

16th December 2019

Agenda Item: 10

REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND SKILLS

CHILDREN MISSING EDUCATION SIX MONTHLY UPDATE

Purpose of the Report

1. The report provides an update to the Committee in relation to Children Missing Education (CME) in Nottinghamshire. The report also provides a six monthly update of the CME Dashboard following Committee approval on 14th January 2019 to report the Dashboard six monthly.

Information

2. This report is presented to Committee within a context that almost all Nottinghamshire children and young people are educated in good and outstanding schools. 98,087 pupils aged 5 –15 years at the start of the 2017 - 2018 academic year were educated in Nottinghamshire's publicly funded schools. July 2019 Ofsted data suggests that 86% of pupils are educated in good and outstanding schools. It should be noted that the CME Dashboard report focusses on the 1,534 children and young people who were supported by a range of Local Authority service areas to ensure they had access to an appropriate full time education. This figure does not include students with a reported Fixed Term Exclusion as these are reported by the number of episodes, not by numbers of students.
3. 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 (5 – 16 years). Local authorities are expected to have robust policies and procedures in place to enable them to meet their duty in relation to these children, including ensuring that there are effective tracking and enquiry systems in place, and a named person to whom schools and other agencies can make referrals about children who are missing education. Nottinghamshire County Council's Children Missing Officer supports in cases where children and young people's whereabouts are unknown; the Fair Access process and Pupil Missing Education Officer focusses on children and young people whose whereabouts are known and who are known to be missing education.
4. The CME process focuses on known children and young people who are not accessing their full educational entitlement as a result of failing to secure a school place, facing

permanent exclusion from school, refusing or being prevented from attending their school place, on a school roll but accessing less than their full educational entitlement, those unable to access full time education due to their mental or physical health needs, those who are in unsuitable elective home education, as well as any child or young person known to other local authority services without a school place or refusing to attend school.

5. The CME Dashboard, attached as **Appendix 1**, reports on the data collated from the 2017-18 academic year regarding children and young people who are known to the Local Authority to be CME or at risk of becoming CME. The data analysis is intended to report on the effectiveness of current systems to identify, track and support CME back to education and to inform future policy and practice. Data sets will need to continue to be collated and analysed over future years to allow year on year comparison in order for more complete conclusions to be drawn.
6. The data shows that the risk of children and young people being or becoming CME increases into secondary education and peaks around Key Stage 4. This correlates with a peak in referrals for both the Fair Access and Health Related Education Teams and the highest spend from the Local Authority on Education Otherwise Than At School (EOTAS). A revised Fair Access Protocol (FAP) was agreed by the Committee in February 2019. This Protocol aims to ensure that children and young people facing challenges in securing a school place are identified and supported into an appropriate publicly funded school or alternative setting. Any children and young people who cannot be placed through the FAP process are provided for via the Council's EOTAS arrangements and funding agreed by the Council through the Vulnerable Children Education Commissioning forum.
7. An area that the Council is required to monitor is in relation to publicly funded schools providing less than full-time education or school-commissioned Alternative Provision to children and young people. The Council currently requires schools to report instances where children and young people are in receipt of less than 25 hours of education during the week or who spend all or part of their week accessing school commissioned Alternative Provision. During the reporting period 2015-2018, there is an increasing number of children and young people year on year who schools are recording as being on a reduced timetable or accessing Alternative Provision. More robust processes have been developed within the Local Authority to support and challenge schools. This includes escalating letters of concern sent by the CME Team, the relevant Group Managers, and ultimately the Service Director for Education, Learning and Skills if no suitable response is received. As a result of the Summer 2018 data collection, on 12 October 2018 the Local Authority sent 59 letters to 32 schools.
8. A particular area of focus is in relation to vulnerable children on Child Protection (CP) Plans, Child in Need (CIN) Plans, with an Education, Health and Care Plan (EHCP) and those who are Looked After Children (LAC). Any child who falls into these categories is closely monitored. In the case of CP and CIN children, a formal letter is sent to the headteacher, chair of governors and copied to the relevant social worker seeking assurances around the provision being commissioned. The Co-ordinator of the Virtual School reviews the provision of every LAC on part time or Alternative Provision with the Group Manager, Integrated Children's Disability Service, reviewing every child with an EHCP identified by schools as accessing part time or Alternative Provision.

9. Following initial collation of data, additional analysis was undertaken in relation to Fixed Term Exclusions for children under 5 years, Year 1 and Year 2 in order to assure the Committee that appropriate actions were being taken in relation to this group of students. Comparison with national data shows that Nottinghamshire schools are excluding fewer children in this age range than the national average. Additional work has been undertaken to ensure that individual children who are issued with a Fixed Term Exclusion in this age bracket are identified and their progress tracked to ensure that appropriate support services are engaged. As the reporting of Fixed Term Exclusion data moves to a new system, as outlined at **paragraph 10**, this area of work will become more current.
10. Nottinghamshire County Council continues to work in partnership with both Primary and Secondary School Behaviour Attendance Partnerships across the County to ensure that pupils, wherever possible, remain in publicly funded schools rather than excluded. The Information and Systems Team is currently finalising a reporting system to enable schools to record data in relation to Fixed Term Exclusions and Reduced Timetables directly onto Capita One Education. This will be rolled out to schools in September 2019 and when this development is complete the data set available to Members will be more comprehensive and up to date.
11. Future CME Dashboards will take a standardised format to allow for comparison of yearly data.
12. Following approval by Children and Young People's Committee in September 2019 to consult on a revised CME strategy, a public consultation is now in progress and the proposed strategy will be presented to Committee in January.

Other Options Considered

13. The County Council remains statutorily responsible for ensuring that all children and young people in Nottinghamshire of statutory school age access full-time education. Pending public consultation and agreement of an updated strategy the CME Strategy initially endorsed by the Children and Young People's Committee on 23 April 2014 and approved by Policy Committee on 7 May 2014 continues to be implemented to ensure that every school aged child is placed on a school roll, with the exception of those who are electively home educated. No other options have been considered.

Reason/s for Recommendation/s

14. Members will wish to be assured that the Council's statutory duty to provide full-time education for all children and young people of statutory school age is being fulfilled.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

16. It should be noted that although there are no financial implications arising directly from the CME Dashboard, the increasing numbers of pupils whose education is mediated by Local Authority teams to prevent them from becoming or continuing to be CME is contributing to the financial strain within the High Needs Block of the Dedicated Schools Grant.

RECOMMENDATION/S

That Committee:

- 1) agrees to receive an update on Children Missing Education in six months and that this be included in the work programme.
- 2) considers whether there are any actions it requires in relation to the issues contained within the report.

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Constitutional Comments (AK 21/11/19)

17. The recommendation falls within the remit of the Children and Young People's Committee under its terms of reference.

Financial Comments (SAS 25/11/19)

18. There are no financial implications arising directly from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

[Children Missing Education: Report to Children and Young People's Committee 14 January 2019](#)

[Revised Nottinghamshire Fair Access Protocol – report to Children and Young People's Committee on 11th February 2019](#)

[Children Missing Education Strategy – report to Policy Committee on 7th May 2014](#)

[Children Missing Education: Statutory Guidance for Local Authorities September 2016](#)

[The Timpson Review of School Exclusion May 2019](#)

[DFE Alternative Provision Market Analysis Research Report October 2018](#)

[Elective home education; Departmental guidance for local authorities, April 2019](#)

[Elective home education: Departmental guidance for parents, April 2019](#)

Electoral Division(s) and Member(s) Affected

All

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