

City of London Corporation Committee Report

Committees: Safeguarding and SEND Sub Committee	Dated: 01/07/2025
Subject: Education and Early Years Service Safeguarding Update	Public report: For Information
This proposal: <ul style="list-style-type: none"> • delivers Corporate Plan 2024-29 outcomes • provides statutory duties • provides business enabling functions 	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 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.
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	N/A
What is the source of Funding?	The Dedicated Schools Grant
Has this Funding Source been agreed with the Chamberlain's Department?	Yes
Report of:	Judith Finlay, Executive Director of Community and Children's Services
Report author:	Kirstie Hilton, Head of Education and Early Years Service

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 Guidance
- 3) Children at risk of missing education
- 4) Electively home-educated children
- 5) Performance licences and work permits

Recommendations

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 because of exclusion, illness, or other reasons and who would not receive suitable education without such provision. 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 CoLC remains committed to promoting high educational standards locally and collaborates with schools and local authorities attended by our children to ensure fair access to education and safeguard the interests 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 statutory guidance from August 2024. All CoL schools, including the independent schools are successfully implementing the statutory guidance and have updated relevant policies in response to the legislation. The purpose of the guidance is to help

maintained schools, academies, independent schools, and local authorities to work collaboratively to improve attendance, by addressing the issues that underpin attendance concerns and thus to maintain high levels of attendance.

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). Although the City of London has its own local policies, local guidance specific to other individual local authorities is less well known. There are 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. The law applies to all children from birth until they reach compulsory school-leaving age. The children's Wellbeing and Schools Bill 2024 looks to be amending the 1933 Act.

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 CoL maintains this record by using primary and secondary transition data, along with the 'No Show Report' commissioned through 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 resident 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 333 CoL resident children of statutory school age. Of those:
 - children and young people attend 69 schools
 - children attend 20 different local authority areas
 - there are 44 pupils on SEN Support (attending 16 different schools).

8. It is crucial for the CoLC to have a comprehensive overview of the attendance and outcomes of all children and young people residing in the CoL who are enrolled out of the area, including those receiving SEN Support. Anticipating need is vital when designing and planning services for children and young people with special educational needs and disability (SEND). All 14 schools that serve children on SEN Support have been contacted during the autumn term 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 CoL 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. City resident children enrolled at The Aldgate School have their attendance available for routine checking through the *Working Together To Improve School Attendance* statutory guidance.

The *Working Together to Improve School Attendance* Statutory Guidance

9. The Education Act 1996 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, the Department for Education published new statutory guidance for maintained schools, academies, independent schools, and local authorities on *Working Together to Improve School Attendance*. The purpose of the statutory guidance is to help all schools and local authorities work together to maintain high levels of attendance whilst ensuring that a 'support first' approach is applied before legal intervention is considered.
11. Where barriers to attendance for a pupil or family are complex, and signposting to services is not sufficient, the CoLC, 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 and with parental consent 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 addressed, and that support takes place. Regular reviews and continued monitoring of school attendance also takes place to ensure improvements are sustained.
12. Over the course of the current academic year, the School Attendance Support Team has issued seven Notice to Improve warnings to parents with children attending its maintained primary school. Primarily, the reason for issuing warning

letters is currently unauthorised term time leave. The City of London Penalty Notice Code of Conduct Policy (dated August 2024) as updated in line with the 'Working Together to Improve School Attendance' statutory guidance. Although the CoLC Code of Conduct does stipulate that penalty notices may be issued for unauthorised absence, the School Attendance Support Team, where appropriate, issue a Notice to Improve in the first instance, allowing parents to make positive improvements and ensure that future term time leave is taken outside of school time. Meetings with families are also held, when necessary, to discuss poor attendance, strategies to improve attendance and what impact not attending school has on their children's education. A supportive approach is always adopted prior to an enforcement approach.

13. During the last academic year (2023/24), the School Attendance Support Team successfully received attendance data from all CoL schools and continue to receive this data termly, creating a platform that the Education Welfare Manager is able to use to discuss pupils with concerning levels of attendance and to assess the overall effectiveness of the support offered by and to schools. Attendance data for the CoL maintained school can be retrieved via Wonde and persistently and severely absent pupils can be identified through this method. Visits to the City based 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). All visits are welcomed by the schools, with dedicated safeguarding leads and attendance officers continuing to engage well with the Education Welfare Manager, in addressing attendance concerns. Visits may consist of a combination of whole school/individual attendance discussions and parental meetings, based on the needs of the schools. Some CoL schools have been open to more regular visits and meetings with parents and students from the Education Welfare Manager. This has had a positive impact on the attendance of pupils who experience barriers preventing good school attendance.
14. 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 and attendance officers, to discuss more operational matters. The Education Welfare Manager has hosted two termly School Attendance Network meetings since the autumn term and these have been well attended. DfE Advisor, Victoria Franklin introduced the new School Attendance Network Meetings by emphasising statutory responsibilities for both independent and maintained schools. Feedback from these meetings is used to shape future network meetings and ensure that the meetings are purposeful for CoL schools.

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

15. We maintain an accurate record of children known to us 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, with an EHCP, 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.
16. The Attendance Improvement Group (previously known as the Vulnerable Children Group), has oversight of a list of all children at risk of missing education. 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.
17. An important part of ensuring that children are safe is to make sure that they are receiving an education. The Attendance Improvement Group also monitors young care experienced 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. It is acknowledged that children with medical needs may present as persistently or severely absent for long or numerous periods and therefore the Group has agreed to still monitor these vulnerable children but understand that improvements in attendance may be difficult to achieve.
18. The Group provides an opportunity for key officers to share what actions are being taken to support these children. There are currently 12 children and young people on the list. Many of these children are already known to services, including:
- Children in Care
 - Children on a Child Protection Plan
 - Children in Need
 - Children known to the Early Help team
 - Children with an Education, Health, and Care (EHC) Plan
 - Children missing education (or at risk of missing education)
 - Children in the Early Years who are transitioning into primary school in the next academic year, and where there may be concerns about attendance.
 - Care leavers
 - Children who are Electively Home Educated

Children in alternative provision

19. Alternative provision (AP) provides specialist places and support for those children and young people who need to spend time away from their current school, or who present with such needs that cannot be met in mainstream or special school environments. CoLC is committed to ensuring that all of its resident children and young people attending AP have access to suitable and high-quality provision.
20. 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 to this, 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. Where appropriate, recommendations and references are also sought from neighbouring local authorities.
21. 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 maintains an approved list of alternative providers that are registered with DfE and rated as 'good' or 'outstanding' by Ofsted. It also keeps 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 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 are obtained through a visit to the provider to complete the quality assurance checklist. When commissioning an out-of-borough placement for AP, this checklist is completed and presented to the SEND and AP Panel. The Education Welfare Manager will lead on the completion of each checklist when a placement is needed.

Electively home-educated children

22. **Section 7:** Places a **legal duty on parents** to ensure their children receive a **full-time education** suitable to their age, ability, aptitude, and any special educational needs (SEN), either by attendance at school or otherwise (e.g., home education). While our goal in the CoLC is to collaborate with parents to support their children's learning and development, parents have the right to decline engagement for their children to educational services.
23. 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 under five), the Education team proactively reaches out to families, collaborates with key professionals, and completes referrals as needed. Families are also guided towards available services, with information shared about resources in and around the CoL. 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 reported termly to the Departmental Leadership Team. Any concerns are promptly communicated to the Children's Social Care and Early Help services.

24. 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

25. 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 CoLC 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.
26. 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.
27. 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.
28. 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.
29. Over the last year, the service has issued 12 BOPAs and visited 3 performances. All visits are followed up with an outcome report, including any recommendations following any concerns raised during the visit. The Education team has issued no new chaperone licences recently, however, has a rigorous process in place to

ensure that new applicants attend training and interview processes as well as provide detailed references and enhanced DBS checks.

Corporate & Strategic Implications

30. **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, and 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.
31. **Financial implications** – Support must be offered to schools free of charge. There is no additional funding available from DfE.
32. **Resource implications** – There is a dedicated Education team that manages the work detailed in this report.
33. **Legal implications** – There are a number of relevant statutory duties on the Corporation in relation to children. These include duties in relation to school attendance, provision of education, performance licenses and special educational needs. The areas of work outlined in this report help the Corporation comply with statutory requirements.
34. **Risk implications** – There is a reputational and potentially a legal risk if the CoL does not comply with any statutory guidance.
Equalities implications – Children in UK schools are protected by the **Equality Act 2010**, which ensures they are not discriminated against based on characteristics like **disability, race, gender, religion, or sexual orientation**. Schools must: **Treat all pupils fairly** and equally; Make **reasonable adjustments** for disabled children; Provide **inclusive education** for those with special needs; Ensure **equal access** to learning and activities; Promote **diversity and positive relationships** between different groups. They also have a **legal duty** to remove barriers, advance equality, and foster inclusion in all aspects of school life.
35. **Climate implications** – n/a
36. **Security implications** – n/a

Conclusion

37. 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 CoL 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.

38. 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 strengthen School Attendance Network Meetings to equip schools with the skills and knowledge they need to raise school attendance. The effectiveness of the Attendance Improvement Group will also be reviewed when required to ensure that both operations play a crucial role in fulfilling our educational responsibilities.
39. We will monitor, review, and maintain 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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