

# Minutes of a meeting of the Children's Services Overview and Scrutiny Committee held on Wednesday, 12 October 2016

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Commenced 4.35 pm  
Concluded 7.50 pm

## Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
M Pollard	Engel Mullaney Peart Shaheen Tait	Ward

## VOTING CO-OPTED MEMBERS:

Claire Parr  
Joyce Simpson

Church Representative (RC)  
Church Representative (CE)

## NON VOTING CO-OPTED MEMBERS

Tom Bright  
Tina Wildy

Teachers Secondary School Representative  
Health Representative

Observers: Councillor I Khan, Education, Employment and Skills Portfolio Holder

Apologies: Sadiq Ali and Gull Hussain (Parent Governor Representatives)

## Councillor D Smith in the Chair

## 26. DISCLOSURES OF INTEREST

Those members who were school governors disclosed a non pecuniary interest.



## 27. MINUTES

### Resolved–

**That the minutes of the meeting held on 26 July 2016 be signed as a correct record (previously circulated).**

ACTION: City Solicitor

## 28. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

## 29. SCHOOLS FORUM UPDATE

Children's Services Overview and Scrutiny Committee had asked for a regular update on the work of the Schools Forum. The last update was presented to the Committee on 26 July 2016. The Schools Forum had met once since on 21 September. The decision list from this meeting was attached at Appendix 1 of the report of the Director of Children's Services (**Document "N"**).

It was reported that a Government announcement on the High Needs Block Dedicated Schools Grant (DSG) was expected in the autumn. The early years National Funding Formula proposals and consultation was referred to and specifically the £3.01m reduction in Bradford's funding for 3 and 4 year olds from April 2017 and 2018. Reference was made to the very significant implications for the levels of DSG funding to nursery schools. It was noted that Bradford was one of 38 local authorities that would lose out under the proposed funding formula and concerns were expressed about how much influence the authority could have nationally.

It was noted that the Schools Forum recommendations to Council on the budget would be considered by the Overview and Scrutiny Committee in January 2017.

In response to a member question about what action was being taken to respond to the changes in funding which would start to be implemented in 2017 it was reported that the Schools Forum was looking to provide as much continuity as possible and use some of the DSG reserves to support nursery schools next year.

The Deputy Director of Children's Services noted that issues were being looked at holistically, working hand in hand with nurseries through what was potentially a very difficult funding situation.

The Children's Services Portfolio Holder acknowledged the work undertaken by the Schools Forum in difficult circumstances.



**Resolved -**

**That the information provided in Document “N” be noted.**

No Action

**30. EDUCATION STANDARDS 2016 - EARLY YEARS TO KEY STAGE 5**

The Strategic Director of Children’s Services presented an initial report on the performance of Bradford’s Children and Young People in Key Stage tests and exams for 2016 (**Document “O”**).

It was reported that in respect of Early Years, outcomes year on year had increased for 5 year olds. Key measures of Good Level of Development (GLD) had increased since 2013. The gap between Bradford and national had continued to close by a further 1%. There were some aspects that needed to improve. The gap between boys and girls had closed by 3% where it had previously been widening. Children that were disadvantaged, based on eligibility for free school meals, had not seen an improvement since 2013 however this year the gap had closed between those eligible for free school meals and those who were not. Final validated results would be received on 20 October.

The following responses were made to member questions regarding Early Years:

- Members would be provided with information on whether the introduction of universal infant free school meals had effected the rate of registration.
- Improved outcomes were being observed for those children that the authority was aware were eligible and claiming benefit.
- Eligible 2 year olds had been able to take up places for the last 3 years and if they were in quality provision this improved their outcomes.
- The stability of the provider was also the key.
- The impact of 2, 3 and 4 year olds taking up provision and the improved quality of the provision had been noted. Ofsted rating of good and outstanding had increased from 60% to 80-85%.
- A reduction in the difference between the attainment of girls and boys had resulted from specific targeted work in schools identifying where the gap was widening or staying the same.
- The follow up report would include a breakdown by ethnicity.
- Specific children in children’s centres and schools were being targeted and specific targeted programmes were being rolled out and this was starting to have an impact.
- A module had been rolled out on male role models and carers which was run by the fatherhood institute and was targeted at schools with a growing gap between attainment levels of girls and boys. In some schools the gap had closed or boys were out performing girls. Case studies were included in a publication issued to all schools to highlight effective action that could be taken.



- The Deputy Director of Children's Services agreed to take up with health colleagues the concerns of a member about the length of time between referral for speech and language therapy and receiving an appointment.

It was reported that in respect of Primary schools, 29 schools and 8 academies had been targeted and monitored. Schools were being sign posted to those that were doing well. It was emphasised that the improvement was sector led. In Key stage 1 a comparison could not be made with previous years, however in reading, writing and maths there was an indication that the gap was closing between national and Bradford. Credit was given to the heads of primary schools and practitioners.

The following responses were made to member questions regarding Primary schools:

- A meeting had taken place with representatives from the national literacy hub in London. Schools would be asked what they would do to improve reading in Bradford in particular to get parents and partners involved. Focus would be on particular groups such as white working class and Asian women to encourage parents to read by finding things that they liked to read.

With reference to the Secondary sector, Members of the Committee discussed their experiences of the impact that the introduction of progress 8 was having on the number of vocational subjects that were being offered. Evidence of whether there had been a narrowing of choice was requested for a future meeting.

A response was given to a member question as to whether focusing on floor standards was having an adverse impact on some children and it was noted that the data was being analysed and schools were being asked what they would need to do to address this.

In response to a member question about disparity between predicted grades and GCSE results it was noted that in the last 2 years issues regarding grade boundaries had led to less certainty in some schools.

With reference to the variation in Post 16 outcomes it was emphasised that the whole school community was key to getting the best possible Post 16 outcomes.

#### **Resolved –**

- (1) That the report on the improved performance of Bradford's children be welcomed.**
- (2) That a further report be presented to the Committee in March 2017 which will contain the validated data and include the additional information as requested by the Committee.**



**(3) That the Committee requests a report on the work of the Education Improvement Board.**

Action: Strategic Director of Children's Services

**31. ELECTIVE HOME EDUCATION**

The report of the Deputy Director of Children's Services (**Document "P"**) provided Members with details of the legislative framework surrounding Elective Home Education and the Authority's role and responsibilities.

It was noted that a distinction had to be made between parents that successfully home educated and those parents that removed their children from school either because of issues with the school which were not taken up with the school or parents that did not secure a place in the school that they wanted and kept the child out of school pending an appeal.

A member questioned what action was taken in instances when a parent did not get a place at the preferred school and they kept the child out of school saying they were being home educated. It was noted that the safeguarding team dealt with children not in education in a multi agency approach involving health and the police.

In response to a member question whether those children born in the district and not in school were being followed up, it was noted that not all children were known to the local authority as some went into the independent sector or moved out of the district. If parents did not return the form then they were chased up. It was noted that a pilot would run from January to June with HMRC sharing information. A similar pilot in Sheffield had identified 47% of children missing education.

With reference to a member enquiry about outcomes for gypsy and traveller children it was noted that this would be known if they were on roll in school. However if they elected to home educate they would be part of that cohort and if they had never been in school then there would be no knowledge of them. It was also pointed out that there was no legislation that required parents to submit children to take qualifications.

A parent who was a home educator attended the meeting and addressed the Committee and circulated an Action for Home Education briefing paper on the report of the Deputy Director of Children's Services (**Document "P"**). She expressed concerns about the blanket sharing of child benefit data and stressed that Bradford Council had to be able to justify why it required the information and she was of the opinion that there was nothing evident in the report. The Action for Home Education briefing paper referred to:

- The contradiction between the proposed delay in deregistration from



school and S8 of the statutory Education (Pupil Registration) (England) Regs. 2006.

- That the proposed use of personal data about children and families breaches Article 8 of the European Convention on Human Rights.
- That the data sharing proposed in the report did not comply with the Data Protection Act and the Human Rights Act.
- By the nature of the scheme those families whose personal data would be shared will not know about it and therefore can not be asked or agree to provide their informed consent to the data sharing.
- The information sharing scheme described in the report fails to meet the “necessity” test because the threshold for concern about individual unregistered children is not apparent.
- Current home education liaison practice in Bradford breaches the Elective Home Education Guidelines for Local authorities and S 437 of the Education Act.
- The problem of illegal schools should be addressed by proper policing of S98 of the Education and Skills Act. It was contended that Bradford Council had taken no action whatsoever in at least one ongoing incidence of a reported illegal school.

It was noted that the instance referred to was a supplementary school operating outside school hours in a residential property. The majority of these supplementary schools were madrasas and it was confirmed that there was no legal requirement for supplementary schools to register with the local authority. It was noted that 164 supplementary schools engaged with the local authority which provided child protection training for them. It was also noted that the local authority could only investigate supplementary schools if a formal complaint was made or there was a health and safety issue. If there were more than 6 children in the supplementary school the home owner would have to apply for a change of use.

A question was raised about the 20 day cooling off period. It was confirmed that the child was kept on roll at the school for that period which allowed flexibility in case the parent changed their mind then the child did not lose their place at the school.

The Deputy Director of Children’s Services stressed that the authority was not questioning those parents that home educated and whose children were receiving an excellent education but the concern was for those children taken off the register that the authority did not know about. She added that the Director of Education had a legal responsibility for the safeguarding and welfare of children and that this was about trying to ensure that there was a mechanism for protecting children.

The following points were made by members of the Committee and responses given:

- The highest proportion of 330 children registered as home educated were in year 11. There was not enough information in the report on this. Information was requested on those children for which there were



safeguarding concerns who were being lost within the category of home education. The authority had concerns about the welfare of children missing education and was looking at those children for which there was the most concern and working with Families First and the Youth Offending Team. With reference to data sharing with the DWP, Child Benefit and Child Tax Credit, the authority would only share data on families missing from the district and undertake exhaustive enquiries with health and GP's. Data was shared with DWP if there were high safety concerns and the child was genuinely missing.

- Concern was expressed regarding those children that the authority did not know about.
- The authority was not concerned about were not people who successfully home educated. The authority had a duty to ensure children were safe when parents had chosen to withdraw interaction with other statutory agencies.

#### **Recommended -**

- (1) **That the limited powers of the Authority to identify cases whereby parents elect to home educate their child(ren) be brought to the attention of the Regional Schools Commissioner and the Secretary of State for Education.**
- (2) **That it be noted that the interventions of the Education Safeguarding Team are a key vehicle in ensuring and promoting the wellbeing of children.**
- (3) **That closer working between partners, especially DWP and HMRC sharing data, be strongly promoted within the parameters of children missing education.**

Action: Strategic Director of Children's Services

## **32. UNREGISTERED SCHOOLS**

The report of the Deputy Director of Children's Services (**Document "Q"**) provided Members with details of the legislative framework surrounding Elective Home Education and the Authority's role and responsibilities.

The Deputy Director of Children's Services emphasised that there was a clear difference between supplementary schools and unregistered schools. She added that schools providing less than "full-time" education did not come under the definition of "independent school" however there was no legal definition of "full-time education". The powers of the Authority and the Unregistered Schools Process flow chart were contained in the report.





**Resolved -**

**That the Local authority works with partner organisations to effectively respond to and support (where necessary) any education organisation that may be operating illegally, either knowingly or unknowingly.**

Action: Strategic Director of Children's Services

**33. CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME**

**Resolved –**

**That the Work Programme 2016-17 continues to be regularly reviewed during the year.**

Action: Scrutiny Lead

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Children's Services Overview and Scrutiny Committee.**

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

