

**20 November 2017****Agenda Item: 6****REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND  
SKILLS****CHILDREN MISSING EDUCATION AND ELECTIVE HOME EDUCATION  
UPDATE****Purpose of the Report**

1. The purpose of the report is to provide the Committee with an update on Nottinghamshire's Children Missing Education (CME) process which is attached as **Appendix 1**. This report invites the Committee to request a six-monthly report on Children Missing Education and Electively Home Educated (EHE) pupils to monitor the impact of the CME processes.
2. The report identifies key areas of concern in relation to another group of children who may be missing their education as a result of being Electively Home Educated particularly when this happens when they are approaching their Key Stage 4 education. The newly developed Elective Home Education Dashboard is attached as **Appendix 2**. This report invites Committee to request a more detailed report on Electively Home Educated pupils.
3. The report also seeks the approval of Committee to formally write to the Regional Schools Commissioner to request that he addresses concerns regarding Children Missing Education when he attends Committee.

**Information and Advice**

4. This report is presented to Committee within a context that most Nottinghamshire children and young people are educated in good and outstanding schools. 95,830<sup>1</sup> pupils aged 5– 15 years at the start of the 2016/17 academic year were educated in Nottinghamshire's publicly funded schools. Currently Ofsted data<sup>2</sup> suggests that 91.3% of primary aged pupils and 90.3% of secondary aged pupils were educated in good and outstanding schools. It should be noted, therefore, that this report focusses on a small number of children and young people who are supported by a range of Local Authority service areas to ensure they access an appropriate full time education.
5. The identified 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,

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<sup>1</sup> May 2017 School Census

<sup>2</sup> School Inspections and Outcomes Management information (30 September 2017)

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 emotional 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.

6. The CME Strategy, endorsed by this Committee on 23 April 2014 and by Policy Committee on 7 May 2014, has been underpinned by a strong corporate commitment to advocating for vulnerable children and young people. Schools continue to be challenged where there is evidence of 'grey exclusions'; this can be when schools invite parents to remove their child from school as part of an arrangement outside of the formal exclusion processes. Another area where a small number of children and young people can become missing to education is in relation to school admissions to own admission authorities. All applications to academies and other own admission authorities are closely monitored to ensure that these applications are processed within 20 days, in line with the Schools Admissions Code, which was revised in September 2015. Schools and academies who delay admission, even when cohorts are below the Published Admission Number (PAN), are challenged by the Fair Access Team.
7. The process introduced in 2015 for identifying children without a school place is now embedded within Nottinghamshire Local Authority practice. The Children out of School (COOS) meeting is held weekly and cases are raised where:
  - children and young people are known to be missing from education (CME)
  - children and young people technically are on roll but who are believed to be inappropriately prevented from accessing their full entitlement to education, identified by Ofsted (November 2013) as 'pupils missing from education' (PME).

This meeting is attended by relevant Fair Access and Elective Home Education Officers.

8. The majority of cases raised through the COOS process are resolved but when intervention and mediation prove unsuccessful, the cases are referred to the Vulnerable Children Education Commissioning Meeting (VCEC), a multi-agency body which seeks to identify solutions for those children and young people with complex lives who are missing from education. This key operational meeting is chaired by the Fair Access Officer to ensure that specialist resources can be effectively 'pooled' and focused on those children at most of risk of CME/PME.
9. Teams and service areas are increasingly identifying vulnerable pupils to ensure they do not become missing from education. Referrals this year have been received from the Communication and Interaction Team, Children's Social Care, Elective Home Education Team, Fair Access Team, Family Service, Health Related Education Team, Integrated Children's Disability Service, Virtual School for Looked After Children, Partnership Development Team, Primary Social Emotional Development Team and Youth Justice Team. This is evidence of significant progress in developing an effective and coherent internal partnership approach towards addressing the needs of vulnerable pupils.

10. The number of cases raised at both COOS and VCEC meetings in the academic year 2016-2017 are shown in the table below based on the locality of residence of the child or young person involved.

Children and young people raised as Children/Pupils Missing Education by Locality 2016-2017	Ash	Bass	Brox	Ged	Mans	Newk	Rush	Out of County	Total
Children Out of Schools Meeting (COOS)	77	76	51	62	104	68	37	50	526
Vulnerable Children Educational Commissioning Meeting (VCEC)	21	34	20	26	24	20	11	2	158

Source: Fair Access and VCEC data 2017

11. The educational pathways identified for those children and young people raised at VCEC meetings are shown in the table below.

<b>Educational pathways identified by the Vulnerable Children Educational Commissioning Meeting (VCEC) in 2016-2017</b>	
Returned directly to mainstream education	40
Returned directly to mainstream education with interim Additional Family Needs/High Level Needs funding to support transition	11
Interim provision required to meet needs funded by school behaviour partnership or other local authority	28
Interim provision required to meet needs funded by Nottinghamshire High Needs Block Funding	41
Pre-existing Education Health and Care Plan revised to meet need	16
Pre-existing Education Health and Care Plan Assessments completed	5
New Education Health and Care Plan referrals made	10
Other pathway identified	7
Total vulnerable children and young people supported by VCEC meetings to prevent them from missing education	158

Source: VCEC data 2017

12. The Service Director for Education, Learning and Skills meets on a bi-monthly basis with group managers and other senior officers from Children's Social Care, Family Service, Integrated Children's Disability Team, Admissions and Support to Schools to review service data, scrutinise relevant progress reports, and consider the potential impact of any relevant legislative changes to ensure that Local Authority procedure and practice remain focussed on individual pupils causing significant concern that have not been resolved at COOS or VCEC meetings.
13. The CME Action Plan 2017-2018 (**Appendix 2**) identifies the key priorities for this academic year. These are wide ranging but all impact upon those vulnerable groups who are at high risk of becoming 'missing from education'. Incorporated within this plan are

two specific areas of significant concern which are unauthorised absence and Key Stage 4 fixed term exclusions.

### Exclusions

14. One significant group of CME pupils missing their education are those who are permanently excluded from school. In recent years, the Schools Forum and Nottinghamshire County Council have taken decisive action to reduce the number of permanent exclusions following the closure of the pupil referral units (PRUs) in 2014. Funding previously used to support permanently excluded pupils has increasingly been devolved to primary and secondary School Attendance and Behaviour Partnerships (SBAPs) across the County to spend on a range of supportive strategies for those identified as being at risk of exclusion. The Local Authority Partnership Team and the Primary, Social and Emotional Development Team provide guidance and challenge to school colleagues as appropriate. It is of note that the number of permanent exclusions has been reduced by approximately two thirds from 165 to 49 during the period from 2007 to 2016. This is a challenging area of work for schools and Local Authority officers alike.

<b>Permanent and fixed period exclusions in secondary schools</b>		
2015/16		
	<b>Nottinghamshire</b>	<b>National</b>
Permanent exclusion rate	<b>0.08</b>	0.17
Fixed period exclusion rate	<b>12.35</b>	8.46
1+ fixed period exclusion rate	<b>4.75</b>	4.26

Source: <https://www.gov.uk/government/statistics/permanent-and-fixed-period-exclusions-in-england-2015-to-2016>

Local authority tables: SFR35/2017

15. Whilst the Nottinghamshire permanent exclusion rate has fallen well below the national average, the fixed term exclusion rate and the number of children and young people receiving more than one fixed term exclusion in a year is significantly above the national average. This is of significant concern and again, this issue will be addressed in partnership with Multi Academy Trusts and the Regional Schools Commissioner.
16. The verified permanent exclusion data for the previous four academic years is shown in the table below.

Permanent Exclusions	2012-2013	2013-2014	2014-2015	2015-2016
	91	63	44	49

Source: NCC Performance, Intelligence and Policy Resources.

### Absence

17. The unauthorised absence rate in Nottinghamshire is currently higher than the national average. In a context of increasing devolution of power to Multi Academy Trusts, the Local Authority will continue to work in partnership with the Regional Schools

Commissioner to ensure that children and young people in Nottinghamshire are only absent from learning when absolutely necessary.

<b>Pupil absence in secondary schools</b>		
2015/16, six half terms		
	<b>Nottinghamshire</b>	<b>National</b>
Overall absence	<b>5.0</b>	5.2
Authorised absence	<b>3.4</b>	3.8
Unauthorised absence	<b>1.6</b>	1.4
Persistent absentees	<b>12.5</b>	13.1

Source: <https://www.gov.uk/government/statistics/pupil-absence-in-schools-in-england-2015-to-2016>  
Main tables: SFR14/2017

## **Elective Home Education**

18. Nationally nearly 30,000 children were being electively home educated (EHE) in the 2016/17 academic year, a 97% increase since 2011, according to figures from 86 local education authorities across England. (Source: Academy and School News Update, June 2017)
19. In Nottinghamshire 618 children were registered as EHE in June 2017 which is an increase of 170% since 2013. In the clear majority of these cases, the education provided is 'suitable'<sup>3</sup> and the children and young people are safe. There is, however, a small but growing number of cases where the education provided is deemed unsuitable and/or there is a potential safeguarding risk.
20. The Elective Home Education Team has raised concerns about the latter group having identified a significant number of pupils over the last two years who have been withdrawn from school for a range of inappropriate reasons:
  - persistent low attendance
  - unmet social, emotional or mental health needs
  - unmet needs as a consequence of Autistic Spectrum Disorders (ASD) or Attention Deficit Hyperactivity Disorder (ADHD)
  - unresolved bullying
  - as a result of professional referral of safeguarding concerns
  - as a result of sexualised behaviours in children at risk of child sexual exploitation
  - as a result of issues in the family e.g. domestic violence, addiction, adult mental health needs.
21. A dashboard for EHE (**Appendix 3**) has now been established which has ensured greater scrutiny of these vulnerable children and young people who fall within this cohort. The Elective Home Education Officer attends both the COOS and VCEC meetings on a regular basis as there is a cohort of pupils whose EHE provision has been deemed unsuitable but who have significant unmet needs and are reluctant/unable to return to mainstream education.

<sup>3</sup> The term 'suitable' is not defined in law. Case law, however, defines suitable education as one that prepares a child for life in their community without reducing the child's options later in life.

## **Other Options Considered**

22. The County Council remains statutorily responsible to ensure that all children and young people of statutory school age access full time education. Therefore, the CME Strategy endorsed by the Children and Young People's Committee on 23 April 2014 and Policy Committee on 7 May 2014 continues to be implemented to ensure that every school aged child should be 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**

23. 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**

24. 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**

25. There are no financial implications arising directly from this report. However, it should be noted that the increasing numbers of pupils whose education is mediated by Local Authority teams is contributing to the financial strain within the High Needs Block of the Dedicated Schools Budget.

## **RECOMMENDATION/S**

That Committee:

- 1) requests a six monthly report on Children Missing Education including progress towards reducing the number of pupils who become Electively Home Educated at Key Stage 3 and above.
- 2) requests a comprehensive report on Elective Home Education that includes an update on the development of the EHE Dashboard and a detailed breakdown of the ages and reasons for children and young people becoming Electively Home Educated. If available, the report should also incorporate any information about the quality of Elective Home Education provision.
- 3) approves that the Chairman of the Committee formally writes to the Regional Schools Commissioner to request that his presentation to Committee includes the actions of the Commissioner to address the concerns of this Committee in relation to how academies are being supported and challenged to address the Council's concerns about Children Missing Education.

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**Service Director, Education, Learning and Skills**

**For any enquiries about this report please contact:**

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### **Constitutional Comments (SLB 03/11/17)**

26. Children and Young People's Committee is the appropriate body to consider the content of the report. If Committee resolves that any actions are required it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments (SAS 06/11/17)**

27. 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 Strategy – report to Children and Young People's Committee on 24 April 2014

Children Missing Education Strategy – report to Policy Committee on 7 May 2014

### **Electoral Division(s) and Member(s) Affected**

All.

C1047