

Report of the Deputy Director to the meeting of Children's Services Overview and Scrutiny Committee to be held on 12 December 2018

Subject: Children Missing from Education

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Including information on Unregistered Schools and Elective Home Education

Summary statement:

Under Section 436A of the Education and Inspections Act 1996 all local authorities have a statutory responsibility to *"make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education. In relation to children, by 'suitable education' we mean efficient full-time education suitable to her/his age, ability and aptitude and to any special educational needs the child may have."*

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Overview & Scrutiny Area:

Children's Services

1. SUMMARY

This report focuses on the vulnerable learners targeted by the Education Safeguarding Team, namely Children Missing out in Education (**CME**), the children whose families have opted for Elective Home Education (**EHE**), and an update on Unregistered schools.

In relation to CME, Local authorities have a duty under section 436A of the Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise. This duty only relates to children of compulsory school age. The local authority should consult the parents of the child when establishing whether the child is receiving suitable education. Arrangements made under section 436A also play an important role in fulfilling the local authority's wider safeguarding duties. This duty should therefore be viewed alongside these wider duties and local initiatives that aim to promote the safeguarding of children.

2. BACKGROUND

2.1 The statutory responsibility for children missing education is issued under Section 436A of the Education and Inspections Act 1996 and requires all local authorities to make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education. In relation to children, by 'suitable education' we mean efficient full-time education suitable to her/his age, ability and aptitude and to any special educational needs the child may have."

2.2 Since early 2006 the Education Social Work Service (ESWS) has had in place procedures for managing Children Missing from Education. In April 2017 the Education Safeguarding Team (**EST**) revised these processes in order to meet the challenge of ensuring all children residing in Bradford are receiving a suitable education, and the time spent out of education is reduced.

2.3 Children Missing Education referrals are managed by the Education Safeguarding Team, and Access Officers within the team particularly support Central and Eastern European Families in accessing school places.

2.4 **Risks:**

- Children not in education are at an increased risk of negative outcomes
- More likely to become NEET
- Increased vulnerability to external influences including radicalisation
- At risk of neglect, abuse, forced marriage, and engaging in criminality

2.5 **The Out of School Register**

In order to fulfil its statutory duty the EST established the 'Out of School Register' where all known pupils missing from education are placed in one of four referral categories until they have access to an appropriate education provision. These categories are then RAG (red, amber, green) rated against risk. This doesn't capture any possible 'unknown' children in the district, this number maybe considerable, therefore the Out of School Register will not represent the whole picture for Bradford.

2.6 Referral Categories:

Missing Children - The EST has established information sharing and gathering arrangements with Children's Social Care, Health Services, Police, Housing, HMRC and Welfare Benefits – these agencies are contacted by the team to try and establish the child and family's whereabouts. Since 2011 we have also had access the Council's Benefits system. This has been extremely useful in tracking and tracing families.

If we have information that the family have moved to another Local Authority, the 'named person' for Children Missing Education in that authority is contacted.

Not on Roll – pupils who have been identified as living in Bradford but not on the roll of a school. These pupils are identified through a variety of sources including Health Services, Police, Children's Social Care and Education Services;

Removed from Roll – Pupils having failed to return following a period of Leave of Absence or Extended Leave of Absence. The Pupil Registration Regulations allow a school to remove a child from the school roll if they fail to return to school within 10 schools days of the agreed return date or after 20 days of unauthorised absence and there is no good reason for the non-return.

Other Local Authority referrals – there is an established network of Named Persons responsible for Children Missing from Education within every LA. The EST via this network regularly receive referrals from other LA's informing them of pupils who have or may have moved into the Bradford area.

2.7 Procedures

Missing Children – There is an expectation that prior to referral, schools will make *reasonable enquiries* to try to establish the child and family's whereabouts, visiting the last known address, trying all known telephone numbers, contacting family members within school etc. On receipt of the referral the EST immediately contacts the Police, Health Services, Housing and Welfare Benefits in an attempt to gather information to establish the child's whereabouts. The Children's Social Care and Council benefits data systems are checked for information. If after 6 weeks we have still not been able to trace the family, these agencies are contacted again to see if any new information regarding the family's whereabouts has come to light. If there is information that a child and family have moved to another Local Authority, the named person for Children Missing Education in that authority is informed. We request that the receiving authority then carries out a 'safe and well' visit, and confirms with us that the family is in their area and request they take responsibility for the child and assist them to access an appropriate education provision. If at the time the child and family go missing, Children's Social Care are contacted immediately and in person. Any child we are unsuccessful in finding is posted on the S2S 'Lost Pupil Database', all schools and local authorities have access to this.

Not on Roll - Once identified, contact is made with the family and support and guidance is provided to assist the family find places at the most appropriate education provision.

Removed from Roll - The EST keep regular contact with the family or extended family to establish when the child is returning to Bradford. On their return support is given to find an

appropriate school place

Other Local Authority Referrals – We are regularly contacted by other local authorities with information that a child may have moved into our area but the referring authority have no forwarding address in Bradford. In these cases our pupil database is checked to establish if they have been admitted to a Bradford school. If not they are then placed on the Out of School Register for 3 months and regular checks are carried out to establish if the child has been admitted to a Bradford School.

Referrals from other local authorities where a Bradford address is provided are treated as 'Not on Roll' cases.

If at any time there is evidence to suggest that a child is at risk of significant harm, Children's Social Care are informed.

Information and guidance for schools is provide via Bradford Schools Online and the document 'Children Missing Education – Guidance for Schools'

2.8 The EST has initiated a change in how CME data is now reported to provide measurable impact which is outlined in the tables below. The focus is on reducing the number of days children are missing from education. The target of the service, working in close partnership with schools, social care, health, police and parents is to reduce this to less than 42 days. The change in reporting showed an immediate improvement on being able to reduce the amount of time that a child is not in receipt of a suitable education. In January to March 2018, **25%** of cases were resolved within 42 days, whereas between April to August 2018, this figure had increased to **41%** of cases that were resolved within 42 days.

The model implemented is the time (in days) taken from being notified of a CME case to the date that the child is known to:

- be on the register of a Bradford school
- be in another LA that is now taking responsibility for the case
- have left the country

The number and percentages are presented for each of the following bands of time:

- Less than 42 days (on the basis of statutory requirements for action within six weeks)
- Between 42 and 84 days
- Between 85 and 180 days
- Over 180 days - all cases that reach this stage will be discussed at Exceptional Case Meeting

Jan 18 – Mar 18 317 CME Cases opened	% of cases
Remained Open	1
Over 180	16
85-180	34
42 – 84	24

Under 42	25
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April 18 – August 18 617 CME Cases opened	% of cases
Remained Open	0
Over 180	1
85-180	28
42 – 84	30
Under 42	41

2.9 Multi Agency Education Safeguarding Team

The on-going focus of the Multi Agency Education Safeguarding Team (MEST) is to accurately identify the numbers and details of children and young people who are Missing from Education, those young people who are educated at home (EHE), and to identify the possibility of unregistered schools that are operating and coordinate the partnership response.

Prompt action and early intervention continue to be crucial to discharging the statutory duties that are placed on Local Authorities with regards to CME. The MEST aims to accurately identify the true figure and identities of the children who are missing. A process map for CME has now been created. There can be over 200 referrals received each month. Work of the MEST has been focused on RAG rating individual cases that are received, and draws together Attendance Officers, Safeguarding Officers with a responsibility for Elective Home Education, Access Officers working with new communities (all Education Safeguarding), Bradford Children’s Safeguarding Board, Public Health, and West Yorkshire Police and Children’s Social Care. Information is now shared between partners to enable proportionate, timely, effective and robust interventions that are undertaken in the interests of children.

2.10 Elective Home Education (EHE)

The number of EHE pupils has risen over the last three academic years. At January census point 2015/2016 – 2016/17 there was a **35%** increase in EHE pupils and a **21%** rise from 2016/17 – 2017/18. Overall from January 2016 – January 2018 EHE registered pupils had risen by **63%**. The rise is more prevalent in secondary aged pupils largely due to high numbers of pupils becoming EHE from KS4 secondary education believing this was a route into college education. Primary pupils have increased by **16%** and secondary has seen a **94%** rise. During 2017-18, there was a rise of 3% on the previous year. So although this is still a rise, it wasn’t as significant as in previous years, Education Safeguarding were able to evidence some disruption to the upward trajectory of registered cases in the district.

2.11 Actions taken by EST:

- This increasing trend has led to an increase in resourcing from the Education Safeguarding Team.
- The EHE team has challenged increases in EHE through formal meetings with the Principals and Head teachers of the schools concerned. This has resulted in reduced numbers of pupils becoming EHE from these schools.

- A School Attendance Order (SAO) is initiated where informal enquiries have determined there is insufficient or unsuitable education taking place. In 2015/16 no SAO was issued, in 2016/15 1 SAO was initiated. Since September 2017, 42 SAOs have been pursued

Like with CME, EHE cases are risk assessed based on a rating of red, amber and green (RAG). See below for a data overview of EHE cases in October 2018:

Red	147
Amber	124
Green	131
White	85
Total	487

The data is further analysed to indicate the number of individuals who are also on current Child Protection Plans (CP), Child in Need Plans (CIN), in receipt of Early Help, known to the Youth Offending Team (YOT), have an Education Health and Care Plan (EHCP) or receive Special Education Needs Support (SEN):

CP Plan:	0
CIN Plan:	2
Early Help:	18
YOT:	7
EHCP:	15
SEN Support	78

The data above informs the risk assessments we carry out and expected level of engagement with families in relation to whether they are providing a suitable education.

2.12 Unregistered Schools

In order to actively seek out possible unregistered schools, the EST will regularly remind stakeholders of the agreed reporting protocols through a range of means including newsletters. Concerns / intelligence are reported directly to the MEST.

Actions taken:

- The EST regularly interrogates the monthly Companies House database on searching for Nature of Business (SIC) codes production of any LA Unregistered Schools.
- Since September 2016 improved community links have been established by the School and Community Development Officer namely with faith organisations and community groups. This relationship is giving members of the community and other partners the opportunity to share concerns and intelligence hence enabling the LA to investigate, as appropriate. One investigation based on this intelligence has been undertaken and it was found to be a supplementary school. There are clear guidelines in place for investigation when intelligence is received. This is leading to more transparency and sharing of intelligence between agencies for effective safeguarding.

3. OTHER CONSIDERATIONS

The EST has recently joined a pilot by the DfE involving work with Out of School Settings. Part of this remit will involve mapping the provision that is provided by settings such as Tuition Centres and ensuring they are operating within the legislative guidelines, and are not in breach of guidelines that would relate to unregistered schooling.

4. FINANCIAL & RESOURCE APPRAISAL

None at this time.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No issues at this time.

6. LEGAL APPRAISAL

No issues at this time.

7. OTHER IMPLICATIONS

No issues at this time.

7.1 EQUALITY & DIVERSITY

Not applicable

7.2 SUSTAINABILITY IMPLICATIONS

Not applicable

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

Not applicable

7.4 COMMUNITY SAFETY IMPLICATIONS

Not applicable

7.5 HUMAN RIGHTS ACT

Not applicable

7.6 TRADE UNION

Not applicable.

7.7 WARD IMPLICATIONS

Not applicable

**7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS
(for reports to Area Committees only)**

Not applicable

7.9 IMPLICATIONS FOR CORPORATE PARENTING

Not applicable

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

Not applicable

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

Not applicable

10. RECOMMENDATIONS

That Overview and Scrutiny Committee receive and note this report on matters relating to Children Missing Education, Elective Home Education and Unregistered Schooling.

11. APPENDICES

None

12. BACKGROUND DOCUMENTS

None