

Overview & Scrutiny

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Dear Anntionette,

Off-rolling in schools in Hackney

Subsequent to the publication of findings in a [report](#) by the Children's Commissioner, the Children and Young People Scrutiny Commission dedicated its September 2019 meeting to investigate possible off-rolling of pupils across schools in Hackney.

The Children's Commissioner's report highlighted that parents were sometimes encouraged to remove their child from the school roll into elective home education (EHE) or a managed school move, when this was primarily in the interest of the school rather than the child. By doing so, the report suggested some schools were 'gaming' the education a system by removing lower achieving or challenging students from the school roll to help improve the school's overall performance.

The purpose of the scrutiny session was therefore to define the nature and level of off-rolling in Hackney and to determine what additional support should be provided to children, parents and schools to prevent off-rolling from occurring in the future. As well as input from officers from Hackney Learning Trust (HLT), a number of external contributors were also invited to support the deliberations of the Commission, these included the Office of the Children's Commissioner, the Regional Director of Ofsted and the Chief Executive of The Difference (an educational charity).

A thorough and wide-ranging discussion of off-rolling took place at the meeting and a full record of this meeting, including all the evidence received by the Commission and is publicly available [on-line](#).

Key findings

Aside from general points of transition, children may leave the school roll for legitimate reasons such as when a family relocates to a different area, or when *both* parents and the

school agree that an alternative school or elective home education may better suit the needs of the child. A school also has the right to remove a child from the school roll via permanent exclusion, so long as this decision is based on disciplinary grounds, is supported by the governing body and is not successfully appealed.

A formal definition of off-rolling was provided by Ofsted, and occurs when the *intention* to remove the child from the school roll is in the best interest of the school rather than the child. This was reiterated by the London Regional Director of Ofsted at the meeting:

'Off-rolling is when a school removes a student from its roll without formal permanent exclusion or by encouraging a parent to remove their child when the removal is primarily in the interest of the school or other provider rather than in the best interest of the child.'

Whilst defining off-rolling is relatively straightforward, the Commission understood that identifying cases in practice can be more difficult. Although a child may be removed from the school roll ostensibly to go to another school (via managed move) or in to elective home education, whether this is in the *'best interests'* of the child is a more nuanced assessment, particularly as the school may have an interest in removing the child from the school roll (e.g. for improved school performance). Given that a school itself has a highly influential role in determining what is in the child's best interest, additional independent advice and guidance may be needed for parents.

Whilst parental consent is required for a child to be moved off-roll into a new school or into elective home education, evidence presented to the Commission suggested that in some circumstances, parents can feel pressured in to this decision, especially when a permanent exclusion is presented as the only alternative option for their child.

Whilst it is difficult to place an exact figure on the number of children that might be off-rolled from schools each year, Ofsted and other education agencies have been clear that the number unexplained exits from school has been increasing. In its own analysis, Ofsted identified off-rolling concerns at approximately 300 schools, where expected rate of children leaving the school roll between Years 10 and 11 was significantly higher than national average.

Evidence presented to the Commission suggested that there were strong associations between specific vulnerabilities of children and the likelihood of them experiencing an unexplained school move. Among those children who had experienced an unexplained school move, 40% had previously been permanently excluded; 33% were current or former looked after children, 20% were current or former children in need, 17% were children with SEND and 15% had low prior attainment. This would suggest that higher needs children might be disproportionately affected by unexplained exits from school, and the possibility of being off-rolled.

The Commission noted that HLT were alert to potential off-rolling in Hackney and were actively monitoring unexplained exits of children from local schools. In 2018/19, HLT had reviewed the rate of unexplained exits across Hackney, and concluded that this was not

dissimilar to national figures. Officers from HLT had however visited three individual schools where a higher than expected (over 4%) proportion of pupils had moved off-roll in between years 10 and 11. Although HLT reported that were satisfied that there were genuine and positive reasons for moving many of these children off-roll at these schools, it would continue to monitor local unexplained exists, and provide challenge to schools leaders and governing bodies where necessary.

The Children's Commissioner report highlighted a possible connection between off-rolling and the significant growth of children moving to Elective Home Education (EHE). Data from Office of the School Adjudicator indicate that the number of children in EHE has grown from 34,000 in 2013/14 to over 60,000 in 2018/19, a rise of 56%, despite their being growing concerns about the ability of some parents within this cohort to provide an education that suits the needs of their child. Locally, the number of children moving off school roll each year into EHE has increased significantly from 35 in 2015/16 to 68 in 2017/18, a 51% increase, and the known¹ EHE population in Hackney is approximately 500 children.

Efforts to support home educated children are hampered by the absence of any requirement for parents to register their child as receiving home education, which means that in many cases the local authority has reduced or minimal oversight or know the whereabouts of such children. In this context, the Commission noted that it was difficult for the local authority to discharge its responsibility to ensure that such children are safe and in receipt of an appropriate education. Whilst HLT maintained an EHE register it was accepted that this was not complete, but that significant improvements in the legal framework were required to enable greater oversight and targeted support for home educated children. In this context, HLT and other stakeholders welcomed the planned legal changes to establish an Elective Home Education Register.

The Commission were also reassured that Ofsted had amended its inspection framework to help identify off-rolling in schools and would visit all schools at which a higher than expected rate of unexplained exits had been recorded. It was made clear to the Commission that when off-rolling was uncovered, Ofsted would issue and 'inadequate' assessment for the 'leadership and management' component within the new inspection framework. Furthermore, in an acknowledgement that schools may have off-rolled children to help improve performance, it was reported that those schools previously judged as 'outstanding' would no longer be exempt from full inspections.

Conclusions

The Commission were able to draw a number of conclusions from the evidence received which can summarised as thus:

1. That the authority should to continue to monitor school moves, especially between years 9 and 11 and provide challenge to those local schools where rates exceed agreed thresholds.

¹ There is currently no requirement for parents to notify the LA if their child is to be Electively Home Educated.

2. Parents are in need of additional independent advice, guidance and support where their child is being moved off roll via a managed move, to elective home education or other educational setting.
3. In response to growing number of children in EHE, further investment is needed to maintain safeguarding oversight young people and that they are in receipt of appropriate education and support.
4. That the Council and HLT should continue to support the concept of the inclusive school to become more inclusive.
5. That borough wide oversight of children moving off roll be it through exclusion, managed move or to EHE should be maintained by the CYP Scrutiny Commission.

The Commission have made a number of recommendations to support the above conclusion which are attached and would welcome the opportunity to discuss these with you.

Yours faithfully

Cllr Sophie Conway
Chair, Children and Young People
Scrutiny Commission

Cllr Margaret Gordon
Vice Chair, Children and Young People
Scrutiny Commission

Cc Annie Gammon, Director of Education

Recommendations of the CYP Scrutiny Commission

1. That HLT should continue to monitor school moves between years 9 and 11 and to provide challenge to those schools where the rate of removal from the school roll is high (currently 4%)². Where possible, HLT should speak to a sample of selected parents and children to validate reasons for removal from school and to help build a rounded – case study – picture of the circumstances around removal. Any identified concerns, should be raised with both the Head teacher and school governing body and with Ofsted as necessary.
2. That HLT should aim to improve the level of advice, guidance and support to parents and in Hackney and publicise provision to ensure that they:
 - a) Are aware of their rights and responsibilities in respect of the removal of their child from the school roll;
 - b) Have access to informed and independent advice at critical educational junctures (e.g. transfer to Elective Home Education, managed move, or moving to an Alternative Provider etc.) to ensure that such a move is in the best interest of the child;
 - c) Are aware of the full range of educational options / settings which are available when their child is moved off-roll;
3. That HLT should further develop and promote the concept of the ‘inclusive school’ to ensure that:
 - a. Schools continue to offer high levels of achievement and progress alongside
 - b. Schools are aware of the protective influence of mainstream education in helping to:
 - i. Maintain oversight and contact with statutory services;
 - ii. Maintain children’s social support networks;
 - iii. Contribute to adult oversight that help children to be kept safe;
 - c. Children with challenging or behavioural needs can where possible be maintained within the school community:
 - i. Where the school and staff are provided with appropriate behaviour management training;
 - ii. *With* the support of other statutory and other services (e.g. CAMHS);
 - d. School governors are made aware of their duties and responsibilities in respect of children being removed from the school roll and are provided with sufficient training and to fulfil these functions.
4. That HLT should further invest (than the current resource 0.5 WTE) in to the EHE team to provide additional support to this cohort of children, this is in recognition of:
 - a. The significant growth in the number of children in EHE in Hackney (currently at approximately 500);
 - b. Additional responsibilities and expectations that may result from the new statutory requirement for the LA to establish an EHE register and for parents to register their child if they are home educated;
 - c. That vulnerable children are disproportionately represented in the cohort of EHE children and that current safeguarding oversight for some of this children is limited;

² This rate should be reviewed annually.

- d. Supporting a more proactive approach of the EHE team in its interaction with parents to enable further promote awareness and uptake of local educational support services.
5. To maintain oversight of those children who are moved off the school roll, it is recommended that as part of its annual reporting on school achievement to the Children and Young People YP Commission, that HLT also report on:
- a. The number of children who are in receipt of fixed-term and permanent exclusions;
 - b. The number of children moving from mainstream education to Elective Home Education:
 - c. The number of children moving from mainstream education to Alternative Provision
 - d. The number of children going through a managed moves process.