



Northumberland

County Council

FAMILY AND CHILDREN'S OVERVIEW AND SCRUTINY COMMITTEE

2ND FEBRUARY 2023

Children Not in School

Report of Councillor Guy Renner Thompson

Interim Joint Directors of Children's Services, Graham Reiter and Andrey Kingham

Purpose of report

To provide information about the children in Northumberland who are not in school full time, the multi-agency support that is in place for families, and national developments that will affect school attendance, children missing education and children who are electively home educated in the future.

Recommendations

The Committee is recommended:

1. to note this update on safeguarding arrangements for children who are not in school;
2. to note the continued impact of Covid 19 on the number of children not in school and the potential implications of this on education outcomes;
3. to consider the implications of changes to legislation relating to children not in school.
4. To provide scrutiny and challenge as appropriate to ensure the plans detailed can meet the identified needs arising from the areas above.

Link to Corporate Plan

This report is relevant to the corporate objectives, and specifically the "Living, Learning" and "Thriving" priorities of the Corporate Plan 2021-24. This work will sit under and contribute to addressing the overarching inequalities priority.

Key Issues

1. School attendance In Northumberland is improving gradually but has not yet returned to pre-pandemic levels. The national position in England is similar.
2. Economic deprivation is currently one of the main barriers to education in Northumberland. Parents are responsible for ensuring that their children receive a

suitable education. However, more parents are telling us that the cost of living crisis is making it difficult to send their children to school.

3. Safeguarding arrangements for children who are at risk of missing out on full time education are having improved impact now that health partners participate in the monthly Children Missing Education (CME) tracking panel.
4. The DfE has introduced a requirement for local authorities to submit a termly statutory Children Not in School (CNiS) return with information about children who are not in school for 25 hours per week ie on part time timetables, flexi-schooled, attending alternative provision, permanently excluded and electively home educated.
5. The number of children leaving school rolls to be electively home educated has stabilised. The government's plans to introduce more support for parents who electively home educate their children, set out in the Schools' Bill 2022, are being reviewed. Therefore plans to introduce a local authority register of home educated children are now on hold.

Background

Timeframe for the data used is September to December 2022.

1.0 Statistics show that persistent absentees (those with school attendance of 90% or below) are less likely to achieve their full academic potential, therefore affecting GCSE grades and their future prospects in education, training and employment. Children who are not in school during the hours of a normal school day are potentially at risk of exploitation, radicalisation, and being victims of harm. As professionals we need to act on our curiosity and routinely ask ourselves *if children are not in school then where are they and are they safe?*

1.1 In Northumberland our performance for overall absence and persistent absence has not yet returned to pre-pandemic levels. Although in 2021-22 there was no further disruption caused by school closures or forced virtual learning, the challenge of returning children safely to school continues. The latest DfE statistical release for the Autumn and Spring terms of the last academic year confirms that this was a challenging year for school attendance throughout England. In comparison to our regional neighbours, Northumberland 7th and 8th out of 12 local authorities for overall absence and persistent absence and this indicates the level work there is still to do.

1.2 An improvement plan is in place and the Education Welfare team has maintained strong integrated working with partners, specifically Early Help, to improve this picture. Strategies are gradually having a positive impact, helped by the introduction of new DfE guidance [Working Together to Improve School Attendance](#) (May 2022) which is a multi-agency document that promotes attendance as everyone's business. As part of this new central government approach, we have been allocated a DfE Attendance Adviser who will support us with the development of a new attendance strategy for Northumberland.

1.3 The implementation of new requirements will have a positive impact on attendance improvement. Significantly, from September 2023 all schools, including academies, will have to complete electronic registers which will give us access to live attendance information at pupil and school level. Identifying issues and intervening early will then be possible, and we can target help and support to the families and schools that need it the most. Schools are encouraged to take a 'support first' approach before considering legal action against parents, and we will be re-introducing parent contracts to positively influence parental behaviour regarding school attendance.

1.4 School attendance for children with a social worker has a high profile and is recognised as a main barrier to their education. This supports our commitment to promote the education of children with a social worker, which is a local authority duty introduced in 2021 and fulfilled by Virtual School Headteachers. As part of this work a particular success story is the impact of Education Welfare Support Officers (EWSO), new roles created during the pandemic. The three EWSOs are working intensively with 18 children and their families to support them back into school, including 4 on child protection plans, 3 Children in Need and 2 returning from elective home education. We have transferred the education welfare officer for looked after children into the Education Welfare team to further build capacity and ensure that our looked after children benefit as much as possible from the protection of school.

2.0 Multi-agency arrangements are in place in Northumberland to safeguard children who are not in school during the hours of a normal school day. We regard these children as at risk of missing out on full time education, and potentially at risk from a safeguarding perspective. The Schools' Safeguarding team co-ordinates a safeguarding standards audit that schools are required to complete so that we know that when children attend school they are in environments where they are safe to learn. We regularly provide this re-assurance to Northumberland's safeguarding partnership (NCASP) to contribute to their current priority to monitor the ongoing impact of Covid-19 on the safeguarding of children in Northumberland.

2.1 The number of children being tracked through our children at risk of missing education (CME) process increased sharply in September and we are currently tracking 478 children. Alternative Provision, and non-attendance, and part time timetables are the most common reasons for children not being in school full time at the moment. Themed monthly tracking panel meetings have been introduced to target children with particular issues, for example, children with a social worker and children on part time timetables. The objective is to ensure that planning for children being tracked is robust and that children are returned to full time education at school. Since September 64 pupils have been discussed at the monthly multi-agency tracking panel and 30 are no longer CME. The effectiveness of the panel has improved as Primary Mental Health and CYPS (Children and Young People's Service) professionals now participate in the meetings.

3.0 According to the Children's Commissioner, compared with our European neighbours, England has the highest proportion of pupils in home education and the lowest amount of regulation. Before the pandemic there was a noticeable rise nationally in the number of children being electively home educated (EHE). Since the start of the pandemic there has been a 34% increase, with parents citing a variety of reasons for choosing to take their children out of school. Northumberland has followed a similar trend, although the number of children known to be electively home educated is high but relatively stable. This has generated interest, debate and on occasion concern, and is a priority for the Children's Commissioner ([Out of Sight and Out of Mind: shining a spotlight on home education in England](#), November 2022).

3.1 There is no evidence to suggest that safeguarding concerns are higher in the home education community than for children who attend school. However, within the current legal framework for EHE, children who are home educated can have little or no contact with professionals and therefore for a small number we can lack re-assurance that they are receiving a suitable education in a safe environment. Concerns have grown about a growing population of parents opting for home education because they feel that they have no other option or are being coerced into taking their child off the school roll.

3.2 The number of children being electively home educated in Northumberland has reduced to 381 compared to 423 this time last year. Compared to our regional neighbours Northumberland's rate per 10 000 pupils is the 5th highest out of 12 (according to data gathered by the Association of Directors of Children's Services). Since September, 49 children have already returned to school places. We are monitoring closely 21 pupils that have had 1 or more episode of EHE in the last 3 years.

3.3 In December it was announced that the Schools' Bill would not pass through parliament in the next 12 months, so the plan to introduce new duties for local authorities and parents with regard to EHE will not go ahead. The introduction of a Children Not in School register is on hold. However the DfE has already implemented a statutory termly return to monitor children that are at risk of missing education and EHE. Northumberland submitted the first return as requested in October. This added layer of monitoring will contribute to the safeguarding of children not in school.

3.4 We identify and challenge schools where EHE seems to be popular with parents to monitor the reasons why and to ensure that the school is working hard to meet needs. We also take action with EHE families who do not provide the required annual evidence that suitable education is being provided. 5 School Attendance Orders are in progress that will return children to school places unless evidence is received. We are therefore using the full capacity of current legislation to safeguard children who are EHE.

3.5 In September 2022 one of our Education Welfare Officers received an award for excellence when working with and supporting families who have elected to home educate. It was awarded by a national EHE charity as a quality mark to reflect the collective experiences of home educating families with respect to the quality of the support they have experienced. The same officer has now been invited to participate in a short piece of research which examines positive relationships between home educating families and local authority staff dealing with families. The report will be provided to Baroness Barran (the minister responsible for home education) and senior DfE staff. The purpose of the report is to highlight the positive working relationships that exist between EHE families and local authority staff, to provide the DfE with high quality, collaborative feedback on good practice and how that translates into good relationships and improved engagement. Hopefully we can influence future developments to support children who are EHE.

Implications

<p>Policy</p>	<p>New DfE attendance guidance will mean implementing new requirements and developing resources. Intervening earlier will significantly increase already high caseloads for Education Welfare Officers.</p> <p>The Schools' Bill, if passed, will introduce duties for parents and local authorities, including the maintenance of a Children Not In School register.</p>
<p>Finance and value for money</p>	<p>Current arrangements are delivered within existing budgets. However the requirements of the new attendance guidance, the significant increase in children who EHE and the introduction of a register will have resource implications for the Education Welfare service. A request for budget growth was submitted July 2022.</p>
<p>Legal</p>	<p>Ensuring that the local authority fulfils the requirements of new attendance guidance, including a review of the Code of Conduct.</p> <p>Ensuring that parents and the local authority fulfil their new duties under the Schools' Bill 2022.</p> <p>There is great confusion around what constitutes a 'suitable' education. There is no legal definition for this term. The Department for Education's guidance for parents on home education refers to Section 7 of the 1996 Education Act which says:</p> <p><i>The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable – (a) to his age, ability and aptitude, and (b) to any special educational needs he may have, either by regular attendance at school or otherwise.</i>⁷⁰</p> <p>In other words, the education should be age appropriate and reflect the child's ability and aptitudes.</p>
<p>Procurement</p>	<p>None</p>
<p>Human Resources</p>	<p>Potential growth for the Education Welfare service. Pressure is considerable, for example 645 referrals into Education Welfare have been received since September compared to 142 this time last year.</p>
<p>Property</p>	<p>None</p>

Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Parents are telling us that the cost of living crisis is preventing them from sending their children to school. There is a personal cost to parents that EHE in providing a suitable and good quality education to their children eg they have to pay GCSE exam fees and buy teaching resources.
Risk Assessment	Risk assessment of arrangements and for individual children is endemic in the multi-agency EHE strategy EHE is included in the corporate risk register
Crime & Disorder	None
Customer Consideration	Regular feedback is requested from families working with the Education Welfare Service Measures are in place to capture the views of EHE children and parents are all allocated a named Education Welfare Officer
Carbon reduction	None
Health and Wellbeing	Very high caseloads for Education Welfare Officers and the emotionally charged nature of the work are impacting on staff health and wellbeing.
Wards	None

Background Papers

Elective Home Education guidance for local authorities, DfE April 2019

Children not in school, Schools' Bill Factsheet, DfE May 2022

Promoting the education of children with a social worker, DfE June 2021

Out of Sight and Out of Mind: shining a spotlight on home education in England, Children's Commissioner November 2022

Report Sign Off

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