

<b>Committee:</b> Safeguarding Sub Committee	<b>Dated:</b> 14/11/2024
<b>Subject:</b> Education and Early Years Service Safeguarding Update	<b>Public</b>
<b>This proposal</b> a) delivers Corporate Plan 202429 outcomes (para. 31) b) provides statutory duties c) provides business enabling functions	
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>Y</b>
<b>Report of:</b> Judith Finlay, Executive Director, Community and Children's Services	<b>For Information</b>
<b>Report author:</b> Kirstie Hilton, Head of Service, Education and Early Years	

### Summary

The Safeguarding Sub Committee is regularly updated on the work that the Education and Early Years Service delivers to improve the safety and welfare of City-resident children being educated in the City of London (CoL) and other boroughs, as well as non-resident children attending schools within the CoL.

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

- 1) The City of London School tracker and identification of children on Special Educational Needs (SEN) Support
- 2) The *Working Together to Improve School Attendance* Statutory Duty
- 3) Children at risk of missing education
- 4) Electively home-educated children
- 5) Performance licences and work permits

### Recommendation

Members are asked to:

- Note the report

## Main Report

### Background

1. The CoL has a unique educational landscape, with only one maintained primary school and no maintained secondary schools within its locality. There are four independent schools and one independent college (David Game College); most children attending these schools are non-City residents. Most CoL primary-age children and all secondary-age children are educated either in the independent sector or outside the CoL altogether. Consequently, this puts them outside the standard reporting and/or legal framework that governs the CoL's statutory responsibilities.
2. Section 19 of the Education Act 1996 imposes a legal duty on local authorities to provide a suitable education for children of compulsory school age who are out of school. With only one maintained primary school located in the CoL, most children attending school in the state sector attend schools located in other localities. The CoL continues to promote high educational standards locally, ensure fair access to schools, and protect the interest of the most vulnerable pupils.
3. The Department for Education (DfE) published new guidance in May 2022 for maintained schools, academies, independent schools, and local authorities. *Working Together to Improve School Attendance* came into effect as a statutory document from August 2024, in preparation for the new academic year. The purpose of the guidance is to help maintained schools, academies, independent schools and local authorities to work together to maintain high levels of attendance. Each group plays an essential and different role in working together collectively to improve attendance by addressing the issues that underpin attendance concerns.
4. The CoL is responsible for regulating all children and young people either performing or working within the City's boundaries. National child employment guidance, which oversees the administration of child work permits, the issue of performance licences, Body of Persons Approvals (BOPAs) and chaperone licences, is available to all local authorities through the National Network for Children in Employment and Entertainment (NNCEE). However, local guidance specific to individual local authorities is less well known. There are statutory laws to help safeguard children of statutory school age while they are performing or working part time. The relevant primary legislation is Part II of the Children and Young Persons Act 1933 and Part II of the Children and Young Persons Act 1963. The Children (Performances and Activities) (England) Regulations 2014 came into effect on 6 February 2015. These regulations replaced the Children (Performances) Regulations 1968 as amended, which were repealed in their entirety together with all guidance that related to them. The law applies to all children from birth until they reach compulsory school-leaving age.

## **Current Position**

### **The City of London School tracker and identification of children on SEN Support**

5. To provide children who are out of school with a suitable education, the Education and Early Years Service has developed a system to identify CoL children of statutory school age, and monitor their school attendance. The City maintains this record by using primary and secondary transition data, along with the 'No Show Report' provided by Islington. This report is generated at the start of each academic year to confirm that all children transitioning to primary and secondary schools are actively attending. The school tracker is updated and reviewed annually during a census, documenting the names of all CoL children.
6. This work offers several key benefits, such as enhancing our understanding of where City-resident children are enrolled in school. Establishing these relationships improves communication with schools, making them more likely to notify our service if there are concerns about a child.
7. Currently, our records show that there are 332 CoL resident children of statutory school age. Of those:
  - children and young people attend 63 schools
  - children attend 19 local authority areas
  - there are 43 pupils with persistent absence
  - there are 53 pupils on SEN Support (attending 14 different schools).
8. It is crucial for the CoL to have a comprehensive overview of the attendance and outcomes of all children and young people residing in the City who are receiving SEN Support. Anticipating needs is vital when designing and planning services for children and young people with special educational needs and disability (SEND). In the autumn term of 2024, we will reach out to all 14 schools that serve children on SEN Support to gather more detailed information about: the reasons for low attendance; attainment levels and suspensions data; and use of Alternative Provision. This will enable us to begin monitoring the outcomes for these children. By providing referrals and signposting as needed, including offering a free copy of our *SEND Ranges* document (which outlines how the City applies its graduated approach to supporting children with SEND), we can gain a better understanding of how children in out-of-borough schools are being supported.

### **The *Working Together to Improve School Attendance* Statutory Duty**

9. The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational needs they may have. Where parents decide to have their child registered at school (the alternative being Elective Home Education), they have an additional legal duty to ensure that their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of permissible

circumstances, such as being too ill to attend, or being given permission in advance by the school for an absence.

10. In August 2024, DfE published new statutory guidance for maintained schools, academies, independent schools, and local authorities on *Working Together to Improve School Attendance*. The purpose of the guidance is to help all schools and local authorities work together to maintain high levels of attendance. Each group plays an essential and different role, and will need to work collectively to improve attendance.
11. Where barriers to attendance for a pupil or family are complex, and signposting to services is not sufficient, the CoL, schools and other services will continue to work together to provide more intensive whole family support to address those barriers. All multi-disciplinary support will be co-ordinated using existing Early Help structures. For children resident in the CoL, a referral will be made to the CoL Early Help team. For children attending schools in the CoL but residing in other areas, the School Attendance Support team will work with schools and families to ensure that persistent absence is challenged, and that support and signposting takes place.
12. During the last academic year (2023/24), the School Attendance Support team successfully received attendance data from all CoL schools, creating a platform that the Education Welfare Manager was able to use to discuss pupils with concerning levels of attendance. Attendance data was requested at least every term and visits to the schools took place at least every term (more frequently for The Aldgate School, given it is the only maintained school within the CoL local authority). Schools are engaging well with the Education Welfare Manager, who is supporting the designated safeguarding leads and attendance leads in addressing attendance concerns.
13. All CoL schools attend the Safeguarding Education Forum (SEF) on a termly basis. The SEF provides an opportunity for the CoL schools to meet to share and consider policy, practice and procedural issues relating to safeguarding arrangements in school settings in the CoL. The Education Welfare Manager has also established a School Attendance Network meeting, specifically targeted at the designated safeguarding leads, to discuss more operational matters. The Network meeting will report to the SEF and the first meeting took place in October 2024.

### **Children at risk of missing education (and those under Section 19)**

14. We maintain an accurate record of children who are at risk of, or who are missing education, either as a result of medical reasons, not being enrolled with a school, being educated otherwise, or due to exclusion. This record is accessible to the key people within the service who have knowledge of, or who are working with those families. 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 management information system. Children recorded by the service as either missing, or at risk of missing education are monitored regularly. A termly report is produced and discussed with directors for strategic guidance.

15. The Attendance Improvement Group (previously known as the Vulnerable Children Group), have oversight of a list of all children at risk of missing education. This list was established during the first COVID-19 lockdown in March 2020 to ensure that all children known to support services had access to IT equipment and Wi-Fi to enable them to access remote learning. Following the pandemic, the group has continued to monitor attendance and circumstances of our most vulnerable children and young people. The group draws together the key support services to ensure sharing of information, actions for improvement, and the prevention of 'drift' in service provision.
16. Although four years have passed since the pandemic, consideration has been given to continuing an overview of these children by maintaining the Attendance Improvement Group. Children with low attendance or who are not attending school are at risk of not reaching their full potential. An important part of ensuring that children are safe is to make sure that they are receiving an education. The group also monitors young people who are not in education, employment or training (NEET) and electively home-educated children where there are concerns about the suitability of education being delivered.
17. The purpose of the Group is to maintain an overview of the children that continue to experience issues with school attendance and engaging with education. The group is also a platform for ensuring regular information sharing between services. The Group is for CoL resident children only, including Children in Care who live outside of the CoL.
18. The Group provides an opportunity for key officers to share what actions are being taken to support these children. There are currently 24 children and young people on the list. Many of these children are already known to statutory services, including those who are:
  - Children in Care
  - on a Child Protection Plan
  - Children in Need
  - known to the Early Help team
  - with Education, Health and Care (EHC) Plans
  - Electively Home Educated
  - missing education (or at risk of missing education)
  - in the Early Years who are transitioning into primary school in the next academic year, and where there may be concerns about attendance.
19. 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 Education Welfare Manager works with individual families of children who attend school outside the CoL, 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.

## **Children in alternative provision**

20. Alternative provision (AP) provides specialist places and support for those children and young people who would benefit from spending time away from their current school, or who present with such needs that cannot be met in mainstream or special school environments. CoL is committed to ensuring that all of its children and young people attending AP have access to suitable and high-quality provision.
21. While the CoL does not have any alternative providers within its area, children and young people are sometimes referred to AP through collective commissioning arrangements with the local authority where they attend school or receive support from tutor agencies. In response, the Education and Early Years Service, in collaboration with the Commissioning team, has developed a quality assurance checklist to evaluate providers based on safeguarding, health and safety, quality of education, personal development and behaviour, leadership and management, as well as student entitlement and post-16 engagement.
22. Quality assurance is crucial when arranging AP (including tuition) for children who require it, to ensure effective and safe learning experiences. The City of London Corporation will maintain an approved list of alternative providers that are registered with DfE and rated as 'good' or 'outstanding' by Ofsted. It will also keep a list of tuition services that have been quality assured, and use the quality assurance checklist before services are commissioned. Prior to any placement, we will request the provider's most recent quality assurance framework to confirm that they can meet the individual needs of the pupil, including health and safety, quality of education, and suitability. Further assurances will be obtained through a visit to the provider to complete the quality assurance checklist. When commissioning an out-of-borough placement for AP, this checklist will be completed and presented to the SEND and AP Panel before the child is placed. The Education Welfare Manager will lead the checklist completion when a placement is needed.

### **Electively home-educated children**

23. Parents are responsible for ensuring that their children receive a suitable level of education according to their age and ability. While our goal in the CoL is to collaborate with parents to support their children's learning and development, parents have the right to decline entry for their children to educational services. This could potentially lead to significant harm for the children involved.
24. The CoL has established a thorough process to ensure that all children who are electively home educated receive an appropriate level of education. Although the number of CoL children being electively home educated is small (currently two), the Education team proactively reaches out to families, collaborates with key professionals, and completes referrals as needed. MOSAIC is also used to facilitate effective information sharing. The Education team conducts home visits to electively home-educated children twice a year. Updates on family engagement are regularly reported to the Departmental Leadership Team. Any concerns are promptly communicated to the Children's Social Care and Early Help services.

25. The CoL's Elective Home Education Guidance is regularly reviewed and updated in line with DfE guidance and local decision-making. The current guidance was reviewed and agreed in April 2023.

### **Performance licences and work permits**

26. Children and young people of compulsory school age who work for an organisation or company, in paid or voluntary work, must have a valid work permit. The CoL is responsible for issuing child work permits to all organisations and companies located within the CoL. The Education team continues to ensure that all employers carry out a health and safety risk assessment in the workplace. They also make sure that, at the point of application, all children are given adequate breaks, work no longer than they are legally permitted, have appropriate insurance cover, and do not carry out dangerous or risky tasks. Over the last year, the service has issued four work permits.

27. 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, including when children are taken out of school to either rehearse or perform.

28. The Education team has established and maintains excellent working relationships with key individuals working in venues located in the CoL, such as the Barbican Centre. This helps to ensure that the service is informed of all productions and performances involving children within the CoL, so that support and advice can be offered on the relevant rules and requirements. Inspections are carried out to ensure that children involved in performances are safe and happy and are not being exploited.

29. Due to the relatively complex nature of issuing performance licences and Body of Persons Approvals (BOPAs), the service has local guidance on:

- a. BOPAs
- b. individual performance licences
- c. issuing of work permits
- d. chaperone licences.

30. Over the last year, the service has issued 25 BOPAs, and visited 15 performances. All visits are followed up with a letter, including any recommendations following any concerns raised during the visit. The Education team has issued no new chaperone licences recently.

### **Corporate & Strategic Implications**

31. **Strategic implications** – Corporate outcome: **Providing Excellent Services:** Supporting people to live healthy, independent lives, and achieve their ambitions, is dependent on excellent services. Vital to that continued pursuit is enabling

access to effective adult and children's social care, outstanding education, lifelong learning, quality housing, and combatting homelessness. **Diverse Engaged Communities:** Across our residents, workers, businesses, and visitors, everyone should feel that they belong. Connecting people of all ages and backgrounds will help build diverse, engaged communities that are involved in co-creating great services and outcomes.

32. **Financial implications** – Support must be offered to schools free of charge. There is no additional funding available from DfE.
33. **Resource implications** – There is a dedicated Education team that manages the work detailed in this report.
34. **Legal implications** – There is a statutory duty to ensure that all children attend school regularly. The CoL must ensure that all children have a school place, and to ensure that children are safe in employment.
35. **Risk implications** – There is a reputational risk if the CoL does not comply to any statutory guidance.
36. **Equalities implications** – All children have the right to an education and to be kept safe from harm.
37. **Climate implications** – N/A
38. **Security implications** – N/A

## Conclusion

39. Over the past year, a primary focus of the Education and Early Years Service has been to safeguard the wellbeing of children residing in the City who are accessing education, both within and outside the CoL. We remain committed to enhancing our efforts to keep children safe in their employment and to improve our understanding of where our children and young people are being educated, and the support they require.
40. In collaboration with CoL schools, we will keep identifying children at risk of missing education and provide support for attendance-related issues. We plan to further develop the School Attendance Networking Meeting and assess the effectiveness of the Attendance Improvement Group to ensure that both operations play a crucial role in fulfilling our educational responsibilities.
41. We will monitor, review and maintaining our policies and processes to keep children safe. We will ensure that children and young people receive a suitable level of education, and that those performing in film, television and the theatre, are safeguarded.

## Appendices

- None



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