affords independent schools the opportunity to hear of practices within the maintained sector, such as safeguarding audits, that it would be beneficial for them to adopt.</p>	<p>There are ongoing liaison meetings between council officers and representative groups of the community, for example Interlink.</p> <p>Council officers and partner agencies continue to work with representatives and organisations within the Charedi community, exploring how they may best be able to support the development of schools forums and the delivery of training, advice and information about safeguarding children in schools.</p> <p>Any initiative from the Charedi community to establish forums relating to health, wellbeing and safeguarding would receive the active support, advice and guidance from Hackney Council and partner agencies.</p>	<p>and an independent school headteacher. Planning meetings are being established</p>

### Recommendation EIGHT - Enabling parents within the Orthodox Jewish Community to provide challenge to UES

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<p>This action is being taken forward by the CHSCB's community &amp; engagement sub group (CEG).</p> <p>A document providing guidance for parents and carers has been developed in consultation with the CEG.</p> <p>This guidance (appendix 2 to the Cabinet Response) covers key issues relating to the safety</p>	<p><b>Overview</b> At present this recommendation has been initially responded to through the development of a parental leaflet. It has been developed by the CHSCB as a practical method of concisely capturing the key issues that a parent / carer should know when their child attends a setting. It has already been circulated to some parents / carers in Hackney.</p>	<p><b>Overview</b></p> <p>The CHSCB leaflet has been circulated electronically to partner agencies, publicised and cascaded through the partnership's Things You Should Know (TUSK) briefing and sent to maintained schools and settings via the Schools' Bulletin.</p>

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<p>of children in a range of different settings. This guidance will not be unique to UES, but is relevant in the context of setting out a range of issues that parents and carers should be aware of, and alert to, whenever they are leaving their children in the care of an organisation.</p>	<p><b>Actions</b> A wider communication plan, being supported by the Council’s Communication team, will see the leaflets circulated within Hackney Today and made available at local public access points – i.e. GP Surgery’s / Children’s Centres / etc.</p> <p>The guidance has been cross-referenced with that set out within the government’s consultation on a voluntary safeguarding code of practice and remains fit for purpose.</p> <p>The guidance document was provided to parents of pupils attending Getters Talmud Torah to assist them in their choice of setting for their children.</p> <p>The Out of School Settings project will be reviewing this key recommendation as it will be a cornerstone of the work of the project – that is empowering and increasing parental awareness as much as awareness of proprietors and group leaders</p>	<p>As part of the OOSS project, the leaflet is being revised to ensure the narrative fully captures the range of Out of School Settings in scope.</p> <p><b>Actions</b></p> <p>Promotional materials have been produced by the OOSS project and information is presented on the Local Offer.</p> <p>The project plan will target awareness raising with parents / carers once material has bene finalised.</p>

## Recommendation NINE - Curriculum in UES

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<p>The Council has established a positive working relationship with maintained Orthodox Jewish schools and will ensure that it offers support to</p>	<p><b>Overview</b></p> <p>It is clear from those community leaders engaged to date that there is marked opposition to any imposition of curriculum-based changes.</p>	<p><b>Overview</b></p> <p>There is no evident change to the noted opposition by community leaders to any curriculum-based changes.</p>

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<p>any setting that wishes to secure the status of a registered independent school.</p> <p>HLT will continue to encourage and broker, where appropriate, contact between the DfE and the Orthodox Jewish Community to work towards UES becoming registered schools.</p> <p>In addition HLT will, where appropriate, support settings wishing to register, by signposting relevant information relating to curriculum requirements, for example, and brokering support from registered settings, linking the setting to a potential support network and providing generic advice about safeguarding audit processes.</p>	<p>HLT will continue signposting UES to where they can find guidance should there be contact. This is, however, dependent on settings making contact with HLT and seeking our support.</p> <p><b>Actions</b></p> <p>The Council's recent primary and secondary curriculum conference was very well attended. This was advertised widely and would have been an opportunity for UESs to have established links with schools and HLT's school improvement team.</p>	<p>The most recent communication from representatives of the UOHC to the CHSCB's Independent Chair on 4 June 2019 reflected their opinion that only if the Yeshivots are ring fenced in law by the Government as a form of "elective home schooling", could they see Yeshivots co-operating with local authorities with regards to safeguarding.</p>

## Recommendation TEN - Stamford Hill Area Action Plan

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<p>The Council published a Towards a Stamford Hill Plan for consultation in 2017 <a href="https://hackney.gov.uk/stamford-hill-aap">https://hackney.gov.uk/stamford-hill-aap</a> setting out the objectives for meeting the educational and community needs of the Community in Stamford Hill.</p> <p>The Plan aims to build social cohesion in Stamford Hill and facilitates integration, rather than</p>	<p><b>Overview</b></p> <p>The Council published a Towards a Stamford Hill Plan for consultation in 2017 <a href="https://hackney.gov.uk/stamford-hill-aap">https://hackney.gov.uk/stamford-hill-aap</a> setting out the objectives for meeting the educational and community needs of the Community in Stamford Hill. Over 2000 people responded to the consultation and the Council is now in the process of gathering more evidence on the potential for</p>	<p><b>Overview</b></p> <p>The Strategic Planning team has continued to meet regularly with the Charedi Community to discuss how to take forward the social infrastructure needs of the Orthodox Jewish community in the next iteration of the AAP. Work has also started on producing a locally based infrastructure delivery plan which will examine the need for a wide range of social infrastructure</p>

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<p>segregation, between people of different social, ethnic and religious affiliations.</p> <p>It also seeks to provide additional school places for the Stamford Hill community, providing new opportunities for adult learning and to ensure that people who live and work in Stamford Hill have access to local educational, training, health and community facilities to meet their day-to-day needs.</p> <p>The Plan will set out the need for registered school places, seek to identify and allocate new sites for education use and set out the policies which will be used to assess future planning applications for new registered schools and extensions to existing registered school buildings.</p>	<p>extending existing housing and developing a scheme to improve the public realm.</p> <p><b>Action</b></p> <p>The Council has been running an award winning programme of Community Engagement on the Plan and is working with the whole Community to develop the next iteration of the plan which will be issued towards the end of 2019. There are ongoing meetings with the Orthodox Jewish Community on the needs for Community Infrastructure and the provision of schools, health facilities and other forms of social infrastructure which the plan will seek to address.</p> <p>Discussions with the Orthodox Jewish Community are ongoing via the Stamford Hill AAP Community Panel and the AAP Cross Party Members Steering group. The Strategic planning team arranged a Social Infrastructure meeting in September 2018 at Interlink to discuss how to take forward the social infrastructure needs of the Orthodox Jewish community in the next iteration of the AAP. The meeting was attended by Rabbi Pinter, local Ward Councillors and representatives of Satmar, Bobov, Aguidas Israel Housing Association and the UOHC. There was a wide ranging discussion on the needs for all forms of social infrastructure including schools, synagogues, health and community facilities.</p>	<p>including schools, synagogues, health and community facilities for all of the diverse communities in Stamford Hill.</p> <p><b>Action</b></p> <p>In April 2019, the Strategic Planning team were successful in securing a grant for a study to support the Stamford Hill Area Action Plan (AAP) from the GLA's Housing Capacity fund. This will enable the Council to commission a new study which will explore opportunities to increase housing capacity across the AAP area. The study will look at ways in which the existing housing stock can be extended in Stamford Hill, not only to meet the needs of large families in the area, but also to support the London Plan's approach to small sites which encourages extensions and conversions to increase the density of existing residential homes. The study will start in November and will include workshops with the AAP Community Panel and young people in Stamford Hill.</p> <p>The Strategic Planning team are actively looking for additional sites suitable for social infrastructure uses and also at the potential of other sites for intensification for inclusion in the next version of the draft Plan. Towards a Stamford Hill Plan ' issued in 2017 included the Ravensdale Industrial site as a potential development</p>

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	<p>Further meetings are to be arranged over the coming months as the plan progresses. It was also agreed that a specific meeting be organised to discuss how the community can feed into the review of the Councils Infrastructure delivery plan (IDP) which is also taking place this year. This is likely to take place after the examination into Hackneys new Local Plan in June.</p> <p>'Towards a Stamford Hill Plan ' in 2017 included a 'call for sites' exercise and identified the Ravensdale Industrial site as a potential development opportunity which could provide local training and educational infrastructure.</p> <p>The Strategic planning team are actively looking for more sites and also at the potential of other sites for intensification for inclusion in the next version of the draft plan, which will issued towards the end of this year.</p> <p>The final version of the Plan will be issued at the end of 2019 and will set out the need for registered school places, seek to identify and allocate new sites for education use and set out the policies which will be used to assess future planning applications for new registered schools and extensions to existing registered school buildings.</p> <p>Following a further public consultation, the Area Action Plan will be submitted for Public</p>	<p>opportunity which could provide local training and educational infrastructure.</p> <p>The final version of the Plan will be issued after the conclusion of the housing capacity and density study in Spring 2020 and will set out the need for registered school places. The Plan will also set out the policies which will be used to assess future planning applications for new registered schools and extensions to existing registered school buildings.</p> <p>The Planning team is currently finalising the evidence base and preparing the next version of the Plan. Community engagement is ongoing and the Plan will include a full consultation report. The Council will then carry out a further public consultation on the final draft Plan in the summer of 2020. Following this, the Plan will be submitted for Public examination by a Government appointed Planning Inspector. This will be followed by formal adoption in the Autumn of 2020.</p> <p><b>Update on Local Plan 2033 - June 2019</b></p> <p>The Council's new emerging Local Plan 2033 includes specific area based policies for Stamford Hill. In June, the vision and strategic principles for the Stamford Hill area were examined by an Inspector appointed by the Government. These include commitment to provide additional school</p>

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	examination by a Government appointed Planning Inspector followed by formal adoption in early 2020.	places for the Stamford Hill community and better children's play provision. The Council is currently consulting on modifications to LP33 which following the receipt of the Inspector's report will be finalised and adopted early next year.