

18<sup>th</sup> January 2021

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 16<sup>th</sup> December 2019 to report the Dashboard six monthly.

#### **Information**

2. This report is presented to Committee in the context of a reporting period where education services have been significantly impacted by the Covid-19 pandemic and the data for 2019-20 academic year is incomplete due to partial school closures in the spring and summer reporting periods. This report therefore provides to Members the available and meaningful CME data from the 2019-20 academic year and evaluates the work of the Fair Access team in supporting the Local Authority's emergency Covid response in relation to children who were not in receipt of support from a school or were highlighted as vulnerable at the time of the first national lockdown.
3. This report is presented to Committee within a context that almost all Nottinghamshire children and young people are educated in good and outstanding schools. 123,293 pupils aged 5-15 years at the start of the 2019-2020 academic year were educated in Nottinghamshire's publicly funded schools. October 2020 Ofsted data suggests that 86% of pupils are educated in good and outstanding schools.
4. 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.

5. 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.
6. The CME Dashboard, attached as **Appendix 1**, reports on the data collated from the 2019-2020 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.
7. 616 children were referred to the Fair Access Team in 2019-20, 443 of whom were Children Out of School (COOS) at the time of referral (data to March 2020 only due to admissions process being put on hold due to Covid-19). The data for the preceding four academic years shows an increase year on year in the number of cases referred to the Fair Access Protocol (FAP) / COOS; if the admissions process had not been on hold due to Covid this trend of year on year increase would have likely remained constant in 2019-20.

Year	Number of referrals to Fair Access/ COOS	% increase on previous year
2015-16	380	n/a
2016-17	527	39
2017-18	583	11
2018-19	696	19

8. The data presented on the CME Dashboard shows that the risk of children and young people being or becoming CME increases into secondary education. This correlates with a peak in referrals for both the Fair Access and the highest spend from the Local Authority on Education Otherwise Than At School (EOTAS). The current Fair Access Protocol 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.
9. 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. The CME dashboard shows 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. One of the priorities identified to support the monitoring is the implementation of a live system for schools to record students in receipt of part-time provision with the Local Authority, allowing for more timely tracking and support.

10. 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, and reviewing every child with an EHCP identified by schools as accessing part-time or Alternative Provision.
11. Because of Covid-19, the collection of part-time timetable data took place only for the Autumn term of 2019/20. A significant rise (30% increase) in numbers in this term is seen based on comparison to previous four year data. Further analysis is planned to ascertain whether this is due to an increase in part-time provision offers or an increase in reporting by schools, and appropriate actions will be agreed via the CME monitoring board. This analysis will also include Autumn 2020 data to identify any specific trends arising from partial school closures and the impact of Covid-19.
12. During the first national lockdown, as the admissions process was put on hold, the Fair Access team supported the emergency education response. The first part of this response was to ensure that the Local Authority remained up to date with the on-site provision being offered to vulnerable children and children of critical workers. This involved aggregating the risk assessments provided by schools about children on their roll into a comprehensive database, uploading individual documents to Mosaic and informing the relevant Social, Emotional and Mental Health (SEMH) team in order to ensure that the children were safeguarded. A total of 868 red-ragged risk assessments were received and collated.
13. The School Admissions and Fair Access teams worked together to identify and provide work packs for children who were currently without a school place, but who were not classed as vulnerable or requiring on-site provision as children of critical workers. 269 families were identified by Admissions as requiring remote provision and Fair Access ensured that comprehensive work packs comprising information about websites that could support home learning were emailed or posted to each family. Fair Access also worked to contact the families of these children to identify if they were children of keyworkers requiring guest on-site provision, as well as liaising with out of county schools to ensure that remote learning was being provided for children who had moved into Nottinghamshire, but who were still on the roll of a school outside the county.
14. As government guidance required that vulnerable children and children of critical workers attend on-site provision, the Fair Access team liaised with schools to ensure that these children were able to access this. In most cases, schools were open and able to offer

appropriate provision; however, for varying reasons, some children were unable to access the school at which they were on roll. A total of 18 children were identified as requiring support in this way, and the Fair Access Team liaised with other local schools and providers in order to ensure that identified children could be supported to access on-site provision.

15. The Fair Access team also retained a watching brief over the attendance of all EOTAS children who were accessing on-site education at alternative provisions. A total of 26 learners were identified as being vulnerable according to the government's criteria. Additional monitoring was undertaken, including weekly phone calls to parents of all off-site learners, to ensure that all EOTAS children were safeguarded effectively and were accessing education in a way which supported them to learn.
16. A standardised dashboard for CME will be developed in line with the re-tendering of the school admissions database in order to enable year on year comparison.
17. A revised CME Strategy was endorsed by the Children and Young People's Committee on 16<sup>th</sup> December 2019 and approved by Policy Committee on 12<sup>th</sup> February 2020.

### **Other Options Considered**

18. The County Council remains statutorily responsible for ensuring that all children and young people in Nottinghamshire of statutory school age access full-time education. The CME Strategy endorsed by the Children and Young People's Committee on 16<sup>th</sup> December 2019 and approved by Policy Committee on 12<sup>th</sup> February 2020 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**

19. 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**

20. 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**

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

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

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### **Constitutional Comments (LW 14/12/20)**

22. Children & Young People's Committee is the appropriate body to consider the content of the report.

### **Financial Comments (SAS 15/12/20)**

23. There are no financial implications arising directly from this report.
24. The increasing numbers of pupils whose education is mediated by Local Authority teams to prevent them from becoming or continuing to be CME, however, is contributing to the financial strain within the High Needs Block of the Dedicated Schools Grant.

### **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.

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

[Children Missing Education six monthly update - report to Children and Young People's Committee on 16 December 2019](#)

[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](#)

Education Act 1996

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

All

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