

Room 118, 2<sup>nd</sup> Floor  
Hackney Town Hall  
Mare Street  
London, E8 1EA

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[martin.bradford@hackney.gov.uk](mailto:martin.bradford@hackney.gov.uk)

Rt Hon Gillian Keegan MP  
Secretary of State for Education  
Department of Education  
20 Great Smith Street  
Westminster  
London. SW1P 3BT

Dear Secretary of State,

## **Safeguarding risks of children in unregistered educational settings.**

In 2017, the Children and Young People Scrutiny Commission published its findings and recommendations from its investigation into the safeguarding and other health safety risks of children being educated in unregistered educational settings (UES) in Hackney. The report concluded that in the absence of adequate legislative provisions, oversight and enforcement of any identified UES was limited, and as a consequence up to 1,500 local children were at risk as the settings in which they were being taught were out of 'line of sight' of safeguarding, health and safety and educational standards agencies.

Since 2017, and despite ongoing assurances from successive education ministers, no new legislative provisions have been successfully introduced into parliament to bring UES into regulatory control, therefore the risks to children in Hackney and elsewhere who are educated in these settings remain unchanged. The demise of the Schools Bill in the current parliamentary session is a further illustration of the lack of political will to address the safeguarding risks associated with children attending UES.

With no assurance of safeguarding practices (for example, DBS checks on staff), or health and safety assessments or the adequateness of the curriculum being taught, the Commission has little doubt that the risks of UES to children are both significant and real. Local authorities such as Hackney are therefore in an intolerable situation in which they and local safeguarding partners carry all the risks for those children

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attending UES but do not have the authority to act or intervene on their behalf to keep them safe.

Given these ongoing safeguarding and safety risks, the Commission continues to maintain regular oversight and scrutiny of UES to keep this issue in the public spotlight and have regular assurance that local agencies are doing all they can to protect and safeguard children in Hackney. Even with a clear strategy, sound intelligence and strong inter-agency collaboration, local efforts to address safeguarding risks within UES are limited, particularly when the operators of such establishments are reluctant to engage. The messages that the Commission receives from our Safeguarding Children Partnership and other local authority leaders is however clear and consistent, the current regulatory framework is insufficient to keep *all* children in Hackney safe and effectively safeguarded.

The Commission first decided to investigate UES in 2016 when it became known that a local tragedy had been narrowly avoided when a group of students from a UES in Hackney had to be [rescued by local coastguards](#) in Kent in 2016. From the Commission's perspective, we do not want some possible future tragedy to be the necessary precursor for action to address the risks that UES pose. We note from your evidence to the Education Select Committee ([Wednesday 7 December 2022](#)) that you would be "*prioritising some aspects of the [Schools] Bill*" and that legislating for children not in school was "*definitely a priority*", therefore we would welcome your plans for additional legislative controls (such as, for example, a more robust legal definition of a school) to ensure that all our children, in which ever educational setting they are being taught, have equal safeguarding and health and safety protections.

Yours Sincerely

**Cllr Sophie Conway**

Chair, Children and Young People Scrutiny  
Commission

**Cllr Margaret Gordon**

Vice Chair, Children and Young People  
Scrutiny Commission

Cc:

- Philip Glanville, Mayor of Hackney
- Cllr Anntionette Bramble Deputy Mayor and Cabinet Member for Education, Young People and Children's Social Care
- Jacquie Burke, Group Director Children and Education
- Paul Senior, Director of Education and Inclusion
- Mr Robin Walker MP, Chair of Education Committee