

Meeting:	Children and Young People's Select Committee
Date:	Monday 10 October 2022 (commencing at 2:00pm)

**Membership:****County Councillors**

Sam Smith (Chairman)  
Michelle Welsh (Vice Chairman)

Calum Bailey ( <b>apologies</b> )	Roger Jackson
Anne Callaghan BEM	Johno Lee
Robert Corden	Dave Shaw
Debbie Darby	Nigel Turner
Errol Henry JP ( <b>apologies</b> )	

**Substitute Members**

Richard Butler for Calum Bailey  
Mike Pringle for Errol Henry JP

**Other County Councillors in attendance:**

Tracey Taylor - Cabinet Member for Children and Young People

**Officers and colleagues in attendance:**

Amanda Collison - Service Director for Help, Care and Protection  
Martin Elliott - Senior Scrutiny Officer  
Ahmed Esat - Group Manager for Service Improvement  
Karen Hughman - Group Manager for Education Access, Standards and Safeguarding  
Adrian Mann - Democratic Services Officer  
Peter McConnochie - Service Director for Education Learning and Inclusion  
Lucy Peel - Service Director for Transformation and Improvement  
Colin Pettigrew - Corporate Director for Children and Families Services

## **1. Minutes of the Last Meeting**

The minutes of the last meeting held on 27 June 2022, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

## **2. Apologies for Absence**

Councillor Calum Bailey - Other County Council business  
Councillor Errol Henry JP - Other reasons

## **3. Declarations of Interests by Members and Officers**

No declarations of interests were made.

## **4. Ofsted Focused Visit – Outcome and Response**

Councillor Tracey Taylor (Cabinet Member for Children and Young People), Colin Pettigrew (Corporate Director for Children and Families Services), Amanda Collison (Service Director for Help, Care and Protection) and Ahmed Esat (Group Manager for Service Improvement) attended the meeting and presented a report on the outcomes of the recent Ofsted focused visit and the resulting improvement planning:

- The report stated that the Service achieved a ‘good’ rating in the last full Ofsted inspection and that it was anticipated that the next inspection would take place from late 2023 to early 2024. The Ofsted recent focused visit, which did not constitute a full inspection, took place during April 2022 and reviewed the arrangements for children in need or subject to a child protection plan.
- The report set out that the results of the visit were published in June in the form of a narrative letter. Eight key headline strengths were identified, with two particular areas noted where improvements had been achieved since the last full inspection. Three headline areas for improvement were noted:
  - a) Consistent provision and recording of purposeful direct work with children.
  - b) The quantity and quality of case file audits and their impact in identifying improvements for individual children and learning for the organisation.
  - c) The impact of supervision and management oversight in driving progress for all children.
- The report noted that Improvement planning was part of the Service’s Learning and Improvement Framework, to inform quality assurance activities and both strategic and operational priorities. The Ofsted findings were a significant driver for improvement plans and so were incorporated into actions being undertaken by the Service, which were reflected in Appendix B to the report.
- The report explained that the impact of improvement actions was measured through quality assurance activities, including the review of business intelligence and performance management data. Divisional Leadership Teams and the Service’s monthly Learning and Improvement Board evaluated the evidence of progress and impact on an ongoing basis, and this was incorporated into the annual self-evaluation undertaken as part of the Ofsted inspection cycle.

The Committee raised the following points in discussion:

- The Committee noted that the report highlighted some areas of concern where improvement was required and queried why these had not been fully achieved through the adoption of the improvement plan following the 2019 inspection – particularly in the context of evidencing direct work and providing consistent support for children with special educational needs and disabilities (SEND).
- The Committee asked for details of the current retention rates for in-house social workers in the Service, how many agency staff were being used, and whether there were any current special budgetary issues as a result. Members sought assurance that similar levels of consistency and outcomes were being delivered by both in-house and agency staff, and whether the appropriate standards were being met.
- The Committee sought assurance that, following the Coronavirus pandemic, social workers could now access an office easily to deposit sensitive and personal information securely and in a timely way.

In relation to the points raised by the Committee, the Cabinet Member and Officers provided the following responses:

- The focused visit had taken place over two days only, so it had provided an overview of the Service, rather than reviewing provision in significant detail. During the Coronavirus pandemic, social workers were not always able to access their offices easily to ensure that records were updated, but this was now no longer the case.
- It was acknowledged that SEND represented an area of great challenge, but that there was a clear focus on achieving consistency of practice across the Service.
- The Ofsted report did not address social worker staffing and retention levels, specifically. It was noted that there is a good balance between in-house and agency staff currently, with a strong core of Council social workers. However, the employment market is challenging both in terms of recruitment and retention, and more agency staff may be required in the future.
- It was explained that the nature of the market has meant that most in-house social worker recruits start as newly qualified, as it was difficult for the Council to compete with the private sector offer for the experienced social workers, who were in very high demand. There have been significant budget pressures across the care sector nationally and staffing costs were having a particular impact, especially when more external agency support was required.
- Assurance was given that there are no differences in expectation for the effective delivery of services between in-house and agency social workers, and robust systems and methodologies have been in place to ensure that there is consistency in delivery.

- A new direct working toolkit was launched to ensure that the very strong direct work carried out by social workers with children and young people at home was evidenced fully in their files in a timely and secure way.

The Chairman thanked the Cabinet Member and Officers for attending the meeting and answering Members' questions.

**RESOLVED (2022/002):**

- 1) That the report be noted.
- 2) That the Chairman and the Vice-Chairman receive a progress report in six months' time on the areas of practice in the Ofsted Focused Visit Outcome Letter identified as requiring improvement.
- 3) That further information on the use and number of agency staff, along with information on how agency staff are supervised within the Children and Young People's Services department, be circulated to the members of the Committee.

**5. Elective Home Education**

Councillor Tracey Taylor (Cabinet Member for Children and Young People), Colin Pettigrew (Corporate Director for Children and Families Services) and Peter McConnochie (Service Director for Education Learning and Inclusion) attended the meeting and presented a report on the current position relating to Elective Home Education (EHE) in Nottinghamshire:

- The report explained that parents had the legal right to withdraw a child from school. The school had a duty to notify the Council and remove the child's name from the school register, and the Council would then record the child as being in EHE. The parents then became elective home educators and were completely responsible for the costs, provision, management and delivery of the education of that child. There are no specific curricular requirements incumbent on elective home educators, and they could choose whether or not to engage with support offered by the Council.
- The report set out that, in Nottinghamshire, 1,370 children were recorded as being in EHE on 24 June 2022, representing an increase of 164 since 25 June 2021. Of these 1,370, 929 were receiving direct support from the Council's EHE team, while the parents/carers of 439 children declined Council involvement.
- The report noted that there are an unknown number of children who have always been in EHE and were enrolled at a school, and these children were not recorded as being in receipt of a home education unless they were brought to the attention of the Council by parents or via another means. Every effort was being made to identify these children by working in collaboration with other agencies and through the scrutiny of data at first admission to school, so the actual number was projected to be nevertheless low.

- The report established that the Schools Bill was introduced to Parliament in May 2022 and proposed measures to support the existing duties of Local Authorities to identify those children not in school and ensure they were receiving an efficient and suitable education. The first voluntary Children Not In School collection would take place in October 2022 and the Council was prepared to respond to this.

The Committee raised the following points in discussion:

- The Committee queried whether the reasons for the particularly high EHE figures in areas such as Newark were fully understood, and what resources were in place to support these children and their families.
- The Committee asked whether children in receipt of EHE had similar educational outcomes to those in mainstream education, whether they had access to equivalent educational and social structures, and how they accessed formal examinations.
- The Committee noted that the number of children in receipt of EHE were increasing, with some of the rise being a consequence of the Coronavirus pandemic, and asked what was being done to engage with the parents and carers of the 439 children who had declined support from the Council. Members sought assurances on the effectiveness of the web-based learning provision for children in EHE and asked how progress was being monitored.
- The Committee noted that a new Schools Bill was being introduced and asked how the new measures to support Local Authorities in identifying children not in school would be used to ensure that those children were receiving an efficient and suitable education, including through the creation of a compulsory register for children in receipt of EHE.
- The Committee observed that the trends for exclusion and EHE numbers for years 9-11 were very similar. Members asked to what degree a child being moved from mainstream schooling to EHE was the product of either leaving school due to being excluded (or being the victim of persistent bullying) and then being unable to find a new school place in-year, a breakdown in the relationship between parents and their child's school, or problems between an older child and their parents (where the child refuses to attend school). Members queried whether any individual schools had particularly high numbers of children leaving to enter EHE, what the backgrounds of these children were, and how many entered EHE following exclusion.
- The Committee noted that the parents of EHE children were not required to have any ongoing contact with the Council in relation to their child's education unless there was a 'cause for concern'. Members queried whose responsibility it was to report a 'cause for concern' (particularly if the relationship between the child, parents and school had broken down), how the report would be responded to, and who was responsible for the safeguarding of children in EHE.

In relation to the points raised by the Committee, the Cabinet Member and Officers provided the following responses:

- EHE numbers were greater in Newark firstly because it represents a larger geographical area and, secondly, because it has a relatively higher proportion of residents from Roma, Gypsy and Traveller backgrounds. A specialist adviser was put in place within the Council team to assist with carrying out effective engagement with and providing support to these communities.
- It was noted that children in EHE had access to exam centres, but that the primary challenge was in ensuring that they received the right form and coverage of education as provided in mainstream schools so that they could sit the exams (which were based on a fixed curriculum) effectively. It has been the case that some parents did not have the right skills to educate their children at home and did not have access to the same equipment and resources that were available in schools, and that EHE children might not have the same opportunity for engagement with wider social structures.
- It was explained that although there was a level of concern for any child not in school, EHE was an appropriate form of education in certain circumstances, and some EHE children had received a strong education and achieved good results. It was noted that it was not the case that all children in EHE required other services, including Social Care support.
- It was acknowledged that EHE levels had increased during the Coronavirus pandemic, though the numbers in Nottinghamshire were lower than the national average. The online 'NottAlone' resource had been produced and rolled out quickly and had performed very well – and represented a good focus for future development. A series of web-based educational resources were also available to parents. The Service followed up with parents if they declined support from the Council, particularly if there were other known service needs or issues within the family. However, the rates of engagement with EHE families were relatively high.
- To date, there had been no provision within legislation that obliged EHE parents to engage with the Council on the education of their children – though support was offered to all of these families. The Service was aware of the children who had entered EHE following a period of time in mainstream schooling, but was not necessarily aware of children who had never attended school and had always been educated at home. The Council had written to central Government to set out what it considered to be required to ensure that monitoring of all EHE children could be as robust as possible, and had engaged actively on what was needed from the new legislation.
- The Council had an EHE register in place already and so was in a strong position to respond to and implement the requirements of the new legislation effectively, which would ensure that all children had access to the best educational start that they could and that no-one fell outside of the existing structures. Although the establishment of a compulsory register in legislation for children in EHE was welcome, its effective implementation would result in an additional cost to the Council (such as for carrying out increased monitoring or using enforcement

powers), so full funding of this would be needed from Government to avoid the increase of financial pressure within the Service.

- The Council was aware of the schools that had higher rates of children entering EHE. There were peaks in numbers during Key Stages 3 and 4, so this was an area of concern and consideration was required as to why parents were taking their children into EHE at such a late stage in their school education. However, close engagement was in place with the affected schools, parents and children.
- It was noted that it was possible that some parents took their children into EHE as a result of an older child refusing to attend school, though the Council had processes in place to support both the parents and the school with attendance issues in these circumstances. All schools should have effective measures in place to respond to and address bullying. Support was provided to enable EHE children to re-enter mainstream education wherever possible and the upcoming new legislation should help to facilitate in-year admissions for children returning to school from EHE.
- Parents must inform the school if they intended to take their child into EHE, and the school would then inform the Council. In doing so, the school would raise any concerns or potential safeguarding issues, which would then be referred to the appropriate services, as required. A level of scrutiny was put in place to challenge parents seeing to take a child into EHE where this decision appeared to be inappropriate.

The Chairman thanked the Cabinet Member and Officers for attending the meeting and answering Members' questions.

**RESOLVED (2022/003):**

- 1) That the report be noted.
- 2) That a progress report on the current position on Elective Home Education in Nottinghamshire be presented at the September 2023 meeting of the Committee.
- 3) That further data from the Elective Home Education Dashboard that provides information on the current cohort of electively home-educated children be circulated to the members of the Committee.
- 4) That information on the number of electively home-educated children in Years 9, 10 and 11 who have previously been excluded from school be circulated to the members of the Committee.
- 5) That information on the uptake and outcomes of the Wellbeing for Education Return Project and the NottAlone website be circulated to the members of the Committee.
- 6) That members of the Committee be involved in the review of the Council's Elective Home Education Policy that is scheduled to take place during 2023.

## **6. Financial Support for the Cost of School Uniforms**

Councillor Tracey Taylor (Cabinet Member for Children and Young People), Colin Pettigrew (Corporate Director for Children and Families Services), Peter McConnochie (Service Director for Education Learning and Inclusion) and Karen Hughman (Group Manager for Education Access, Standards and Safeguarding) attended the meeting and presented a report on the current school clothing allowances:

- The report set out that the Department for Education strongly encouraged schools to have a uniform, to play a key role in promoting a school ethos and providing a sense of belonging and identity, as well as setting an appropriate tone for education. Every education setting was free to choose the school uniform requirements for its organisation and could decide to not have a uniform, either for the whole setting or for selected year groups.
- The report noted, however, that the affordability of school uniforms for families on low income was a key concern. Most schools and academies in Nottinghamshire had additional systems of support for school uniforms for families who were facing exceptional difficulty and/or when there was a major change to the uniform of the school. The Council had also established a discretionary school clothing allowance, with an annual budget of £500, to meet requests for assistance from families in exceptional circumstances such as where school clothes have been lost due to fire, flood, theft, homelessness or fleeing domestic violence.

The Committee raised the following points in discussion:

- The Committee sought assurance that the level of annual budget for the allowance was sufficient to meet the anticipated demand. Members asked by what process applications were considered for approval, whether the budget could be increased in-year if demand required it, and how people who made unsuccessful applications could otherwise be supported with uniform costs.
- The Committee sought assurance that the allowance properly supported children in receipt of free school meals, and that it was comparable to those provided by other Local Authorities in the region.
- The Committee asked what steps the Council could take to help to ensure that all schools had uniform policies in place that were affordable to all families.
- The Committee noted that the remit of the current allowance was limited to a narrow range of emergency situations, but hoped that broader support for school uniform costs might be implemented in the future.
- The Committee sought assurance that the information about the allowance could be found easily by families – particularly when those families were in the type of emergency situation that would make them eligible for support.

In relation to the points raised by the Committee, the Cabinet Member and Officers provided the following responses:

- It was explained that the allowance was available to support all families resident in the County to replace school uniforms lost following specific emergency situations that had placed them in financial hardship, and compared favourably to the schemes available from other Local Authorities in the region. As such, it was not anticipated that the level of eligible demand for the allowance would increase significantly, and the current level of demand was being met from within the currently allocated budget.
- It was noted that applications for the allowance were processed by the School Admissions team, and that each application was assessed for approval against the written policy. Grants from the allowance were given on the basis of need, with a weighting towards children in secondary school.
- Central Government has issued guidance on uniform requirements and costs, which the Council supported and circulated to all schools. The Council had also written to schools where the concerns had been raised about the uniform requirements and costs, and provided advice to families on where and how they could challenge the school's policy. It was noted, however, that schools had the discretion to set their own policy on uniforms, and the Council did not have any direct powers of intervention.
- The allowance policy was agreed by the Council on an annual basis and would be reviewed next in 2023. It did not represent a general support scheme for meeting school uniform costs, which schools could seek to address through the Pupil Premium. It was noted that as schools set their own uniform policy, the Council was not in a position to introduce a more general support scheme for meeting uniform costs, as this could result in the Council indirectly subsidising schools' uniform pricing policies.
- It was advised that information on the allowance was available from School Admissions and via the MyNotts app. The allowance was intended as an important safety net, so any specific barriers to accessing the information should be referred to the appropriate officers for review. Consideration would be given to how information about the allowance could be passed on to eligible families through other services that would have contact with them in an emergency, such as the Fire and Rescue Service.

The Chairman thanked the Cabinet Member and Officers for attending the meeting and answering Members' questions.

**RESOLVED (2022/004):**

- 1) That the report be noted.
- 2) That the Cabinet Member for Children and Young People, in consultation with officers, gives consideration to how awareness of the Council's scheme for providing financial support for school uniform could be raised with elected members and relevant partner agencies.

- 3) That members of the Committee be involved in the review of the Council's policy on financial support for the provision of school uniform that is scheduled to take place before the start of the 2023/24 financial year.

## **7. Work Programme**

The Senior Scrutiny Officer presented the Committee's current work programme.

### **RESOLVED (2022/005):**

- 1) That the work programme be noted.
- 2) That Committee members make any further suggestions of items for inclusion on the work programme to the Chairman and Vice-Chairman (subject to consultation with the relevant Cabinet Member(s) and senior officers, and the required approval by the Chairman of the Overview Committee).

There being no further business, the Chairman closed the meeting at 2:37pm.

**Chairman:**