

# Education and Children's Social Care Overview and Scrutiny Committee



Date of meeting:	09 December 2022
Title of Report:	<b>Inclusion Briefing: Children Missing Out On Education</b>
Lead Member:	Councillor Charlotte Carlyle (Cabinet Member for Education, Skills and Children and Young People)
Lead Strategic Director:	Sharon Muldoon (Director for Childrens Services)
Author:	Isabelle Morgan
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Your Reference:	<a href="#">Click here to enter text.</a>
Key Decision:	No
Confidentiality:	Part I - Official

## **Purpose of Report**

To provide a briefing in respect of Reduced Timetables, Children Missing Out On Education, Children Missing Education and Elective Home Education

## **Recommendations and Reasons**

None, this briefing is for information only.

## **Alternative options considered and rejected**

Not applicable

## **Relevance to the Corporate Plan and/or the Plymouth Plan**

This decision links to the Plymouth Plan: Policy HEA2 - Delivering the best outcomes for children, young people and families.

## **Implications for the Medium Term Financial Plan and Resource Implications:**

None

## **Financial Risks**

None

## **Carbon Footprint (Environmental) Implications:**

None

**Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:**

\* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

None

**Appendices**

\*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
		1	2	3	4	5	6	7
A	Briefing report title							
B	Equalities Impact Assessment (if applicable)							

**Background papers:**

\*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
	1	2	3	4	5	6	7

**Sign off:**

Fin	<b>DJN. 22.23 .286</b>	Leg	EJ/388 51/17. 11.22 (4)  EJ/388 51/17. 11.22 (5)	Mon Off	Click here to enter text.	HR	Click here to enter text.	Asset s	Click here to enter text.	Strat Proc	Click here to enter text.
Originating Senior Leadership Team member: Ming Zhang											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 16/11/2022											

Cabinet Member approval: Cllr Charlotte Carlyle approved by email

Date approved: 24/11/2022

## **INCLUSION BRIEFING**

### **OVERVIEW**

This briefing paper sets out the current position and areas of focus in respect of inclusion, with a particular focus on reduced timetables (RTT); Children Missing Out On Education (CMOOE); Children Missing Education (CME) and Elective Home Education (EHE).

All children, regardless of their circumstances, are entitled to a full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Local Authorities have a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in their area. Local Authorities are also required to have robust procedures in place to meet all duties in relation to this group of children.

A Child Missing Out On Education is a potential indicator of abuse or neglect. A child is also at an increased risk of underachieving; being a victim of abuse; being sexually exploited and/or becoming not in education, employment or training (NEET) on reaching school leaving age.

Section 436A of the Education Act 1996 (added by section 4 of the Education and Inspections Act 2006) places a duty on Local Authorities 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.

Arrangements made under section 436A also play an important role in fulfilling the Local Authority's wider safeguarding duties.

The Working Together to Safeguard Children (2018) statutory guidance provides advice on multi-agency working to safeguard and promote the welfare of children. Effective information sharing between parents, schools and local authorities is critical to ensure that all children of compulsory school age are safe and receiving suitable education.

Local authorities should focus their resources effectively in intervening early in the lives of vulnerable children to help prevent poor outcomes. In June 2013, Ofsted implemented new joint inspections for multi-agency arrangements for the protection of children. The inspection framework includes CMOOE; CME; children subject to elective home education; children on reduced timetables and children accessing alternative provision.

### **CHILDREN MISSING OUT ON EDUCATION**

Children Missing Out On Education (CMOOE) is defined as a child or young person of statutory school age who does not or cannot attend full-time school education in the usual way. Many of these children are not on a school roll and are considered to be the direct responsibility of the Local Authority. Others are on a school roll but are not attending full time or are attending alternative provisions.

In May 2022 the DfE published new guidance 'Working together to improve school attendance' which will become statutory from September 2023 at the earliest. The changes to practice and responsibility set out in the guidance will support partners in the city to identify and address the needs those children who are missing out on education.

Key changes outlined in the guidance are:

1. A Local Authority core offer:

- rigorous tracking of city, MAT & school attendance data to devise a strategic approach to attendance;
- a named LA Officer for every school to provide communication and advice;
- termly targeting support meetings with every maintained and academy school in the city;
- facilitation and/or provision multi-disciplinary support to families to remove barriers to attendance;
- legal enforcement action in respect of non-school attendance using the full range of parental responsibility measures/
- monitoring and improvement of attendance for children with a Social Worker.

## 2. Embedding an integrated approach across Children's Social Care, SEND & Inclusion.

In response to the guidance, Plymouth City Council's Service Manager (Inclusion and Attendance) and Head of Service (Education and the Virtual School), have developed an operational implementation plan which identifies key priorities based on identified need in the city. This plan is integrated with Early Help services and the new localities structure which is currently under design.

In addition, in partnership with schools (through Plymouth's place-based plan); our Sector Led Improvement Partner (Dorset) and our link DfE Attendance Adviser, a local attendance strategy is under development and scheduled for completion at the end of December. The plan is based on a comprehensive analysis of local area strengths and areas of development and progress will be governed through the Inclusion Strategy Board.

### City-wide picture

In Term 1 of this academic year (2022/23) there was in excess of 726 (2.02%) children missing out on education in the city. This has increased when compared with the same period in the previous academic year (2021/22) when 1.63% (582) of the student population was CMOOE.

### Secondary CMOOE

In Term 1 2022/23, 7 out of 10 of the CMOOE cohort were secondary aged children or young people (73% (530 out of 726)). For the same period last year it was close to 8 out of 10 (78% (451 out of 582)). This means that there has been a slight reduction in the rate of CMOOE at secondary (5%).

Analysis of the secondary school CMOOE cohort shows that children identified at SEN Support are over represented. In term 1 of this academic year 37.5% (199) were recorded at SEND Support. The rate has stayed the same when compared with the same period 2021/22 37.5% (169).

Secondary aged CMOOE children with an EHCP in Term 1 of this academic year accounted for 9.8% (52) of the CMOOE cohort. This has increased by 2% when compared with the same period in the previous academic year 2021/22 when children with an EHCP accounted for 7.8% (35).

In term 1 of this academic year, secondary aged CMOOE who have received a suspension whilst at school accounted for 13% (69) of the cohort. This is a slight increase on the same period the previous academic year (12.2% (55)).

A breakdown of the secondary level data is set out in Table I.1.\*

Table I.1.

Secondary School CMOOE with:	Term I 2021/22 rates (actual number)	Term I 2022/23 rates (actual number)	Direction of travel in rate (actual number)
SEN Support	37.5% (169)	37.5% (199)	< > (^) (30)
EHCP	7.8% (35)	9.8% (52)	^ (^) (17)
Suspensions	12.2% (55)	13% (69)	^ (^) (14)

*\*Data source: Inclusion Scorecard. Inclusion Scorecard still in test and development phase. Equivalent primary school level data not yet available.*

### Primary CMOOE

In Term I of this academic year (2022/23), almost 3 out of 10 of the CMOOE cohort were primary aged children and young people (27% (196 out of 726)). For the same period in the last academic year it was 2 out of 10 (22% (131 out of 582)). This means that there has been an increase in the rate of primary aged CMOOE (5%).

### CMOOE AND CHILDREN'S SOCIAL CARE

A sample audit of 256 secondary and primary aged CMOOE case files was conducted in August 2022. 69% (176) either had current or historical children's social care involvement.

### **REDUCED TIMETABLES**

In January 2022, following the Education Participation and Skills Service redesign; additional capacity was created in the Inclusion Attendance and Welfare Service to improve the assurance work in respect of children on reduced timetables within the city.

A child subject to a reduced timetable will attend school for less hours than the specified school day. A reduced timetable over a fixed period of time can be a successful strategy to reintegrate a child back into fulltime education, however, where a pupil is subject to a reduced timetable without a plan to return to school fulltime they are missing out on education.

From January 2022 new arrangements for reporting by schools were put in place. Schools now notify the Local Authority of any child who is put on a reduced timetable using a notification form. This information is then recorded on CAPITA and onto a manual database for tracking. If a reduced timetable exceeds 6 weeks a letter is sent to the Headteacher of the school to seek assurance in respect of the arrangements. As a consequence of these new ways of working, increased awareness and follow up; the reporting of reduced timetables has increased from 348 between Jan - Dec 2021 to 599 Jan – Oct 2022.

To date, there is no national comparative dataset and no indication such data will become available to Local Authorities. A change in the local reporting mechanism means that local comparative data will not be available until January 2023.

Data indicates two key areas of focus:

1. Reduced timetables which have extended beyond 8 weeks
2. Reduced timetables for primary aged children

On 1<sup>st</sup> November 2022, 190 Reduced Timetables were reported to Plymouth City Council by schools. Table 1.2. identifies that reduced timetables are fairly evenly split with primary aged children accounting for 81 (42.6%) and secondary aged children 88 (46.3%) of the cohort.

At primary:

- The highest prevalence of reduced timetables is at KS1, 44 (54.3%).
- 42 (95.4%) of KS1 children on a reduced timetable have SEND.
- 27 (72.9%) of KS2 children on a reduced timetable have SEND.
- 25 (56.8%) of the KS1 cohort have been on a reduced timetable for more than 8 weeks, this rises to (27) 72.97% at KS2.

Secondary aged children on reduced timetables:

- The highest prevalence of reduced timetables is at KS4 47 (53.4%).
- 20 (48.7%) of KS3 children on a reduced timetable have SEND.
- 11 (23.4%) of KS4 children on a reduced timetable have SEND.
- 30 (73.2%) of the KS3 cohort have been on a reduced timetable for more than 8 weeks, this increases to 38 (80.9%) at KS4.

Special School children on reduced timetables:

- The highest prevalence of reduced timetables at special school is seen at KS3 and KS4, 14 (66.6%)
- All of the children on a reduced timetable at special school have an Education Health and Care Plan (EHCP).
- 19 (100%) of the cohort at KS2, KS3 and KS4 have been on a reduced timetable for more than 8 weeks. Medical needs is the most prevalent reason for a child being on a reduced timetable in a special school.

A breakdown of the Reduced Timetable data is available in Table 1.2.

Table 1.2.

<b>1<sup>st</sup> November 2022</b>	Number of RTT	RTT with an EHCP	RTT with SEN Support	No SEND recorded	RTT more than 8 weeks
<b>Primary</b>	<b>81 (42.6%)</b>	<b>39 (48.1%)</b>	<b>30 (37.0%)</b>	<b>12 (14.8%)</b>	<b>52 (64.2%)</b>
KS1	44 (54.3%)	25 (56.8%)	17 (38.6%)	2 (4.6%)	25 (56.8%)
KS2	37 (45.7%)	14 (37.8%)	13 (35.1%)	10 (27.0%)	27 (72.97%)
<b>Secondary</b>	<b>88 (46.3%)</b>	<b>18 (20.5%)</b>	<b>13 (14.8%)</b>	<b>57 (64.8%)</b>	<b>68 (77.3%)</b>
KS3	41 (46.6%)	12 (29.2%)	8 (19.5%)	21 (51.2%)	30 (73.2%)
KS4	47 (53.4%)	6 (12.8%)	5 (10.6%)	36 (76.6%)	38 (80.9%)
<b>Special</b>	<b>21 (11.1%)</b>	<b>21 (100%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>20 (95.2%)</b>

KS1	< 10	<10 (100%)	0 (0%)	0 (0%)	<10 (50%)
KS2	<10	<10 (100%)	0 (0%)	0 (0%)	<10 (100%)
KS3	<10	<10 (100%)	0 (0%)	0 (0%)	<10 (100%)
KS4	< 10	<10 (100%)	0 (0%)	0 (0%)	<10 (100%)

The top 3 reasons for Reduced Timetables are as follows:

Behaviour

SEND

Medical Needs

## CHILDREN MISSING EDUCATION

Children Missing Education (CME) refers to 'any child of compulsory school age who is not registered at any formally approved education activity e.g. school, alternative provision or elective home education; and has been out of education provision for a substantial period of time (usually agreed as two months). A child is classed as a Child Missing Education if they are:-

- of compulsory school age; and
- not on a school roll; and
- not receiving a suitable education otherwise than being at school, for example, at home, privately or in alternative provision.

Across the period 1<sup>st</sup> April 2022 – 1<sup>st</sup> October 2022, the numbers of children reported as Children Missing Education (CME) fell when compared with the same period 2021 (table 1.3).

Table 1.3.

01/04/21 - 01/10/21		01/04/21 - 01/10/22	
CME	166	CME	105
Primary	73	Primary	38
Secondary	93	Secondary	67

The top 3 reasons for CME are:

1. Moved Out Of Area (waiting for confirmation of new school place)
2. Resident in Plymouth and waiting to be admitted to a school
3. Failed Elective Home Education

## ELECTIVE HOME EDUCATION

Elective home education is a term used to describe a choice by parents to provide education for their children at home instead of sending them to school full-time. This is different to education provided by a local authority other than at a school, for example for children who are too ill to attend school.

The numbers of statutory school aged children being deregistered from schools to be electively home educated (EHE) continues to increase and remains a priority for the city. The period 1<sup>st</sup> April – 1<sup>st</sup>

October 2022 saw an increase in the numbers of children being registered as home educated when compared with the same period 2021. See Table 1.4. below.

Table 1.4.

1 <sup>st</sup> April 2021 – 1 <sup>st</sup> October 2021		1 <sup>st</sup> April 2022 – 1 <sup>st</sup> October 2022	
Started EHE	110	Started EHE	139
Primary	29	Primary	40
Secondary	81	Secondary	99
Special School	<5	Special School	0
EHCP	11	EHCP	<5
SEN Support	30	SEN Support	45
Known to Children's Social Care	49	Known to Children's Social Care	50

The top 3 reasons for parents electing to home educate in Term 1 of the academic year 2022/23 were:

1. Issues with the school
2. Mental Health
3. Health/medical conditions.

The Inclusion Attendance and Welfare Service has a particular focus on the vulnerable learners in EHE. Vulnerable learners are those who are known to a Social Worker on a child protection plan (CP) or and/or have SEND.

The comparative data in Table 1.4. identifies a 50% (15) increase in the numbers of statutory school aged children with SEN Support being withdrawn to home education. In addition there has been a 26.36% (29) increase overall in the numbers of children being withdrawn to home education.

Whilst the number of children being withdrawn to elective home education continues to rise, the comparative data in table 1.4. shows the rate of children known to Children's Social Care being withdrawn to home education has reduced from 44.55% to 35.7%. This is the result of improvements made across Children's Services as a result of the Rapid Review of Child C which took place in the summer of 2021.

Following the Rapid Review a series of technical papers, local authority protocols and multi-agency working agreements were formally approved by the multi-agency Child Safeguarding Practice Review sub group of the PSCP on 7th July 2022 and rolled out across all agencies.

## LOCAL CONTEXT

The numbers of vulnerable children with SEND Support needs who are being withdrawn to home education continues to rise.

In the 2021/22 academic year, 94 children with SEN Support were deregistered from school to be home educated. This represented an increase of 15 (18.98%) when compared to the previous year. Of



the cohort five (4.7%) were known to Children's Social Care, this is an improvement on the previous year when it was six (7.59%).

18 (19.15%) were primary school aged, this is an improvement on the previous year when there were 30 (23.7%). 76 (80.85%) of the children were secondary school aged, this demonstrates an increase on the previous year which was 49 (76.3%).

In 2021/22, 20 children with an Education Health and Care Plan were deregistered from school to be home educated. This is an increase of 2 (10%) on the previous year. At the time no children within the cohort were known to Children's Social Care.

< 5 of the children were primary school aged which was a reduction from the previous year when there were 9.

16 (80%) of the cohort were secondary school aged.

The top 3 reasons for children being withdrawn to elective home education in 2021/22 were:

Issues with school

Mental Health

Waiting for a place at preferred school

If the Local Authority is not satisfied that the parents are providing a suitable education to a child of compulsory school age and it is appropriate for the child to attend school, a School Attendance Order can be issued under section 437(3) Education Act 1996. The Order places a requirement on the parent to register their child at a school. Failure to comply with a School Attendance Order amounts to an offence which the parent can be prosecuted for.

The number of School Attendance Orders being issued has increased and is set to continue to rise. Across the whole of academic year 2021/22, 25 Orders were issued. In September 2022 alone, seven Orders were issued. All of the Orders were in respect of secondary aged children. <5 of whom are registered as SEN Support and <10 are known to Children Social Care.

## **NEXT STEPS**

At an individual pupil level, all schools in the city will meet with their allocated Education Welfare Officer (EWO) once a term. There is a direct correlation between the CMOOE and Elective Home Education. A focus of the meeting will be to rigorously track attendance data in respect of CMOOE and the reduced timetable cohort, supporting schools to devise a strategic approach to improving attendance. A further purpose of the meeting is to improve assurance activity by using data and follow up in respect of Children Missing Out On Education. The new arrangements for reporting by schools and follow up by the IAWS staff will be implemented from November 2022.

The number of children being deregistered to home education who receive SEN Support has increased. Work to interrogate the reasons for this increase has been included in the SEND Improvement Plan.

To effectively respond to increasing numbers of CMOOE and EHE children, an integrated approach across Children's Social Care, SEND and Inclusion is in the process of being implemented. The Head of Service for the Virtual School and Inclusion, Head of Service for SEND and Service Director Children

Young People and Families are combining efforts to create synergy in the way we work together to improve outcomes for children and young people.

Information sharing through the 'live' pupil tracking data will be pivotal to removing barriers to attendance for this cohort of children and young people. This will be achieved through the proposal to create a new integrated Children's Services Panel which will monitor the provision of education and agency involvement for Plymouth's most vulnerable statutory school age pupils who are Children Missing Education or Children Missing Out On Education. The purpose of the panel will be to minimise the amount of education missed by this cohort of Children and young people through earlier identification, multi-agency oversight and engagement with schools.

Using a "Criteria of Concern" to identify the children, the panel will monitor and track more closely:-

- Any pupil who has appeared on the Pupils Missing Education Register for two consecutive terms (12 weeks).
- Any pupil known to Children's Social Care who has had 3 or more suspensions in a 6 month period.
- Any pupil with SEN Support who has had 3 or more suspensions in a 6 month period.
- Any pupil with an EHCP who has had 3 or more suspensions in a 6 month period.
- Any pupil known to Children's Social Care on a reduced timetable.
- Any pupil on a reduced timetable of less than 15 hours per week.
- Any pupil on a reduced timetable for more than 8 weeks.
- Any primary aged pupil on a reduced timetable.
- Any special school pupil on a reduced timetable.
- Any pupil registered as EHE who is not receiving a suitable education.
- Any pupil registered as home educated where there is a legitimate safeguarding concern but does not meet the threshold for statutory involvement from Children's Social Care.
- Any pupil with attendance below 50% for 6 weeks or more.
- Children returning from custody without a school place.
- Any child without a school place for more than 4 weeks.

At a city and multi-academy trust level, school leaders, the local authority and partners will be able analyse trends and patterns in data for vulnerable children through the inclusion scorecard. Key areas for development are captured in Plymouth's place-based action plan which will be implemented in November 2022 and governed through the Plymouth Education Board.

In addition, an EHE Protocol has been developed in Partnership with schools. The Protocol aims to secure consistency in respect of how schools will work with families to try to keep children engaged at school. The Protocol will be presented to the Strategic Education Group with a recommendation for approval.

