

Coventry City Council
Minutes of the Meeting of Education and Children's Services Scrutiny Board (2)
held at 10.30 am on Thursday, 21 October 2021

Present:

Members: Councillor N Akhtar (Chair) (Substitute for Councillor J Innes)
Councillor P Akhtar
Councillor J Blundell
Councillor S Keough
Councillor R Thay
Councillor C Thomas
Councillor A Tucker

Co-Opted Members: Mrs S Hanson
Mrs K Jones

Other Members: Councillor K Sandhu (Cabinet Member for Education and Skills)

Employees (by Directorate):

Children's Services	J Gregg (Director) C Batchelor, A Burgwin, N Davies, S Graves, C Healy
Education and Skills	K Nelson (Director), J Essex
Law and Governance	V Castree M Rose

Apologies: Councillor F Abbott, B Gittins, J Innes, P Seaman and R Simpson

Public Business

11. Chair

In the absence of the Chair, Councillor J Innes, the Board appointed the Chair of Scrutiny Co-ordination Committee, Councillor N Akhtar to Chair the meeting.

12. Declarations of Interests

There were no disclosable interests.

13. Minutes

The Minutes of the meeting held on 16th September 2021 were agreed and signed as a true record.

14. Children's Services Horizon Team (Child Exploitation Team)

The Scrutiny Board considered a briefing note of the Director of Children's Services which informed the Board of the safeguarding measures and engagement approaches adopted by the Horizon Team when working with

children and young people deemed at risk of Child Exploitation. Appended to the report were some case study examples of safety planning which were presented to the Board.

The Horizon Team was part of Responsive Services and worked closely alongside the Multi-Agency Safeguarding Hub (MASH) and Emergency Duty Team (EDT). The Team were multi-disciplinary and comprised of social workers, youth workers, child and family workers, a harm reduction and victim support officer, Missing Coordinator, West Midlands Police Officers from the Child Sexual Exploitation Team, Child Criminal Exploitation, Youth Violence Reduction Unit and LOCATE Missing Police Team. They worked with children and young people resident in Coventry aged between 10-18 years who were deemed at risk of child exploitation.

The Horizon Team accepted referrals directly from MASH and via the internal transfer protocol from Social Work Teams. They hold smaller caseloads to deliver intensive and bespoke intervention plans for children and young people, allocated within the Horizon Team, Area Social Work Teams and Through Care service.

The briefing note detailed Collaborative Working, Safeguarding Arrangements and tackling Child Exploitation and Serious Youth Violence. The Director of Children's Services explained that, there had been a rise in demand for the services provided and there were significant numbers in need that the teams were responding to. The strong collaborative work in the City enabled the safeguarding needs to be met in a timely way. It was difficult to do justice in a briefing note to the complexities of the work that surrounds the traumatic circumstances of some young people in the City. Safety plans were individual and gave supportive information about positive choices, they were aimed to empower the young people to voice their feelings and choices.

The Board praised the collaborative work in the City supporting young people and the individual approach involving listening to the young people which was evident in the keyring case study developed by Coventry officers.

The Board questioned officers, received responses, and discussed the following:

- Raising awareness of safeguarding at an early age
- Links to violence in the City
- Data about the service, including trends over time, and views of the children
- Gender and age trends of affected young people
- Stigmas associated with receiving support
- Time spent with young people
- Preventative and reactive work
- Transition into adulthood
- Children Missing interviews and support
- Exploitation experienced in schools
- Live cases in the City
- Listening to Young People

Officers noted that the work was reactive in that thresholds were met prior to interventions in the specialist tier 4 service but also preventative in that when vulnerabilities were identified in connection with a case support would be offered. There were a significant number of investigations currently in the city.

Officers recognised the challenges regarding support through the transition into adulthood in particular the complex legal frameworks and thresholds. Also the challenges around supporting children who had been missing.

The Coventry Safeguarding Partnership Board had recently considered exploitation with schools and did not believe there was any evidence of concern.

Officers agreed to circulate a confidential briefing note to members with metrics about the service, including trends over time, and views of the children supported by the service. This level information was not part of the agenda today due to the potential to identify individuals.

RESOLVED that the Scrutiny Board:

- 1) note the content of the briefing note and thanked officers for supporting Young People**
- 2) recommend that further consideration be given to how to meet the needs of those children supported by the Horizon Team post 18 as they transition from Children's Services.**

15. Children Withdrawn from the School System to be Educated at Home (Elective Home Education)

The Board noted the briefing note of the Director of Education & Skills regarding children withdrawn from the school system to be educated at home (Elective Home Education). The information included the legal and national position in relation to the education of children who were home schooled, known in law as EHE. Also, the effectiveness of the Council's approach to delivering its statutory duty, to ensure children who were EHE were receiving a 'suitable' education. The report also covered the numbers of EHE children known to the Local Authority (LA) in the context of the current pandemic and the significant increase reported nationally.

The decision to home school a child was supported in law through Section 7 of the Education Act 1996. As an alternative to school attendance, parents could arrange 'suitable' education, which included EHE. If the LA was aware that a child was being EHE it had a duty to determine if the provision was suitable. However, there was no legal or nationally agreed definition of what 'suitable' education means. The definition was therefore determined locally and may vary across LAs.

The true number of children who were EHE in England was not known. This was because there is: no national database of EHE children; no requirement for LAs to maintain a register and no requirement for parents to register their children on a voluntary register where these exist. The Association of Directors of Children's Services projected that as of October 2020 more than 75,000 children were being educated at home, an increase of 38 per cent from the previous year. LAs contributing to the survey identified the increase as being partially attributable to the pandemic. Reasons included the need to protect vulnerable family members who were shielding, fear of transmission and a philosophical choice based on a positive experience of remote learning.

Whilst there was no requirement for a parent to inform the LA of their decision to EHE their child, under Section 436A of the Education Act 1996 LAs did have a duty to identify children who were of compulsory school age but were not registered pupils at a school and were not receiving suitable education outside of school. This therefore created a tension, between Section 7 and Section 436A in terms of balancing a family's right to EHE their child unfettered and the safeguarding duty Councils have for all children in their local area.

The Government estimate that approximately 10 to 20% of EHE children have never been to school. It was therefore particularly difficult to identify this group through available monitoring systems, because children had never accessed services and were not on any accessible databases. Consequently, an unknown proportion of EHE children currently remained legally 'out of sight' which meant it was not possible to ensure that they were safeguarded.

In terms of provision, there was no legal requirement for parents who chose to EHE their children, to follow the national curriculum, enter their child for public examinations, follow the dates of the school year or length of school day. Education provision could be autonomous and self-led, although there was an expectation from the Government, that the programme would have positive outcomes. Parents that elect to home educate must take full responsibility for their child's needs at their own expense. LAs did not receive any funding for children who were EHE.

The tension created by the competing legislation set out in this report, was subject to continuous and often contentious debate. The national landscape could be understood with reference to the House of Commons Education Committee: Strengthening Home Education July 2021 and its preceding report, produced in 2016. The inquiry sought to understand "the extent to which current arrangements provided sufficient support for home educated children to access efficient, full-time and suitable education, and establish what further measures may be necessary in order to facilitate this." The call for evidence included both written and oral contributions and was now closed. The interim key recommendations of the report included:

- The establishment of a statutory register for children out of school, arguing that without data, it was not possible to ensure that all children were receiving a suitable education.
- Completion of the National SEND review, to ensure that the needs of children with SEND were met within their school, so families do not feel that they have to EHE to meet their child's needs
- The creation of an independent, neutral advocate to "guard against coercive off-rolling and provide families considering EHE with neutral guidance"
- The power for LA's to assess the educational progress of children who were home educated at least once a year, in order to take reasonable steps to reassure themselves that EHE was judged 'suitable'.
- National criteria against which the suitability of education could be assessed
- The commission and publication of a longitudinal research on the life chances and social outcomes of EHE children
- The creation of a 'level playing field' to enable EHE children to the same access to public examinations, further educational and work opportunities as their schooled peers.

- The Select Committee also identified from evidence, that children who were EHE were not considered in any national safeguarding guidance, specifically Keeping Children Safe in education (KCSIE), which it wanted rectifying as an urgent priority.

The National Child Safeguarding Panel in its annual report for 2020, included a focus on safeguarding children who were not visible to school. It reported that during the course of the year, there were 15 incidents involving children who were reported to be electively home educated. Three of those children died, two through suicide and one through risk-taking behaviour. The non-fatal serious harm incidents included neglect, emotional abuse, and intra-familial child sexual abuse. The panel noted that often these children were 'invisible' to services, because they were not in school and not visited at home. Therefore, they did not have the additional protection that school provided. The Panel had determined to analyse these cases to examine the extent to which elective home education had been a factor in the serious harm or death of a child.

Coventry City Council discharged its duty to ensure suitability of provision through the post of an EHE Coordinator. This dedicated post was held by an experienced teacher who ensured that the Council fulfilled the minimum standards for monitoring EHE, whilst building a strong partnership with the City's community of home educators.

Coventry's response to EHE was based on a model of partnership. The Council respected a family's decision to EHE and offered a range of support as required. This included a help hotline, the provision of guidance and advice and the sharing of information via a dedicated Facebook page e.g. arrangements for Covid vaccinations, examinations and community activities. Every known EHE family was offered an annual conversation to discharge the LA's duty to determine if a programme was suitable. This could be in the form of a meeting within the home, at a neutral venue, or virtually; a telephone conversation or an email/letter exchange. Given that there was no requirement for a family to engage with the LA relationships were informal. The minimum standards recommended by the Department for Education were set out in the national guidance and detailed in the briefing note.

The coordinator deployed professional curiosity towards new referrals, to ensure that families had an opportunity to reflect on their decision and were able to make an informed choice. Consequently, a significant proportion of expressions of interest did not transfer to EHE programmes or the programme ended relatively quickly. Common reasons given for a decision to EHE included Covid concerns, dissatisfaction with a school offer at the point of phase transition (primary to secondary), perceived encouragement by their current school, 'off-rolling', avoidance of an exclusion, newly arrived in the City, perceived bullying or relationship breakdown with school. If on a rare occasion it proved necessary to instigate enforcement action, this would be followed through to a conclusion.

The national range of EHE was 0.5% to 1.5% of the school age population. Coventry maintained a voluntary register, which was subject to daily fluctuations. In July 2020, 228 children were recorded on the voluntary register as EHE, this rose to 358 by July 2021 and in October 2021 was 369.

Coventry maintained its service for EHE throughout the pandemic, although during periods of lockdown face to face visits were switched to virtual meetings. The offer of a remote service had proved successful and the level of uptake had been maintained. The virtual offer now included an improved virtual presence offering increased opportunities to share information via the Council's website and Facebook which had been welcomed by families.

Coventry had worked with local businesses and exam centres to ensure that parents who want to register their child to sit public examinations can do so, although there was no compulsion for EHE students to sit exams. In order to encourage formal validation of a child's learning, subsidies were available to support family finances through business sponsorships.

EHE programmes are not always delivered from the home. For example, many EHE students in Coventry attend North Warwickshire and Hinckley College (Nuneaton campus) to access English and Maths. However, it was evident nationally that some providers within the EHE community were operating as unregistered schools. Coventry was vigilant to this practice and was currently unaware of this activity within the City.

EHE students follow a range of post 16 destinations. For those that continue their formal studies at home, Coventry continued to offer support. Others attend a range of colleges or enter employment. When consent was secured, the Council referred students to a careers advisor to support any young people who are not in education, employment or training (NEET).

The Board questioned officers, received responses, and discussed the following:

- There being no legal definition of a 'suitable education'
- Concerns about a mandatory register and the aims of a mandatory register
- Visits to home and Enforcement
- Assessments
- Coventry's EHE community

Officers highlighted that Coventry responded to requests to share the positive EHE approach with other Authorities due to praise reported by Coventry's EHE Community.

The Board supported the approach to elective home education in Coventry, which embraced parents informed choice, without compromising the Council's statutory duty to safeguard all children. Following a vote, the Board supported the national proposal to implement a mandatory register for home educators.

Officers agreed to investigate with Ofsted the question raised about online unregistered schools.

RESOLVED that the Scrutiny Board

- 1) note the content of the briefing note and support the approach to elective home education in Coventry, which embraced parents informed choice, without compromising the Council's statutory duty to safeguard all children.**
- 2) Following a vote, the Board support the national proposal to implement a mandatory register for home educators.**

16. **Work Programme**

The Scrutiny Board deferred consideration of the Work Programme until the next meeting.

17. **Any Other Business**

Support for the new Fostering recruitment video

The Board were made aware of a new fostering recruitment video and a link to the new video would be circulated.

(Meeting closed at 12.35 pm)