

People and Health Overview Committee

2 September 2021

Strategy relating to Children missing out on education

For Review and Consultation

Portfolio Holder: Cllr A Parry, Children, Education, Skills and Early Help

Local Councillor(s): All

Executive Director: T Leavy, Executive Director of People - Children

Report Author: Vik Verma

Title: Corporate Director for Education and Learning

Email: vik.verma@dorsetcouncil.gov.uk

Report Status: Public

Recommendation:

The People and Health Overview Committee are asked to consider the development of Children's Services work around Children Missing Out On Education (CMOOE) and to provide feedback on the priorities, actions taken and proposed next steps to enable the development of this work.

Reason for Recommendation:

Under current legislation and statutory guidance, the council is responsible for:

- Ensuring children of compulsory school age receive suitable education in school or otherwise.
- Identifying children who are not registered at school and who are not receiving suitable education otherwise.
- Requiring parents to satisfy the council that a child is receiving suitable education.
- Arranging provision for children who have been excluded permanently, on the sixth day of exclusion.
- Keeping children safe and co-operating with other agencies to do so

Dorset Council is further committed to early intervention work to address issues around a broader cohort of children missing out on education.

1. Executive Summary

- 1.1 The strategic direction that Children's Services has taken in relation to Children Missing Out On Education (CMOOE) falls into three areas:
 - a) Raise the profile of children missing formal full-time education with our schools and wider partners
 - b) Strengthen the systems for gathering and sharing information to enable each child to access suitable educational provision
 - c) Further strengthen our line of sight on children who are electively home educated to ensure that their education is suitable and safe
- 1.2 This report provides information on the policies and strategies Children's Services has enacted within these three areas, the impact this has had, and the planned next steps to further support our children.

2. Introduction and Background

- 2.1 The statutory definition for Children Missing Education states that:

“Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school.” (Children Missing Education Guidance, Department for Education, 2016).

- 2.2 One of the conclusions of research for the Local Government Association by ISOS Partnership in December 2019 is that this relatively narrow definition risks some significant blind-spots in our national understanding of the cohort of children missing education. The findings of the research proposed a wider definition of children missing education, to include “any child of statutory school age who is missing out on a formal¹, full-time education².”

-
- 2.3 To define “formal”, the research proposed that this would fall into a definition of education that is “well-structured, contains significant taught input, pursues learning goals that are appropriate to a child or young person’s age and ability, and which supports them to access their next stage in education, learning or employment”.
 - To define “full-time” the research proposed to mean “an education for at least 18 hours per week”.

- 2.4 Dorset Council's use of the term 'Children Missing Out On Education' (CMOOE) fits with this broader definition to ensure all children missing education are monitored and supported to be educated in suitable educational provision.
- 2.5 Nationally, children missing education do not form a homogenous group and are not always easy to identify. Research has suggested that there are multiple routes whereby children may end up missing out on a formal full-time education, and different destinations where these children may be found. These include a variety of both formal and informal education settings, at home receiving different forms of educational input or none at all, in employment or simply unknown to those providing services in the community.
- 2.6 National evidence and research points towards an increase nationally in the numbers of children who are missing out on education, which has increased further through the impact of Covid-19. There is not a single factor that explains the growth we have seen in children who are not receiving suitable, formal, full-time education. Instead, the evidence suggests that it is a combination of three sets of factors that, taken together, have given rise to this trend.

These are:

- the changing nature of the needs and experiences that children are bringing into school
- pressures and incentives on schools' capacity to meet those needs
- the capacity of the system to ensure appropriate oversight of decisions taken regarding children's entry to and exit from schools.

Furthermore, we know the impact on Covid-19 on children and their families created heightened anxieties and new learning needs which may otherwise have not been present.

3. Strategic Direction

- 3.1 Dorset Council has taken a proactive and assertive stance to ensuring every child is receiving a suitable education given the national and local context and as part of its drive toward a more inclusive educational system.

- 3.2 The strategic direction that Children's Services has taken in relation to Children Missing Out On Education (CMOOE) falls into three areas:
- a) Raise the profile of children missing formal full-time education with our schools and partners
 - b) Strengthen the systems for gathering and sharing information across agencies to enable each child to access suitable educational provision
 - c) Further strengthen our line of sight on children who are electively home educated to ensure that their education is safe and suitable
- 3.3 The council produced guidance for schools on CMOOE setting out our statutory duties and ways we can work together to identify concerns early and intervene to reduce the number of children missing out on education. This will be further refined based on our experience from the last academic year through Covid-19 and will be built on best practice case studies we have undertaken to proactively support children and their families. Further information briefings and guidance are scheduled for our school leaders for Autumn 2021.
- 3.4 Information about CMOOE and the steps taken to ensure our children are in suitable education is being reported routinely at key Children's Services performance meetings which take place monthly to coordinate our activities through our service locality model.

3.5 **Using our data to drive inclusion**

- 3.5.1 The Council set up a business intelligence process for the collection of data from schools to strengthen its business intelligence, which includes data on:
- Children Missing Education
 - Fixed term exclusions
 - Permanent exclusions
 - Part time timetables
 - Alternative provision
 - Managed moves
 - Elective Home Education
- 3.5.2 From Autumn 2021, this will move to an automated submission as at present this system relies on schools providing the information manually, which has proved challenging this year. The information collected is mapped against other information about the child in relation to any Special

Educational Needs and Disabilities (SEND) data the council may hold and information relating to any Social Care Service involvement. This has enabled the council to identify children who are potentially more vulnerable and deliver multi-agency support. Inclusion Leads in each locality work with the school in question where there are concerns about a child, to re-engage the child in full time education through interventions and strategies; this has meant that for example, the locality teams have been able to support early to ensure that children with vulnerabilities with repeat fixed term exclusions who are at risk of permanent exclusion have not been permanently excluded.

- 3.5.3 The use of business intelligence to target our work into key cohorts of children has enabled practitioners and leaders to monitor the impact of their work more easily.

3.6 The role of the Virtual School

- 3.6.1 In June 2021, the Department for Education announced an extension to the role of the Virtual School Head Teacher to incorporate strategic oversight of the education of children with a social worker.
- 3.6.2 The new non-statutory duty will strengthen our existing work with early years settings, schools, colleges and social care teams to create a culture of high aspirations that can help all children supported by a social worker to make educational progress.

This means that they will help to:

- make visible the disadvantages that children with a social worker can experience, enhancing partnerships between education settings and local authorities to help all agencies hold high aspirations for these children
- promote practice that supports children's engagement in education, recognising that attending an education setting can be an important factor in helping to keep children safe from harm
- level up children's outcomes and narrow the attainment gap so every child can reach their potential. This will include helping to make sure that children with a social worker benefit from support to recover from the impact of COVID-19.

- 3.6.3 In the council's current service model, the Principal Teacher role already incorporates the Virtual School and also CMOOE portfolios and therefore this will enable a natural development and further strengthening of the work already taking place to meet our new duty.

3.7 CMOOE Board and oversight

- 3.7.1 There were 438 children were referred as CMOOE during the 2020/21 academic year. Children's cases are reviewed with oversight and monitoring from the CMOOE Board and Director of Education and Learning Education.
- 3.7.2 The CMOOE Board is Chaired by the Director of Education and Learning Education and Principal Teacher and attended by the Locality Inclusion Officers, SEND team members, Youth Offending Services members, and Social Workers (where appropriate) who provide updates on progress. From the Autumn 2021 term, the CAHMS service will also be represented.
- 3.7.3 Suitable education has been secured for 382 children this academic year. The remaining 56 children will continue to be monitored throughout the Summer and with interventions continuing in the 2021/22 Autumn term to find suitable provision.
- 3.7.4 There has been a downward trend in permanent exclusions owing to the interventions teams have supported schools with over the past three years. The work this year that Inclusion Leads have done to identify children at risk of permanent exclusion and step in early to support the school and family has been a key reason for the significant decrease.

Academic year	Fixed Term Exclusions	Permanent Exclusions
2018/19	3,047	102
2019/20	2,105	69
2020/21	2,063	33

- 3.7.5 The breakdown of both permanent and fixed term exclusions is provided below. This indicates a pattern of greater numbers of exclusions in higher year groups, predominantly in years 9 and 10 which follows national patterns.

3.7.6 It should also be noted that the council does raise concerns when children of Primary age are being excluded, in particular at Key Stage 1, which can change life outcomes for our youngest children, with our school and academy trust leaders. There was one occurrence of permanent exclusion of a Key Stage 1 child in the last academic year, which took place at an academy, which falls outside of the governance of the council. The council has taken an assertive approach and will continue work in partnership with schools ensure no children of Primary Age are permanently excluded in the 2021/22 academic year.

3.7.7 The information below also indicates that there is under-use of managed moves, which, when done well can give a fresh start to a child and their family without the need for a permanent exclusion.

3.7.8 Inclusion Partnership Meetings in each locality are being held termly, with the aim of further reducing the number of permanent exclusions by working collaboratively with school leaders. This approach means Headteachers can raise requests for support and receive it responsively and locally. Headteachers in all localities were consulted and agreed that these would be a positive step to working together, regardless of whether they are maintained or academies.

3.7.9 The Inclusion Partnership meetings with school leaders will help to address exclusions in the new academic year.

Exclusions 2020/2021 (to 05/07/2021)						
	Count			% of total		
Year Group	Fixed term exclusions	Managed moves	Permanent exclusions	Fixed term exclusions	Managed moves	Permanent exclusions
Reception	18	1	1	1%	5%	3%
1	28	1		1%	5%	0%
2	41	2		2%	11%	0%
3	42	2		2%	11%	0%
4	58	2		3%	11%	0%

5	46	2		2%	11%	0%
6	77	3	1	4%	16%	3%
7	226		2	11%	0%	6%
8	351	1	7	17%	5%	21%
9	409	2	3	20%	11%	9%
10	462	2	14	22%	11%	42%
11	305	1	5	15%	5%	15%
Total	2063	19	33			

3.8 Attachment and trauma training

3.8.1 A relational practice group has worked with 30 schools this year, led by the Educational Psychology Service. The Virtual School commissioned a provider to deliver attachment and trauma training to schools from 2018 – 2020 and to be included as part of National Evaluation. Training is now being offered by school link Educational Psychologists working with Specialist Teachers and encouraging commitment to ongoing training and policy changes. To continue supporting the 30 schools that were part of the initial pilot, they are invited to attend Network meetings each month. The purpose is to encourage a refocusing on attachment and trauma-informed principles, allowing opportunities for schools to raise questions or seek support, an opportunity to celebrate all the examples of practice in schools, and to facilitate opportunity for schools to work together and support each other. The long-term ambition is to encourage locality-based meetings and peer support involving use of an audit tool.

3.9 Children that are Electively Home Educated by their families

3.9.1 Elective home education is a term used to describe a choice by parents to provide education for their children at home, or at home and in some other way which they choose, instead of sending them to school full-time.

- 3.9.2 There are no specific legal requirements as to the content of home education, provided the parents are meeting their duty in Section 7 of the Education Act 1996. This means that education does not need to include any particular subjects and does not need to have any reference to the National Curriculum; and there is no requirement to enter children for public examinations.
- 3.9.3 The council has a duty under Section 436A of the Education Act 1996 to make arrangements to find out so far as possible whether home educated children are receiving suitable full-time education. Where necessary because it is evident that a child is simply not receiving suitable education at home and the use of school attendance powers is not achieving a change in that situation, the local authority can use its safeguarding powers.
- 3.9.4 It must be noted that there is no definition of 'suitable' education in statute law and therefore this can cause challenges in assessing the suitability of home education.
- 3.9.5 The council undertook a consultation with families that have electively home educated their children with a questionnaire and request for families to work with Children's Services to develop the way in which we would like to work together in partnership going forward.
- 3.9.6 A co-production group of families worked on; developing the knowledge and understanding of Inclusion Leads and Team Managers around what home education can look like, developing a parental guidance document to be provided to families who have chosen to, or are considering home education and developing the Council's Elective Home Education Policy.
- 3.9.7 The central themes that came from this consultation were that:
- It is a parent's right to home educate and this can look very different to school education and still be considered effective
 - Parents want a warm relationship with the Inclusion team where they feel supported and understood
- 3.9.8 Therefore, these views are represented in the parental guidance and policy, and in the communication approaches of the Inclusion Leads.
- 3.9.9 At present, there is no duty in statute on families to register their children as home educated, information is collected from schools, or directly from

families where they choose to provide this to support the council carrying out its duties.

3.9.10 A key intervention the council has put in place is to require schools to follow a ten-day cooling off period following a request to home educate a child, where they leave the child on the roll of the school. This enables time to have further conversations collaboratively with the family, listen to their views and concerns and resolve any issues, for example if home education has been chosen due to a break-down in the relationship with the school. In some cases, families are not always aware of the other support might be available which can lead them to reconsidering their initial decision.

3.9.11 Where a child that is home educated has an Education, Health and Care Plan (EHCP), the Inclusion Lead works in liaison with the Council's SEND Service to ensure that information about the child's progress against their EHCP targets is gathered and reviewed.

Data on children that are EHE over the last three years

	2018/19 Academic year	2019/20 Academic year	2020/21 Academic year
Total number of EHE registrations	505	511	610
New registrations in that academic year	255	203	333
Number of children returned to school that year	111	125	133

4. Financial Implications

4.1 The government provided significant levels of additional financial support to councils throughout 2020/21 pandemic with the majority of funding targeted to support increased costs in adult social care and lockdown grants to support local businesses. There was minimal additional funding ringfenced for Children's services meaning that any covid related pressures had to be absorbed by existing budgets.

- 4.2 We do not yet know the full extent of the impact of Covid-19 on our children, young people and families, and there may well be additional cost pressures in the future. These will need to be assessed and where appropriate incorporated in the council's medium term financial plans.

5. Well-being and Health Implications

- 5.1 The emotional health and wellbeing of our most vulnerable children and young people is a priority for our services. We are working with colleagues in the CCG and from Dorset Healthcare Trust to strengthening our services for our most vulnerable children and young people.

6. Climate implication

- 6.1 No climate implications have been identified in this report.

7. Other Implications

- 7.1 No other implications have been identified.

8. Risk Assessment

- 8.1 No Risks identified

9. Equalities Impact Assessment

- 9.1 No equality impact assessment has been prepared as the report does not recommend a change of policy.

10. Appendices

- 10.1 There are no appendices.

Background Papers

- 11.1 There are no background papers.