

Committee:	Dated:
Safeguarding Sub Committee	03/10/2019
Subject: Education and Early Years Service Safeguarding Update	Public
Report of: Andrew Carter, Director of Community and Children's Services	For Information
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Summary

In February 2019, the Safeguarding Sub Committee was updated on the work that the Education and Early Years Service was undertaking to improve the safety and welfare of City-resident children being educated in the City of London and other boroughs, as well as non-resident children attending schools within the City of London.

This report provides an update on developments and progress in the following areas:

- 1) The location of all City of London children and their schools
- 2) The 2016 children missing education (CME) regulations and the impact that this is having on the City of London
- 3) Children at risk of missing education
- 4) Electively home-educated children
- 5) Performance licences and work permits
- 6) Learning from the Hackney case review.

Recommendation

Members are asked to:

- Note the report.

Main Report

Background

1. The City of London has a unique educational landscape in that it has only one maintained primary school and no maintained secondary schools. There are four independent schools and one independent college (David Game College); most children attending these schools are non-City residents. Most of the City of London's primary-age children and all secondary-age children in the maintained sector are educated either in the independent sector or outside the City of London altogether. Consequently, this puts them outside

the standard reporting and/or legal framework that governs the City of London's statutory responsibilities.

2. In 2015, as part of its safeguarding children programme, and in the light of concerns about young people at risk of sexual exploitation and radicalisation, and the often invisible practice of private fostering arrangements, the City of London strengthened its systems and procedures for locating and monitoring its resident primary- and secondary-age children who fell within the statutory school age. Authorities are required to monitor and take appropriate action for those children who may be at risk of missing education, as well as those who fall within the statutory definition of CME.
3. In September 2016, new legislation was introduced to help local authorities and schools in England improve collaboration, communication and information sharing in identifying CME, and to help local authorities meet changes to the regulations. The regulations were strengthened to ensure that schools (including independent schools) provide regular and accurate information to their local authority about children as they are removed or added to school admission registers.

Current Position

The location of all City of London children and their schools

4. Since 2015, the Education and Early Years Service has implemented a rigorous system to identify all City of London children of statutory school age and where they attend school. The City of London maintains this record of where children are placed through the primary and secondary transitions process. A school tracker is updated and reviewed regularly. The school tracker records the names of all City of London children and young people, including those with special educational needs and disability (SEND).
5. Due to the level of resource required, it was decided that an annual census would be sufficient. Following the introduction of the General Data Protection Regulation (GDPR) in May 2018, the service was required to issue data-sharing agreements to all 84 schools known to have City of London children on their school rolls. The census took place in the autumn term 2019. After initiating the census, it became apparent that many of the schools were reluctant to share information with us, and very few agreed to sign the data-sharing agreements. It is likely that this is the case because schools have their own processes in place for safeguarding (including children at risk of missing education), and this involved escalating any issues to their home local authority as per the requirements.
6. Currently, it is estimated (through our own calculations) that there are 540 City of London children of statutory school age. Of those, during the current annual census, the service has so far identified 405 children who attend both maintained and independent schools. Some 270 of these children attend maintained primary and secondary schools. This figure has been substantiated by Department for Education (DfE) data produced in 2017.

Therefore, the service is satisfied that it has identified all the children and young people of statutory school age in the maintained sector.

7. There are key benefits to this work, including gaining a better understanding of where City-resident children attend school, as well as building up relationships with out-of-borough schools. Having those relationships in place will only improve communication, and schools are more likely to alert our service if there is a concern about a child.

The new CME regulations and the impact on the City of London

8. Since September 2016, a change in the law meant that, for the first time, independent schools came within the scope of schools' duty to report CME. This means that, during the school year, at non-standard transition points, all City of London schools are required to inform the Education Service when pupils are about to be taken off, or added to, the school roll.
9. Following a review of information provided by schools, and in line with GDPR, two new data-sharing agreements have been set up with the four independent schools. This is to ensure the secure data sharing of non-standard transition point information – information sent from the schools to the local authority when there is a new starter or when a child leaves. Statistical information has also been requested in response to the requirement from the Area Inspection carried out in March 2018 on identifying all children attending City schools who are on special educational needs (SEN) support.
10. To explain the revised requirements, the Lead Advisor for Universal Education Services and the Admissions and Attendance Manager visited all City independent schools in the autumn term 2018. A revised protocol, outlining the requirements for all City of London schools, was circulated in the autumn term 2018.
11. In 2019, we became aware of an additional independent college which has relocated to the City of London. This college initially catered for children and young people aged 16 and above, however, the cohort has now extended to young people aged 13 and above. Many of the students attending the college are from overseas. The college has been very proactive in attending the Education Safeguarding Forum as well as fulfilling their statutory requirements in relation to the CME regulations 2016.
12. To date, all five independent settings fulfil their statutory duty on informing the City of London when there is a change of school roll during non-standard transition points.
13. Initially it was requested that a list of all children whose attendance reached below the 90% threshold was sent to the service. However, it has since been agreed that schools must either provide attendance information directly to the service in a report, or to the Education Welfare Consultant (EWC) during visits. Over the last year, following successful visits by the EWC, offering all the schools a support and challenge role, the schools' preference is to discuss

specific cases directly with the EWC. This enables solution-focused discussion and signposting of relevant agencies, where applicable.

Children at risk of missing education

14. For children who are at risk of, or who are missing education, either as a result of medical reasons or exclusion, we maintain a CME spreadsheet, which is accessible only to the key people within the service who have knowledge of, or who are working on the cases. For any children known to the Children's Social Care, Early Help and Short Breaks services, notes relating to individual children are recorded on the MOSAIC digital data system. Children on the CME spreadsheet are given a Red, Amber or Green (RAG) rating depending on the level of concern. The Admissions and Attendance Manager monitors the children each term, and the results are then archived. Currently we have between 15 and 20 cases at any given time.
15. Following a review of how the service manages and maintains its cases, in November 2017, the Lead Advisor for Universal Education Services began writing a monthly progress report and weekly 'cases update' for individual children under the following categories:
 - a. children being electively home educated
 - b. children missing or at risk of missing education (attendance below 90%)
 - c. children unable to attend school full time/part time due to medical reasons.
16. Since the last Committee update in February 2019, due to the detail of the report, this is now being produced termly in line with a meeting held with the Director of Community and Children's Services to discuss individual cases and the work the service is doing to support those families.
17. For children who are unable to attend school due to medical reasons, following a referral from the school, a professionals' meeting is held and tuition is commissioned through several different agencies, including the National Teaching & Advisory Service (NT&AS) and Fleet Tutors. These agencies can provide a flexible service provided by tutors who have experience of working with vulnerable children and young people. For children who are permanently excluded, we commission the services of Fresh Start in Education, an organisation that specialises in working with challenging or disruptive pupils, or we work with local Pupil Referral Units where accessibility is possible.
18. The Education and Early Years Service also works closely with the Children's Social Care, Early Help and Short Breaks services to ensure that support to families is co-ordinated. Our EWC and Educational Psychologist work with individual families and all schools within our locality to encourage and, where necessary, enforce attendance, and to safeguard and promote children's welfare so they can reach their full potential.

Electively home-educated children

19. A potentially vulnerable group of children are those who are electively home educated – children who receive an education ‘otherwise than at school’. Parents are responsible for ensuring that their children receive a suitable level of education. Although our aim in the City of London is to work constructively with parents to help them promote their children’s learning and development, parents have the right to refuse entry for their children to education services. This could potentially result in them suffering from significant harm. Last year, a DfE consultation took place which gave local authorities and parents the opportunity to consult on future guidance around key issues such as: the registration of children educated at home; monitoring of home education provision; and support for home-educating families. The City of London contributed to the consultation process. The outcome of that consultation produced guidance in April 2019.
20. In addition to the consultation in June 2018, the DfE opened a consultation in April 2019, on establishing a local authority registration system for children who do not attend state-funded or registered independent schools. The consultation sought views on proposed legislation to establish a register, together with associated duties on parents and proprietors to establish a duty to support parents who educate children at home, and seek support from their local authority in doing so. The City of London responded to this consultation before the closing date of 24th June 2019 and is awaiting the outcome.
21. To safeguard all children being electively home educated, the City of London has a rigorous process in place. Although the number of City of London children being electively home educated is small, cases are discussed with key professionals and referrals are made if required. Case information is shared on MOSAIC to enable more effective information sharing. The City of London also ensures that home visits exceed the statutory minimum of one a year. Progress on cases is sent to senior managers regularly.
22. Following the issue of updated guidance in April 2019, the City of London has reviewed its Elective Home Education Policy (currently v2.2). A copy of which can be found under Appendix 1.

Performance licences and work permits

23. Children and young people of compulsory school age who are at an organisation or company in paid or voluntary work must have a valid work permit. The City of London is responsible for issuing licences to all organisations and companies located within the City of London. We continue to ensure that all employers carry out a health and safety risk assessment in the workplace, and that, at the point of application, all children are given adequate breaks, work no longer than they are legally permitted, and do not carry out dangerous or risky tasks.

24. There are also specific rules covering children working in entertainment. It is essential that local authorities recognise this statutory duty and fulfil their safeguarding responsibility towards children taking part in performances, paid sport and modelling. All children of compulsory school age require a performance licence to take part in any performance. There are also strict rules regarding the conditions under which children and young people can perform.
25. The Admissions and Attendance Manager has established and maintains excellent working relationships with key individuals working in venues located in the City of London, such as the Barbican Centre. This helps to ensure that we are informed of all productions and performances taking place within the City of London where children are performing, so we can offer support and advice on what the rules and requirements are. Inspections are carried out to ensure that children involved in performances are safe and happy.
26. Due to the relatively complex nature of issuing performance licences and Body of Persons Approvals (BOPAs), the service is currently reviewing its guidance on:
- a. BOPAs
 - b. individual performance licences
 - c. issuing of work permits
 - d. chaperone licences.

The outcome of this review will produce a set of processes and flow charts, as well as a more rigorous chaperone application and vetting procedure, which will include access to classroom training for any prospective chaperones. The service is being supported with this review by the Chair of the London Child Employment Network, and new policies and processes should be in place by the spring term 2020.

The recent review of local policies, procedures and cases

27. In October 2016, following his mother's fatal epileptic seizure, four-year-old Chadrack Mbala Mulo died at his home. Due to his vulnerabilities (Chadrack had special educational needs, was non-verbal and had health needs), the City and Hackney Safeguarding Children Board initiated a review of the case. This instigated a review of all local policies and procedures within schools located in the City of London and Hackney. The key issue for the review was that the child, although not of statutory school age, attended a primary school in Hackney. It was concluded that, rather than seeing Chadrack's absence from school as a welfare issue, the school had simply followed its current attendance policy.
28. In direct response to this work, the Education Service worked with Sir John Cass's Foundation Primary School to review its attendance policy and drafted a 'rapid response flow chart'. This provides a clear guide to schools on what to do if a child does not turn up to school and the child's family cannot be contacted. The process has a timeframe of three days in which to locate a

child from the first day of absence. The flow chart has been finalised and has been shared with all City of London schools. Sir John Cass's Foundation Primary School has also reviewed its data-collection form to include additional emergency contacts, parents'/carers' medical conditions/disabilities as well as information about access restrictions to the properties where pupils reside. This form is sent to all parents and carers and is a valuable source of information.

29. Following the review of processes for schools, work has also taken place on reviewing a similar flow chart and process for the Early Years settings based in the City of London. A draft of the flow chart was discussed at a providers' meeting earlier in the year and is currently being developed. This should be finalised by the end of the autumn term 2019.

Progress update on last year's priorities

30. Over the last year, the Education and Early Years Service has reviewed its procedures for monitoring attendance. Work will also continue to maintain the school tracker through an annual census.
31. City of London schools have taken part in Mental Health First Aid training that teaches staff how to help someone who is developing a mental health problem or experiencing a mental health crisis. The training helps staff to identify, understand, and respond to signs of addictions and mental illnesses.
32. The Education Service has attempted to gain a City-wide picture of how many children and young people with SEND attend City of London schools, by requesting statistical data on the number of children with SEND (either those categorised as receiving special education needs support, or those with Education, Health and Care Plans). This has been partially successful. Those schools yet to provide this information will be followed up in the new academic year.
33. Some reviews of relevant policies and procedures have taken place, including the Elective Home Education Policy and Home-to-School Transport policies, which affect all children of statutory school age and those aged up to 25 years with SEND.
34. The Education Service has established a new method of monitoring cases not known to the Children's Social Care, Early Help and Short Breaks services and therefore not recorded on MOSAIC.
35. The Education Service Group, which was established last year to oversee the strategic and operational priority areas and duties that fall within the statutory education framework, has met twice over the year. Following a review, the group will continue to meet every term.
36. With the establishment of the Education Unit, which oversees the City of London's schools and academies, the Education Service explored the possibility of offering places to City of London children and young people if

they become permanently excluded, or as part of a managed move. Currently, when a child is permanently excluded, the City of London is limited in how it can support families, including securing a new placement. This can cause uncertainty and expense for families, as a result of having to use other local authorities' Fair Access Panels. However, initial conversations and a more detailed look at the agreements in place (the scheme of delegation), which currently offer preferred places for City of London children at year 7, resulted in this not being a possible way forward. This is because the scheme of delegation only applies to children applying for year 7 places and not those transferring during term time in other year groups.

Future Priorities

37. Our main priority over the next year is to ensure full compliance with our statutory duties. Regular reviews will take place to ensure that procedures are in line with best practice and national guidance. In order to support us with this work, the Education Services Group will continue to meet.
38. In September 2018, following national concern around mental health in schools, and an increase in schools reporting higher numbers of students with emotional wellbeing difficulties, as part of a multi-agency Child and Adolescent Mental Health Services (CAMHS) Alliance, the Wellbeing and Mental Health in Schools (WAMHS) Project was established in 40 schools across the City and Hackney locality. With Sir John Cass's Foundation Primary School as an active participant, the project will continue for an initial 15 months, at which point it will be evaluated. The project has also been given the go-ahead to expand, following its initial positive outcomes.
39. In addition, through the Education Safeguarding Forum, the Education and Early Years Service will initiate a safeguarding campaign during the 2019/20 academic year. The campaign will focus on raising awareness of a range of identified needs in the context of safeguarding, particularly focusing on those more vulnerable pupils with mental health and wellbeing concerns. The campaign will include bite-size training in identified topics available to all staff in the City's education settings, including independent and sponsored schools.
40. The DfE is yet to produce recommendations following its Elective Home Education consultation held in May/June 2019. If the recommendations are accepted and guidance is tightened, then the City of London will incur additional responsibilities in the monitoring of children being electively home educated, which would incur additional cost and resource.

Corporate & Strategic Implications

41. This work supports priorities 1 and 2 in the Children and Young People's Plan 2018–21:

- Our children and young people are safe and feel safe
- Our children and young people have equal opportunities to enrich their lives and are well prepared to achieve in adulthood.

Conclusion

42. Over the past year, one of our key priorities in the Education and Early Years Service has continued to be to ensure the safeguarding and wellbeing of City-resident children accessing education, both outside and within the City of London. Even with the challenges we have experienced, we will continue to build on our success in locating our City-resident children and building relationships with the schools that our children attend.

43. Working in partnership with our City of London schools, we will continue to identify children at risk of missing education and offer support on attendance issues. We will also continue to collaborate with them to support good mental health in schools. We intend to continue to develop the Education Services Group, to ensure that it plays an important role in overseeing our educational statutory duties. This will include: monitoring, reviewing and maintaining rigorous policies and processes to keep children safe; ensuring that they receive a suitable level of education; and safeguarding those performing in film, television and the theatre.

Appendices

- Appendix 1 – Elective Home Education Policy v2.2

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