

Committee:	Dated:
Safeguarding Sub Committee	08/02/2019
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 September 2017, the Safeguarding Sub Committee were updated on the work that the Education and Early 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; 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, including those with child protection (CP) Plans and Children in Need (CIN) Plans, along with children and young people 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. This was due to take place during the summer term 2018. However, as a result of the new General Data Protection Regulation (GDPR) coming into force in May 2018, we were advised that data-sharing agreements were required with all the 84 schools we required data from. This work is very demanding on staff time and resources. See Appendix 1 for a

copy of a data-sharing agreement. Work was undertaken over the summer holidays to ensure that each school had its own data-sharing agreement. Work on the census began in October 2018 and is continuing.

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 392 children who attend both maintained and independent schools. Some 280 of these children attend maintained primary and secondary schools. This figure has been substantiated by Department for Education 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 are 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 secure data sharing of non-standard transition point information and a list of all children whose attendance is below the 90% threshold, twice a year. 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. All schools must provide attendance information, either directly to us in a report, or to the Education Welfare Consultant during visits; any reports that come to our Service are used as intelligence, which is then passed to our Education Welfare Consultant to provide a support and challenge role to the schools.
11. 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. A revised protocol, outlining the requirements for all City of London schools, was circulated in the autumn term 2018. A copy of this can be found at Appendix 2. To date, all four independent schools have agreed to sign a data-sharing agreement fulfilling their statutory duty on informing the City of London when there is a change of school roll during non-standard transition points.

Children at risk of missing education

12. 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 database. For any children known to the Children and Families Team, notes relating to individual children are recorded on MOSAIC. Children on the CME database are given a Red, Amber or Green (RAG) rating depending on the level of concern. The Admissions and Attendance Manager monitors their attendance monthly.
13. 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 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.
14. In addition to this monthly report, a more detailed 'case updates' report is written and emailed every week to the Head of Service and the Assistant Director, People. Every term a meeting is 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.
15. 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 a number of different agencies, including the National Teaching and Advisory Service (NT&AS) and Fleet Tutors. These agencies can provide a flexible service and tutors who have experience of working with vulnerable children and young people. For children who are excluded, we commission the services of Fresh Start in Education, an organisation that specialises in working with challenging or disruptive pupils.
16. The Education and Early Years Service also works closely with the Children and Families Team to ensure that support to families is co-ordinated. Our Education Welfare Consultant and Educational Psychologist work with our individual families and all schools within our locality to encourage and, where necessary, enforce attendance and to safeguard and promote the children's welfare so that they can reach their full potential.

Electively home-educated children

17. 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 Department for Education 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. We are currently awaiting the outcome, including revised guidance.

18. The City of London is aware of these risks and has a rigorous process in place to ensure the safety and welfare of these children. 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 our case-management system 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 the senior managers regularly.

Performance licences and work permits

19. 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.
20. 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.
21. Over the last year, the Admissions and Attendance Manager has established an excellent working relationship 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, and that 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. One of our additional duties is the employment of children's chaperones. This includes interviewing candidates, issuing Disclosure and Barring Service (DBS) certificates, and acquiring references before a licence is issued.

The recent review of local policies, procedures and cases

22. In October 2016, following his mother's fatal epileptic seizure, four-year-old Chadrack Mbala Mulo died at his home. Due to his vulnerabilities (Chadrak 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..
23. 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.

Progress update on last year's priorities

24. Over the last year, the Education and Early Years Service has reviewed its procedures for monitoring attendance. In line with the protocol, which has been sent to all City of London schools (see Appendix 2), the Admissions and Attendance Manager and the Performance Analyst will monitor all returns. Work will also continue to maintain the school tracker through an annual census.
25. The Education Service applied to the Department for Education for information held on the national pupil database which would have supported this work and our research into finding out the numbers of City-resident children who are receiving SEND support in schools located outside the City of London. Unfortunately, even with legal advice, our application was not successful, and we have to identify new ways to gain a City-wide picture of how many children and young people with SEND attend City schools.
26. Some reviews of relevant policies and procedures have taken place, including home-to-school transport policies, which affect all children of statutory school age and those aged up to 25 years with SEND.

Future Priorities

27. Our main priority over the next year is to ensure full compliance with our statutory duties. Regular reviews will then take place to ensure that procedures are in line with best practice and national guidance. In order to support us with this work, a new Education Services Group has been established. The group is made up of local authority education professionals, including the Virtual School Headteacher, Educational Psychologist and a member of the Education, Culture and Skills Service. The group will be responsible for overseeing the delivery of key educational statutory duties such as the quality assurance of tuition services, school moderation and places for children who are excluded from school.
28. 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.
29. In addition, through the Education Safeguarding Forum, the Education and Early Years Service is launching its Safeguarding campaign in 2019. 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 a full training programme around identified topics available to all staff in the City's education settings, including independent and sponsored schools. It is envisaged that this programme will be launched with a conference, which will follow training to include briefings and bite-sized training sessions.
30. With the establishment of the Education Unit, which oversees the City of London's schools and academies, an opportunity has arisen to explore 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.

Corporate & Strategic Implications

31. 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

32. 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 monitoring their attendance at school. 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 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 – Example of a data-sharing agreement sent to out-of-borough schools
- Appendix 2 – Protocol for City Schools Post CME Legislation

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