

AGENDA

Meeting: Children's Select Committee
Place: Kennet Room - County Hall, Bythesea Road, Trowbridge, BA14 8JN
Date: Tuesday 5 March 2019
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Pre-meeting information briefing

There will be a briefing session starting at 9.30am, immediately before the meeting. Its focus will be on Elective Home Education and Children Missing Out on Education.

Membership:

Cllr Jon Hubbard (Chairman)	Cllr Deborah Halik
Cllr Mary Douglas (Vice-Chairman)	Cllr Hayley Illman
Cllr Mary Champion	Cllr Chris Hurst
Cllr Andrew Davis	Cllr Johnny Kidney
Cllr Christopher Devine	Cllr Jacqui Lay
Cllr Sue Evans	Cllr Roy While
Cllr David Halik	

Substitutes:

Cllr Pat Aves	Cllr Nick Fogg MBE
Cllr Clare Cape	Cllr Peter Fuller
Cllr Trevor Carbin	Cllr Russell Hawker
Cllr Ernie Clark	Cllr Jim Lynch
Cllr Stewart Dobson	Cllr James Sheppard

Non-Elected Voting Members:

Dr Mike Thompson	Clifton Diocesan RC Representative
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Non-Elected Non-Voting Members:

Tracy Cornelius
Miss Sarah Busby
John Hawkins
Maisy Humphrey
Declan Kiely

Primary Head Teacher Representative
Secondary Head Teacher Representative
School Teacher Representative
Children & Young People's Representative
Children & Young People's Representative -
Substitute

Recording and Broadcasting Information

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County Hall, Trowbridge
Bourne Hill, Salisbury
Monkton Park, Chippenham

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

PART I

Items to be considered while the meeting is open to the public

1 **Apologies**

2 **Minutes of the Previous Meeting** (*Pages 9 - 18*)

To approve and sign the minutes of the previous meeting held on 8 January 2019. (copy attached)

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Tuesday 26 February 2019** in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on **Thursday 28 February 2019**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Update from Youth Representative** (*Pages 19 - 22*)

The report offers a summary of activities of the Wiltshire Assembly of Youth (WAY) Youth Safeguarding Board (YSB) and the Children in Care Council (CiCC) during the period December 2018 – January 2019.

7 **Children Missing Education and Elective Home Education Datasets** (*Pages 23 - 94*)

As requested by the committee at their January 2018 meeting members are provided with the following reports regarding Children Missing Education and Elective Home Education:

- An update to Children’s Select Committee relating to the current position in Wiltshire of those children who are classified as Children Missing Education (CME).
 - Annex 1 – Children Missing Education: Statutory Guidance for Local Authorities
 - Annex 2 – Wiltshire Council CME-CMOE Policy
- An overview of the current situation within Wiltshire relating to Elective Home Education.
 - Appendix 1 – Children’s Commissioner Report

Both reports contain data and figures referring to CME & EHE. Members are asked to comment on the data within the reports and consider receiving and annual update.

8 **Family and Children's Transformation (FACT) Update**

The committee will receive an update on the progression of Family and Children's Transformation (FACT) programme.

This will be published as a supplement to the agenda.

9 **Children's Centre Buildings Consultation** (*Pages 95 - 104*)

Members are provided with a report which outlines why the Council is proposing moving children’s centre services from buildings to community venues and the related consultation process it is undertaking.

Members are asked to provide comments on the report prior to this Cabinet decision on 30th April 2019.

10 **Educational Outcomes for Disadvantaged Learners**

The committee will be provided with an overview of the attainment and progress of pupils eligible for the pupil premium in Wiltshire compared with similar outcomes in England, the south west and local authority statistical neighbours. The report will include an outline of the activity carried out to improve outcomes across the County.

This will be published as a supplement to the agenda.

11 **Interim Report of the SEND School Provision Task Group** *(Pages 105 - 114)*

Following their last interim report in May 2018 the SEND Scholl Provision Task Group has provided the committee with a further report to present their findings and recommendations.

The report follows the Cabinet decision in May 2018 to enter a pre-consultation stage on three options for the future provision of SEND education in Wiltshire. Since the end of this pre-consultation the task group began evidence gathering regarding the Wiltshire vision for SEND school provision

The committee is asked to endorse the report, its conclusions and recommendations and refer them to the Cabinet Member for Children, Education and Skills for response.

12 **School Ofsted Judgements**

The committee is provided with a report which includes information regarding the most recent Ofsted Inspection reports. It provides an ongoing view of the effectiveness of schools as seen by Ofsted Inspection.

13 **DfE Changes - Update from Department for Education** *(Pages 115 - 120)*

A report by Terence Herbert, Corporate Director, is attached presenting an update on developments relating to children's services arising from the Department for Education.

14 **Task Group and Board Representative Updates** *(Pages 121 - 122)*

The committee will receive updates from active Task Groups and the committee's board representatives.

A report by the Senior Scrutiny Officers providing an update on Task Group Activity since the last meeting is attached.

15 **Forward Work Programme** *(Pages 123 - 126)*

The Committee is asked to note the attached documents showing the relevant items from the overview and scrutiny forward work programme and the latest version of the strategy list for the Children, Education and Skills directorate.

16 **Date of Next Meeting**

To note that the next scheduled meeting is due to be held on Wednesday 15

May 2019 at County Hall, Trowbridge, starting at 10.30am.

17 **Urgent Items**

Any other items of business which the Chairman agrees to consider as a matter of urgency.

PART II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

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CHILDREN'S SELECT COMMITTEE

MINUTES OF THE CHILDREN'S SELECT COMMITTEE MEETING HELD ON 8 JANUARY 2019 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Jon Hubbard (Chairman), Cllr Mary Douglas (Vice-Chairman), Cllr Mary Champion, Cllr Andrew Davis, Cllr Christopher Devine, Cllr Sue Evans, Cllr David Halik, Cllr Deborah Halik, Cllr Chris Hurst, Cllr Jacqui Lay, Cllr Roy While, Dr Mike Thompson, Miss Sarah Busby, John Hawkins, Joel Mutagayika and Ms Jen Jones

Also Present:

Cllr Phil Alford, Cllr Laura Mayes and Cllr Philip Whalley.

1 Apologies

Apologies for absence were received from Cllr Johnny Kidney and Maisy Humphrey, who was substituted by Joel Mutagayika.

2 Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 6 November 2018.

3 Declarations of Interest

There were no declarations of interest made at the meeting.

4 Chairman's Announcements

The Chairman made the following announcements:-

a) Cabinet items

For information on 11th December Cabinet considered the following items

Outdoor Education

CSC involvement – task group report

Proposed Closure of Lypiatt Primary School

CSC involvement – Chair received a briefing note on the topic.

On 15th January Cabinet would consider the following items

Wiltshire Council Adoption Service: 2018 Q1-2 6 Month Report

Lead officers: Matthew Turner, Lynn Wheeler

b) Overview and Scrutiny Councillor Workshop Outcomes

At OS Management Committee on 20th November members considered the outcomes from a councillor workshop titled 'Effective Overview and Scrutiny meetings', held in October.

Management Committee noted the strengths of scrutiny at present, as agreed by attendees at the workshop. These were:

- Informative pre-meeting information briefings
- Effective chairing
- A clear purpose
- Addressing the right priorities
- Generally an evidence-based rather than political approach
- The right questions being asked.

Management Committee also noted a number of areas where Wiltshire scrutiny could improve, with relevant actions to address these. Some of the actions were for officers, but some related to councillors. It was therefore agreed that these would be disseminated to select committee members for awareness. The areas for improvement agreed were,

- Councillors always reading reports prior to meetings
- Councillors avoiding repeating questions that have already been asked, and
- OS committees and activities consistently taking a countywide rather than parochial perspective."

Members of this Committee were encouraged to discuss any questions or comments on these together with any other suggestions for improvement with Cllr Graham Wright, Chairman of the Overview & Scrutiny Management Committee or Henry Powell, Scrutiny Team Leader.

5 Public Participation

No questions had been received from councillors or members of the public.

6a. Report of the Children and Adolescent Mental Health Service (CAMHS) Task Group

The Committee received a report of the Task Group which had been received by the Health Select Committee at their meeting on 18 December 2018.

The Chairman expressed some concern that the views of the Health Select Committee had been sought and passed to the Executive before this Committee had the opportunity to consider these recommendations. It was noted that this was due to the scheduled timing of these two committees in the Council Diary.

The Chairman welcomed Cllr Phil Alford, Chairman of the Task Group, to the meeting to present his report.

Members were reminded that the CAMHS Task Group had been established by this Select Committee and the Health Select Committee to look at the re-commissioning of the CAMH Service, access and referral points to CAMHS, as well as how this service fitted into the overall mental health offer for children and young people in Wiltshire.

Cllr Alford explained that although the conclusions drawn supported that the re-commissioned model helped to address the needs of children and young people in Wiltshire, however, work needed to be carried out to improve the transition arrangements between children and adult mental health services. Communication between different agencies within the CAMH service and mental health support needed to be easier to access for Wiltshire's children and young people.

The Health Select Committee endorsed the six recommendations of the Task Group subject to widening the scope of recommendation 2 to include previously looked after children. The Committee also endorsed the areas the Task Group wished to explore further to clarify any misinformation previously received.

During discussion, Members stressed the importance of achieving a seamless join in the mental health support offered to young people and adults, especially that on offer to young adults on reaching the age of 18.

Resolved:

- (1) To endorse the report and recommendations of the CAMHS Task Group.**
- (2) To request that when the Task Group reconvene for their Part II exercise, they consider alongside their outstanding Terms of Reference how the Local Transformation Plan, as well as the third sector, aim to provide preventative services to children and young people in Wiltshire and to identify where there are any gaps in provision.**

6b Executive Response to the Children and Adolescent Mental Health Service (CAMHS) Task Group

The Committee received a report which set out the response of the Cabinet Member for Children, Education & Skills and the Wiltshire Clinical

Commissioning Group (CCG) to the Final Report - Part One of the Children and Adolescent Mental Health Service (CAMHS) Task Group.

The Cabinet Member reported that all the recommendations had been accepted except for recommendation 2(b) which stated:-

“For LAC and children and young people with SEND to be treated by CAMHS up to the age of 25, if they first approach CAMHS when they are in full-time education.”

The Cabinet Member explained that transitions for young people with additional vulnerabilities (e.g. living in care, SEND) were recognised as needing review. It was planned to research good practice and work with providers over their transitions protocols to determine what steps would be required to make improvements. Current national policy, contractual arrangements and funding streams did not allow for an expansion of the CAMHS Service for all SEND young people up to the age of 25, resulting in officers being unable to implement this recommendation in full in the immediate future. National NHS planning guidance for 18/19 was expected to request dedicated mental health pathways for 17 to 24 year old people.

During discussion, Members expressed the view that schools should be made aware of this problem and consideration should be given to investigating ways in which they could be engaged. It was reported that information was set out on the Council's website and that this was being brought to the attention of schools. This was of course available to the general public to view. Suitable publicity material had been sent to schools and it was recognised that a sustained campaign was required, including the use of social media. It was suggested that this matter, entitled *Pathways of Support for Young People* be the subject of a briefing session to this Committee later in the year.

Resolved:

- (1) To submit the comments from this Committee regarding the Executive Response to the Health Select Committee at its meeting on 5 March 2019.**
- (2) To endorse the Executive Response to the CAMHS Task Group report.**

7 Update from Youth Representative

The Committee welcomed Joel Mutagayika, a young person's representative, to the meeting who made a presentation on the Youth Parliament's House of Commons Debate

It was noted that 1,111,580 young people took part in the ballot to decide which topics should be debated, making it one of the largest youth consultations of its kind in UK history. Almost 1 in 5 of all young people aged 11-18 took part and it was decided that the following five subjects be chosen:-

- Put an end to knife crime
- Mental health
- Equal pay, equal work
- Tackling homelessness
- Votes at 16

Putting an end to knife crime and Votes at 16 were chosen during the Debate as issues to investigate and the UK Youth Parliament would now develop campaign actions to enable members of the Youth Parliament to hold a day of action to be held during January 2019.

The Committee also received a report summarising the activities of the Wiltshire Assembly of Youth (WAY), Youth Safeguarding Board ((YSB) and the Children in Care Council ((CiCC) during the period November to December 2018.

Resolved:

(1) To thank Joel Mutagayika for his presentation.

(2) To note the contents of the report.

8 Youth Transport

The Chairman reminded Members that the Committee had identified Youth Transport as a priority of the Wiltshire Assembly of Youth and together with the Vice-Chairman, had requested a briefing document which outlined the current situation for youth transport across Wiltshire. The document addressed some of the specific points highlighted around fares and Wiltshire Council's overall approach to public transport.

During discussion, it was suggested that a task group be established to explore the issues in more detail and to address some of the concerns of young people.

Resolved:

To recommend to the Overview & Scrutiny Management Committee that a Task Group be set up to explore issues raised regarding youth transport and that a young person be invited to take part.

9 Apprenticeships Update

The Committee received a report by the Director, Human Resources & Organisational Development (HR &OD), which provided an update on the progress on apprenticeships within the Council's workforce since the last update in June 2018. The report also outlined future plans to ensure the use of the levy was maximised to support the development of the Council's workforce.

It was noted that the current number of apprentices employed by the Council was 145 as at 14 December 2018. 129 apprentices were employed by the

Council with 24 as new recruits and 105 as existing staff who were accessing apprenticeship training to upskill. 2 new recruits were care leavers whilst 2.9% staff were Council apprentices. It was pleasing to note that this figure exceeded the target of 2.3%. However, maintained schools had only 0.3% of their workforce as apprentices resulting in the Council's public sector figure to report back to Central Government being 1.4%.

The Director, HR & OD explained steps that were being taken to raise awareness of apprenticeship opportunities. Various events were being organised aimed at targeting apprenticeship opportunities at care leavers with the aim of encouraging applications from these young people for these entry level roles at the Council. Further discussions were being held to explore ways of expanding these opportunities and also to encourage Council contractors to participate in apprenticeship schemes including the possibility of including such a requirement into contracts. Members expressed much interest in this suggestion and requested that the Corporate Director, Growth, Investment & Place be invited to attend a meeting of this Committee in six months' time to report on progress.

Resolved:

- (1) To note the contents of the report and the progress that had been made with the recruitment of apprentices.**
- (2) To invite the Corporate Director, Growth, Investment & Place to a meeting of this Committee in 6 months' time to provide an update on the employment of apprentices particularly by contractors.**

(At this point Mr John Hawkins joined the meeting.)

10 **Report of the Traded Services for Schools Task Group**

(Jen Jones, Further Education Representative, declared a non-pecuniary interest in this item as she was employed by Wiltshire College)

The Committee received a report which presented the findings of the Traded Services for Schools Task Group regarding the bids for the provision of outdoor education and potential sale of the Oxenwood and Braeside sites which was presented to Cabinet on 11 December 2018.

Mr John Hawkins, Chairman of the Task Group introduced the report and explained the Task Group's four recommendations which had received a very satisfactory response from Cabinet. He took the opportunity of recording his thanks and appreciation to Cllr Philip Whitehead, Cabinet Member for Finance, Procurement, ICT & Operational Assets, for the very positive and inclusive way he had taken this issue forward.

The Chairman thanked Mr Hawkins and the Task Group for their excellent work which had resulted in a very satisfactory outcome.

Resolved:

To note the Task Group report which had been presented to Cabinet on 11 December 2018.

11 **School Ofsted Judgements**

Consideration was given to a report by the Director, Education & Skills, which included information regarding the most recent Ofsted Inspection reports published from mid-October to the beginning of November 2018. It provided an ongoing view of the effectiveness of schools as seen by Ofsted Inspection and also provided information on the most recent figures published by Ofsted including those from the HMCI Annual Report published at the beginning of December 2018.

Alongside this Annual Report was published data regarding Ofsted outcomes nationally, regionally and for each local authority. As at the end of August 2018, 86% of schools nationally were good or outstanding (84% of pupil places). In the South West 84% of schools were good or outstanding (82% of pupil places). In Wiltshire 82% of schools and 86% of pupil places were in good or outstanding provision.

It was noted that in Wiltshire there had been nine inspections since the last report to Committee in early November 2018. Of these there had been eight short one-day inspections, all retaining a good grading and one two-day inspection which as a first rating required improvement.

A review of processes to monitor, challenge and support schools was underway with an interim School Improvement Framework in place from January 2019. This was intended to support the precise identification of strengths within the school and areas for improvement. The quality of provision would be evaluated and a comprehensive improvement plan developed to address the identified needs. Members expressed interest in this Improvement Framework and looked forward to receiving information on its effectiveness in due course.

Resolved:

To note the update on Ofsted Inspection from mid-October to early November 2018.

(At this point Cllr Christopher Devine left the meeting)

12 **DfE Changes - Update from Department for Education**

(Cllr Jon Hubbard, Chairman left the meeting and Cllr Mary Douglas, Vice-Chairman assumed the Chair.)

The Committee received an update from the Corporate Director, Education & Children, on developments relating to children's services arising from the Department for Education from October to December 2018 as follows:-

- Budget 2018
- Public Services Performance tracker
- Schools causing concern statutory guidance
- School organisation statutory guidance
- Schools funding
- School security: draft guidance
- Response to Education Select Committee report on alternative provision
- Academies Update
- Consultation on T-Level funding
- Ofsted Annual Report 2017/18 and changes to school inspections
- National protocol on reducing criminalisation of looked-after children
- Care Leavers Covenant launched
- Adoption Register Regulations
- Rough sleeping strategy
- Child death review: statutory and operation guidance

Resolved:

To note the update provided.

13 **Task Group and Board Representative Updates**

The Committee received an update on the activities of the SEND School Provision Task Group.

Resolved:

To note the update on task group activity provided.

14 **Forward Work Programme & Outcomes from the Meetings Between the Chairman, Vice-Chairman & Executive**

The Committee received documents showing:-

- The relevant items from the Overview & Scrutiny Forward Work Programme, together with the latest version of the strategy list for the Children, Education & Skills Directorate.
- The outcomes from meetings between the Chairman and Vice-Chairman of the Committee with the Executive Member.

Resolved:

(1) To note the Forward Work Programme for this Committee and the Children's Services Strategy List.

- (2) To endorse the topics listed in the report on the Forward Work Plan Meeting with the Executive and to use them to populate the Committee's Forward Work Programme.

15 **Date of Next Meeting**

Resolved:

To note that the next scheduled meeting of this Committee was due to be held on Tuesday 5 March 2019 at County Hall, Trowbridge, starting at 10.30am.

16 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 1.10 pm)

The Officer who has produced these minutes is Roger Bishton of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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Report on Wiltshire Youth Voice activities

1. Introduction

This report offers a summary of activities of the Wiltshire Assembly of Youth (WAY), Youth Safeguarding Board (YSB) and the Children in Care Council (CiCC) during the period December 2018 – January 2019.

2. Youth Union

Members of the Wiltshire Assembly of Youth, Youth Safeguarding Board and Children in Care Council remain committed to the proposal for a refreshed identify which brings them together under one brand – the Wiltshire Youth Union. Work is being taken forward with the branding team to work with young people to create the brand re-launch the youth forum in Summer 2019.

3. Meetings

The 2019 meeting and activity dates have been confirmed, as below. Progress has been made in planning for more community-based engagement, and less meetings in council buildings. This includes 'Youth Union' members liaising with their schools and local communities to host meetings throughout the year, and

Month	Children in Care Council	Wiltshire Youth Union	Quarterly Care Leavers Forum Meeting Schedule 2019
January	Dispatch out to CiCC with Meeting Dates January CiCC Newsletter	Dispatch out to Youth Union with Meeting Dates	Dispatch out to Care Leavers by PA's sub-group for dates/venues/times
February	Tue 5 February County Hall, Trowbridge 5pm-6.30pm	Thurs 7 February County Hall, Trowbridge 4.45pm – 6.30pm	Email Invite out for next meeting
Youth Elections – 11-29 February			
March	Tue 19 March Shared Guardian Session (with Corporate Parents) 5pm-6.30pm	Thurs 7 March Youth Union/UKYP Induction 4.45pm-7.15pm	TBC Date, venue, time
April	Tue 9 April County Hall, Trowbridge (or Five Rivers, Salisbury) 5pm-6.30pm	Dispatch out to Youth Union	Dispatch to Care Leavers: Any updates Snap surveys etc...
May	Thurs 2 May Joint meeting - County Hall, Trowbridge 4.45pm-6.30pm		Email Invite out for next meeting
June	Tuesday 4 Jun County Hall, Trowbridge (or Aspire House – TBC) 5pm-6.30pm	Dispatch out to Youth Union	TBC Date, venue, time
July	Thurs 4 Jul Joint meeting - County Hall, Trowbridge 5.00-6.30pm		Dispatch to Care Leavers: Any updates Snap surveys etc...
August	No Meetings		Email invite out for next meeting
September	Tue 10 Sep Shared Guardian Session (with Corporate Parents) 5pm-6.30pm	Thurs 26 Sep County Hall, Trowbridge 4.45pm-6.30pm	TBC Date, venue, time
October	Sat 12 October Fun Day Details to be confirmed	Dispatch out to Youth Union	Dispatch to Care Leavers: Any updates Snap surveys etc...
November	Joint meeting for all – anti-bullying week (11-15 th) 5pm-6.30pm Thurs 7 Nov County Hall, Trowbridge		Email Invite out for next meeting
December	Tues 10 Dec CiCC Christmas Event Details to be confirmed	Thurs 12 Dec Youth Union Christmas Event Details to be confirmed	TBC Date, venue, time

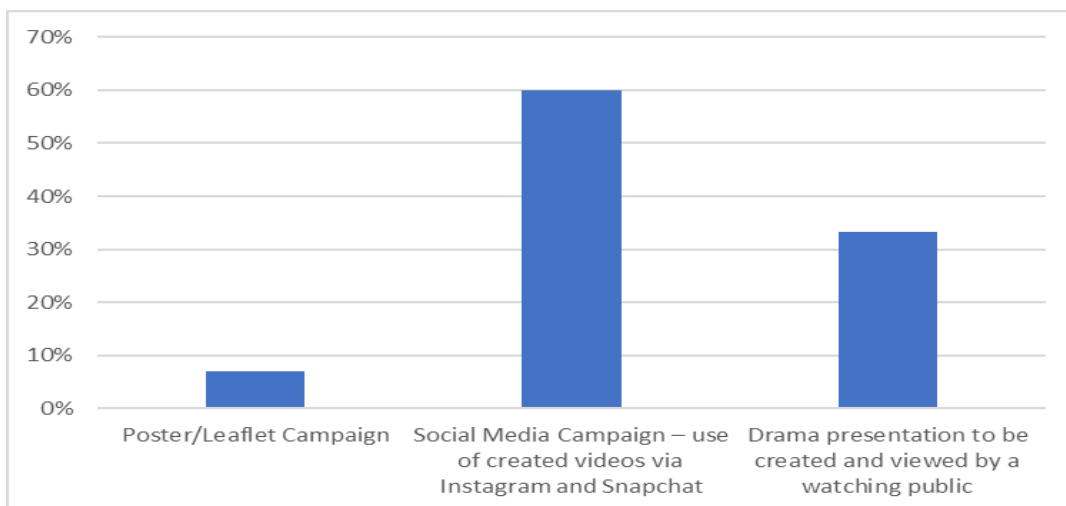
Care Leavers' Forum meetings being co-arranged with volunteer care leavers and two Wiltshire Council PA's. 'Dispatches' include surveys, newsletters/news articles/updates, and community-based engagement.

4. Working in partnership

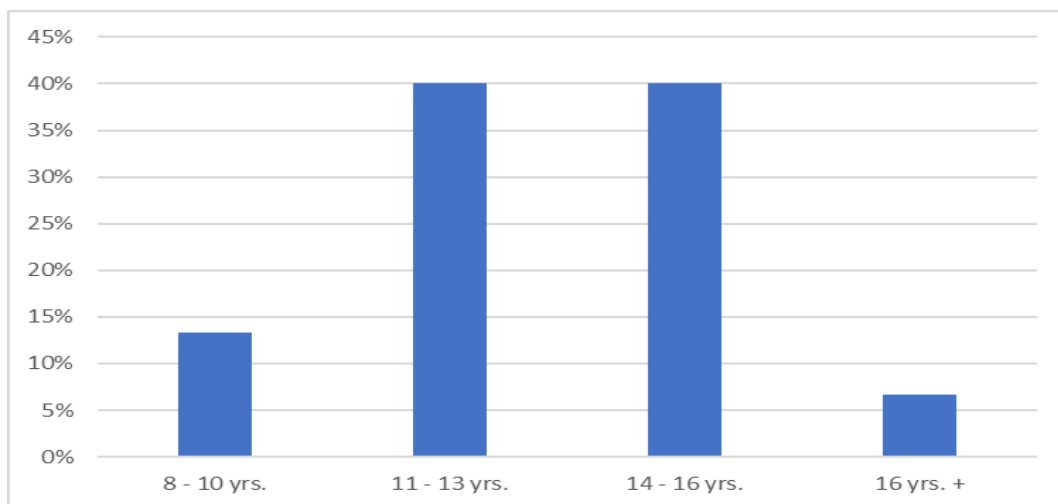
Members of the Wiltshire Youth Union, and CiCC, participated in a council-generated online survey throughout January 2019. This was facilitated to ascertain their views and opinions on a set of three questions posed by PCSO Alan Byrne (Schools and Youth Liaison Supervisor), at Police Headquarters in November 2018, as part of a 'sextortion' consultation. There was over a 50% response rate to the survey, the results of which will be used to influence and support the next stage of the Police initiative.

The questions posed elicited the following responses:

a) *What would be the best form of communication from the Police regarding Child Sexual Exploitation (CSE) and how to help prevent it?*



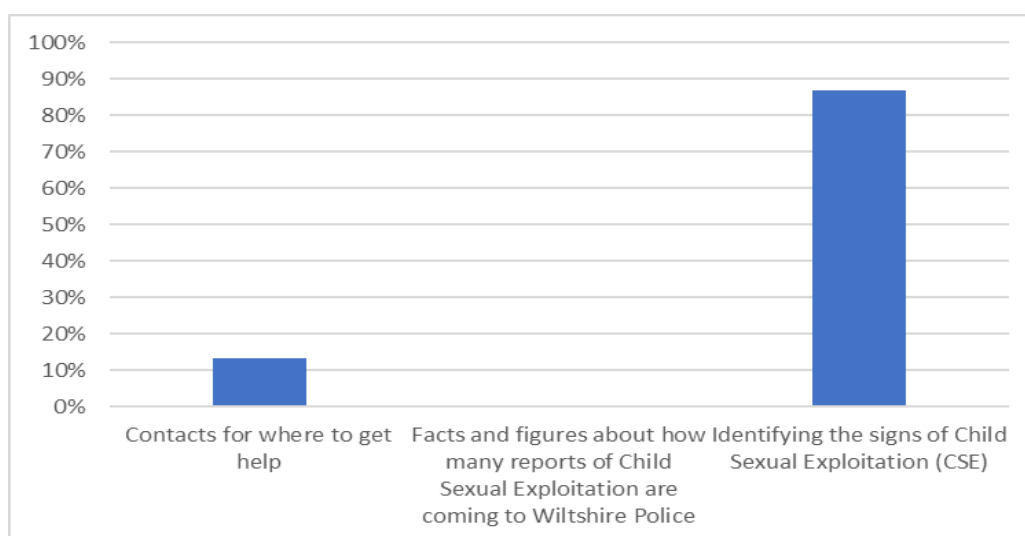
b) *What age range should be targeted?*



Free text explanations included:

- “Younger people (8-10) are less aware but need to be”
- “Child Sexual Exploitation can happen at any age, the sooner the children know the better. However, it's my understanding that parents of very young children would object to them being exposed to content such as this, therefore 11-13”
- “8-10 is too young to understand properly but at age 11 kids start getting on to the internet and gaining independence so it's important they know the dangers etc”

c) What would you want highlighted the most?



Youth Voice feedback from this survey has also been captured within our November 18 to April 2019 'You Said, We Did' report.

5. CiCC

The CiCC is in the final stage of completing its January Newsletter which will be in circulation soon. Included will be recognition of National Care Day. Members discussed and have voted to adopt a new 'brand' for their promotion of key messages and campaigns. CiCC will be launching its first campaign in the spring on Mental Health Awareness. It will be the start of a suite of videos to raise awareness on issues they feel need recognising and that will support other young people living in care and beyond.

6. Care Leavers' Forum

The Care Leavers' Forum is moving forward and, with input from care leavers, external venues are being booked. The meeting time and duration reflected the views of those that attended the initial forum meeting for a later evening meeting 6.30-8.30pm. This was to support as many young people as possible to be able to attend. The first Care Leavers Forum this year is booked for March and will discuss meeting agenda formats; Terms of Reference; Chair/Co-chair decisions and the possibility of a Forum Action Plan.

Care Leaver feedback in November 2018 included:

- Meetings to be held outside of Wiltshire Council premises – a small sub-group has been tasked to find venues
- Care Leavers are keen to co-chair the meetings; with the option of a Wiltshire Council Personal Assistant (PA) as co-chair
- Care Leavers App (discussed by Martin Davis) - Care Leavers fed back that they thought this could be a useful tool

Work on introducing a Care Leavers App to Wiltshire is underway. This will allow all Care Leavers to access information easily and could link into the relevant Wiltshire Council Care Leavers Webpages.

7. Your Voice Survey

The deadline for completion of the Your Voice Survey 2018 was extended until 7 February 2019 due to the impact of the roll-out of the Liquid Logic case management system, to maximise responses. The survey was further promoted by Heads of Service, the Children's Champions Working Group, and operational teams. A draft report is in the process of being produced and findings will be reported to Children's Select

Committee and Corporate Parenting Panel.

8. Wiltshire's Members of the Youth Parliament (MYP)

As a result of attending the Children's Select Committee on 8 January 2019, our present MYP for Wiltshire East, Joel Mutagayika, was interviewed by the Wiltshire Times, The Gazette and Herald and our Communications Team. Joel spoke passionately about why he became an MYP and sent out a positive message to other young people to do the same. Exert from Gazette and Herald interview:

Joel said: "Being a part of the youth parliament you just have to believe in yourself. I have stood up in front of a room of councillors at a children's select committee discussing big issues like the NHS and I have to believe that what I say will have a ripple effect and might change the way that one person is thinking".



Links to interviews:

<http://www.wiltshire.gov.uk/news/articles/member-of-youth-parliament-joel-mutagayika>

<https://www.gazetteandherald.co.uk/news/17393768.youth-parliament-member-supports-tough-approach-to-tackle-drugs-in-county/>

9. Elections to the UK Youth Parliament - 2019

The election process has now started with the window for voting between 11 and 27 February 2019. The results will be announced shortly after this date. The new term of office commences on 1 March 2019, and newly elected MYP's will be looking to arrange visits to officially introduce themselves to our Wiltshire councillors and MPs.

Wiltshire Council

Children's Select Committee

Date 05 March 2019

Children Missing Education

Purpose of Report

1. To provide an update to Children's Select Committee relating to the current position in Wiltshire of those children who are classified as Children Missing Education (CME).

2. Background

- 2.1 Section 436A of the Education Act 1996 requires the Local Authority to establish the identities of children within the area who are not registered at a school and are not receiving suitable education other than at a school. Children of compulsory school age within this category are regarded as Children Missing Education and should be returned to full time education.
- 2.2 The Department for Education (DfE) issued updated statutory guidance relating to Children Missing from Education in September 2016 and Local Authorities must have procedures in place to comply with the Statutory Guidance. DfE guidance is attached as Annexe 1 and Wiltshire Council Policy 2018 is attached as Annexe 2.

3. Main Considerations for the Council

- 3.1 **Children Missing Education (CME)** refers to those children and young people who are missing i.e. their family or their individual whereabouts are unknown. Generally this will be children who have moved out of Wiltshire and their destination is not known and they do not appear to be on the roll of another school in England.
- 3.2 This report is not about Children Missing Out on Education; that is those permanently excluded or on part-time timetables etc.

4. Wiltshire Data

- 4.1 Data accurate at 14.02.2019

Current CME figure	80 children
2018	92
2017	130

The number of CME children is reducing based on data from the preceding 3 years. This can be attributed to improved data reporting and additional processes that are being undertaken more routinely. This will be detailed later in the report.

4.2 CME Gender Breakdown

Female	31 (38.75%)
Male	59 (61.25%)

4.3 CME Ethnicity Breakdown

Asian	1 (1.25%)
Any other black background	2 (2.5%)
Any other ethnic group	4 (5%)
Any other mixed background	1 (1.25%)
Any other white background	17 (21.3%)
Black African	1 (1.25%)
Gypsy/Roma	5 (6.3%)
Indian	1 (1.25%)
Unknown	10 (13%)
Traveller of Irish heritage	22 (28%)
White British	14 (17.5%)
White Irish	1 (1.25%)

4.4 CME SEN Breakdown

Known to have SEN	11 (13.75%)
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It should be noted that these children were in receipt of SEN support at school but do not have an Education Health Care Plan (EHCP).

4.5 Length of Time CME

More than 2 years	26 (32%)
1 – 2 years	18 (22%)
6 months – 1 year	6 (7%)
October – December 2018	20 (25%)
January 2019 – present	12 (14%)

32 (39%) of these children are believed to have left the country from information obtained from last school place. The majority of the remaining children are from traveller families; and likely to be home educating their children but without the formal assessment being undertaken to confirm this is acceptable.

4.6 It should be noted that there is no national or regional reporting of CME so there is no benchmark information.

5. Safeguarding Considerations

5.1 Missing education affects children's educational attainment, and can also impede socialisation. There are also potential safeguarding concerns around children missing education.

5.2 Wiltshire policy and procedures ensure a consistent approach to the management of pupils who are CME.

5.3 Schools must notify the local authority when a pupil's name is to be removed from the admission register at a non-standard transition point under any of the fifteen grounds set out in the regulations (found at the end of Annexe 1) as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply at standard transition points – where the pupil has completed the school's final year – unless the local authority requests for such information to be provided.

5.4 Data relating to CME is currently captured in a data management system which is being phased out and replaced with the EYES module within Liquid Logic which is the integrated case management system within Families and Children's Services. This will enable easier sharing and cross referencing of information about these pupils with other services and will bring efficiencies in the CME process.

5.5 New stages of investigation have been introduced to the current CME procedures which has reduced the number and will continue to do so. These include;

- i. Border Agency enquiries where children are believed to have left the country
- ii. PNC checks with Police
- iii. NHS Spine checks to establish where children were last presented for health services
- iv. Links with MOD Children's Education Advisory Service where the children are from Service families

5.6 Changes to processes will be reflected in Education Welfare Service Practice Standards scheduled for completion by end of March 2019 and in amendments to the CME Policy and Procedure.

6. Service Priorities 2018-2019

6.1 Our business priorities going forward during the 2018-2019 academic year within the Support and Safeguarding Service for Children Missing Education are as follows:-

- i. To ensure that all relevant case related information is transferred to the new case management system when it is implemented later this year.
- ii. To complete work with the Border Agency to confirm that children have left the country.
- iii. To develop links with DWP to share information relating to the parents of CME and to ascertain if whereabouts are known.
- iv. To monitor where children are being removed from the roll of schools and challenge schools where information is not being shared with the Local Authority in a timely manner or within statutory guidelines.
- v. To continue to reduce numbers of CME to no more than 50 children by the end of March 2019 by robustly using all strategies currently available to Wiltshire officers.
- vi. To complete Education Welfare Service Practice Standards document by end of March 2019 incorporating new stages of CME checking.
- vii. To revise the CME policy to incorporate new processes.
- viii. To monitor the CME numbers and review resource accordingly to ensure compliance with Practice Standards and national statutory guidance.
- ix. To continue to develop and improve capture of data to measure effectiveness of CME processes.

9. **Business Analysis Matrix**

Procurement and implications	Review of the Education Welfare Service remains as work in progress and will be considered as part of the RESET programme.
Equalities impact	The figures for CME show that a significant number of children are believed to be overseas – the majority of these are thought to be within Europe. It is unclear whether these children are accessing education provision. Children from Travelling communities also make up a significant proportion of CME.
Financial considerations	Education Welfare Service delivery is set

	within the agreed Local Authority financial allocation. Currently CME work can be met within existing resource. There may be some additional financial costs from the procurement of interpreter services in the location of children thought to be overseas.
Legal Implications	Select Committee are asked to note the statutory duty of the Local Authority to ensure that all children are in receipt of a suitable education and the role of the Local Authority in ensuring that this is the case for CME children.

10. Conclusions

- 10.2 Select Committee is asked to note this report and the role of Wiltshire Council in delivering services relating to Children Missing Education; requesting an annual update.

Lucy Townsend
Director of Families and Children's Services

Report Author: Jen Salter, Head of Support and Safeguarding Service

20.02.19

Background Papers: None

Appendices

Annex 1 Children Missing Education: Statutory Guidance for Local Authorities

Annex 2 Wiltshire Council CME-CMOE Policy

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Department
for Education

Children missing education

Statutory guidance for local authorities

September 2016

Contents

Summary	3
About this guidance	3
Review date	3
What legislation does this guidance refer to?	3
Who is this guidance for?	3
What are the main changes from 1 September 2016?	4
Introduction - overview	5
Local authorities' responsibilities	5
Parents' responsibilities	7
Schools' responsibilities	8
Providing information on standard transitions	11
Making reasonable enquiries	12
Using Common Transfer Files to transfer pupil information	14
Sharing information with others	15
Children at particular risk of missing education	16
Further sources of information	19
Associated resources (external links)	19
Additional departmental advice and guidance	19
Annex A: Grounds for deleting a pupil from the school admission register	20
Annex B: CME policies and procedures checklist	22

Summary

About this guidance

This statutory guidance sets out key principles to enable local authorities in England to implement their legal duty under section 436A of the Education Act 1996 to make arrangements to identify, as far as it is possible to do so, children missing education (CME). Local authorities should be able to demonstrate that they have considered this statutory guidance and where it is not followed, the local authority should have reasonable grounds for not doing so. This advice is not exhaustive and local authorities will need to take into account the circumstances of individual cases.

This guidance replaces the January 2015 version.

Review date

This guidance will next be reviewed by September 2019.

What legislation does this guidance refer to?

- Section 436A of the Education Act 1996 (added by section 4 of the Education and Inspections Act 2006)
- Education Act 1996 (section 7, 8, 14 and 19)
- Education and Inspections Act 2006 (section 4 and 38)
- Education (Pupil Registration) (England) Regulations 2006
- Education (Pupil Registration) (Amendment) (England) Regulations 2016

Who is this guidance for?

This guidance is for:

- Local authorities

This guidance can be used as a non-statutory advice by:

- School leaders, school staff and governing bodies in all maintained schools and academies, independent schools
- Health professionals, Youth Offending Teams, and the police.

This guidance also contains information about schools' other statutory duties.

What are the main changes from 1 September 2016?

- **All schools** (including academies and independent schools) must notify their local authority when they are about to remove a pupil's name from the school admission register under any of the fifteen grounds listed in the regulations¹ (Annex A). This duty does not apply when a pupil's name is removed from the admission register at standard transition points – when the pupil has completed the final year of education normally provided by that school – unless the local authority requests that such returns are to be made.
- When removing a pupil's name, the notification to the local authority must include: (a) the full name of the pupil, (b) the full name and address of any parent with whom the pupil normally resides, (c) at least one telephone number of the parent, (d) the pupil's future address and destination school, if applicable, and (e) the ground in regulation 8 under which the pupil's name is to be removed from the admission register (see Annex A).
- Schools must make reasonable enquiries to establish the whereabouts of the child jointly with the local authority, before deleting the pupil's name from the register if the deletion is under regulation 8(1), sub-paragraphs (f)(iii) and (h)(iii) (see Annex A).
- **All schools** must also notify the local authority **within five days** of adding a pupil's name to the admission register at a non-standard transition point. The notification must include all the details contained in the admission register for the new pupil. This duty does not apply when a pupil's name is entered in the admission register at a standard transition point – at the start of the first year of education normally provided by that school – unless the local authority requests that such returns are to be made.
- When adding a pupil's name, the notification to the local authority must include all the details contained in the admission register for the new pupil.

¹ Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006

Introduction - overview

1. All children, regardless of their circumstances, are entitled to an efficient, full time education which is suitable to their age, ability, aptitude and any special educational needs they may have.
2. Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life.
3. Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education. Local authorities should focus their resources effectively in intervening early in the lives of vulnerable children to help prevent poor outcomes.

Local authorities' responsibilities

4. Local authorities have a duty under section 436A of the Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise. This duty only relates to children of compulsory school age².
5. The local authority should consult the parents of the child when establishing whether the child is receiving suitable education. Those children identified as not receiving suitable education should be returned to full time education either at a school or in alternative provision. Prompt action and early intervention are crucial to discharging this duty effectively and in ensuring that children are safe and receiving suitable education.
6. Local authorities should have **robust policies and procedures** in place to enable them to meet their duty in relation to these children, including ensuring that there

² A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March, then they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August, then they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31 December. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen.

are effective tracking and enquiry systems in place, and appointing a named person to whom schools and other agencies can make referrals about children who are missing education.

7. Some children who are missing from education can be identified and supported back into education quickly; other children who have experienced more complex problems face tougher obstacles to getting back into suitable education. When developing policies and procedures for children not receiving a suitable education, local authorities should consider the reasons why children go missing from education and the circumstances that can lead to this happening.
8. Arrangements made under section 436A also play an important role in fulfilling the local authority's wider safeguarding duties. This duty should therefore be viewed alongside these wider duties and local initiatives that aim to promote the safeguarding of children.
9. Local authorities should have in place arrangements for joint working and information sharing with other local authorities and agencies. Individual local authorities can determine the specific detailed arrangements that work best in their area that not only meet this statutory duty but also enable them to contribute to a range of work aimed at improving outcomes for children. The [*Working together to safeguard children*](#) statutory guidance provides advice on inter-agency working to safeguard and promote the welfare of children.
10. Local authorities should **undertake regular reviews and evaluate their policies and procedures** to ensure that these continue to be fit for purpose in identifying children missing education in their area. We have set out a checklist at Annex B that local authorities may wish to use to satisfy themselves that they have effective systems in place.
11. Where there is concern for a child's welfare, this should be referred to local authority children's social care. If there is reason to suspect a crime has been committed, the police should also be involved. Where there is a concern that a child's safety or well-being is at risk, it is essential to take action without delay.
12. Local authorities have other duties and powers to support their work on CME. These include:

- a. Arranging suitable full-time education for permanently excluded pupils from the sixth school day of exclusion³;
- b. Safeguarding children's welfare, and their duty⁴ to cooperate with other agencies in improving children's well-being, including protection from harm and neglect;
- c. Serving notice on parents requiring them to satisfy the local authority that the child is receiving suitable education, when it comes to the local authority's attention that a child might not be receiving such education⁵;
- d. Issuing School Attendance Orders (SAOs) to parents who fail to satisfy the local authority that their child is receiving suitable education, if the local authority deems it is appropriate that the child should attend school⁶;
- e. Prosecuting parents who do not comply with an SAO⁷;
- f. Prosecuting or issuing penalty notices to parents who fail to ensure their school-registered child attends school regularly⁸; and
- g. Applying to court for an Education Supervision Order⁹ for a child¹⁰ to support them to go to school.

Parents' responsibilities

13. Parents have a duty¹¹ to ensure that their children of compulsory school age are receiving suitable full-time education. Some parents may elect to educate their children at home¹² and may withdraw them from school at any time to do so, unless they are subject to a School Attendance Order.

14. Where a parent notifies the school in writing that they are home educating, the school must delete the child's name from the admission register and inform the local authority. However, where parents orally indicate that they intend to withdraw

³ The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007

⁴ Section 10 of the Children Act 2004

⁵ Section 437(1) of the Education Act 1996

⁶ Section 437(3) of the Education Act 1996

⁷ Section 443 of the Education Act 1996

⁸ Prosecution under section 444 of the Education Act 1996 and penalty notices under section 444A (as amended by section 23 of the Anti-social Behaviour Act 2003)

⁹ Section 447 of the Education Act 1996

¹⁰ Section 47 of the Children Act 1989

¹¹ Section 7 of the Education Act 1996

¹² See ['Elective home education: guidelines for local authorities'](#).

their child to be home educated, the school should consider notifying the local authority at the earliest opportunity.

15. Children with Education, Health and Care (EHC) plans or statements of special educational needs (SEN) can be home educated¹³. Where the EHC plan or statement sets out SEN provision that the child should receive at home, the local authority is under a duty to arrange that provision. Where the EHC plan or statement names a school or type of school as the place where the child should receive his or her education but the parent chooses to home educate their child, the local authority must assure itself that the provision being made by the parent is suitable. In such cases, the local authority must review the plan or statement annually to assure itself that the provision set out in it continues to be appropriate and that the child's SEN continue to be met.

Schools' responsibilities

16. Schools must enter pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. If a pupil fails to attend on the agreed or notified date, the school should undertake reasonable enquiries to establish the child's whereabouts and consider notifying the local authority at the earliest opportunity.
17. Schools must monitor pupils' attendance through their daily register. Schools should agree with their local authority the intervals at which they will inform local authorities of the details of pupils who fail to attend regularly, or have missed ten school days or more without permission¹⁴. Schools should monitor attendance closely and address poor or irregular attendance. It is important that pupils' poor attendance is referred to the local authority.
18. Where a pupil has not returned to school for ten days after an authorised absence¹⁵ or is absent from school without authorisation for twenty consecutive school days¹⁶, the pupil can be removed from the admission register when the

¹³ See the [SEN Code of Practice 2001](#) in relation to statements of SEN and the [SEND Code of Practice 2015](#) in relation to EHC plans for detail of the expectations of local authorities in these circumstances.

¹⁴ or because of illness, unavoidable cause, religious holiday, or the local authority's failure to make the required transport arrangements.

¹⁵ Under regulation 8(1), paragraph (f)(iii) of the Education (Pupil Registration) (England) Regulations 2006

¹⁶ Under regulation 8(1), paragraph (h)(iii) of the Education (Pupil Registration) (England) Regulations 2006

school and the local authority have failed, after jointly¹⁷ making reasonable enquiries, to establish the whereabouts of the child. This only applies if the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or unavoidable cause.

19. Schools must also arrange full-time education for excluded pupils from the sixth school day of a fixed period exclusion. This information can be found in the [Exclusion from maintained schools, academies and pupil referral units in England](#) statutory guidance.

20. Maintained schools have a safeguarding duty¹⁸ in respect of their pupils, and as part of this should investigate any unexplained absences. Academies and independent schools have a similar safeguarding duty¹⁹ for their pupils. Further information about schools' safeguarding responsibilities can be found in the [Keeping children safe in education](#) statutory guidance.

Recording information in the school's admission register

21. It is important that the school's admission register is accurate and kept up to date. Schools should regularly encourage parents to inform them of any changes whenever they occur, through using existing communication channels such as regular emails and newsletters. This will assist both the school and local authority when making enquiries to locate children missing education.

22. Where a parent notifies a school that a pupil will live at another address, all schools are required²⁰ to record in the admission register²¹:

- a. the full name of the parent with whom the pupil will live;
- b. the new address; and
- c. the date from when it is expected the pupil will live at this address.

23. Where a parent of a pupil notifies the school that the pupil is registered at another school or will be attending a different school in future, schools must record²² in the admission register²³:

¹⁷ Under regulation 4 of the Education (Pupil Registration) (England) (Amendment) Regulations 2016

¹⁸ Under section 175 of the Education Act 2002

¹⁹ Part 3 of the Schedule to the Education (Independent School Standards) Regulations 2014

²⁰ Under regulation 5 of the Education (Pupil Registration) (England) Regulations 2006 as amended

²¹ Where schools can reasonably obtain this information.

- a. the name of the new school; and
- b. the date when the pupil first attended or is due to start attending that school.

Sharing information with the local authority

24. Schools must notify the local authority when a pupil's name is to be removed from the admission register at a non-standard transition point **under any of the fifteen grounds set out in the regulations**²⁴, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply at standard transition points – where the pupil has completed the school's final year – unless the local authority requests for such information to be provided.

25. Where a school notifies a local authority that a pupil's name is to be removed from the admission register, the school must provide²⁵ the local authority with:

- a. the full name of the pupil;
- b. the full name and address of any parent with whom the pupil lives;
- c. at least one telephone number of the parent with whom the pupil lives;
- d. the full name and address of the parent who the pupil is going to live with, and the date the pupil is expected to start living there, if applicable;
- e. the name of pupil's destination school and the pupil's expected start date there, if applicable; and
- f. the ground in regulation 8 under which the pupil's name is to be removed from the admission register (see Annex A).

26. All schools are required²⁶ to notify the local authority **within five days** when a pupil's name is added to the admission register at a non-standard transition point. Schools will need to provide the local authority with all the information held within the admission register about the pupil. This duty does not apply when a pupil's name is entered in the admission register at a standard transition point – at the

²² Under regulation 5 of the Education (Pupil Registration) (England) Regulations 2006 as amended

²³ Where schools can reasonably obtain this information.

²⁴ Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006

²⁵ Under regulation 12 of the Education (Pupil Registration) (England) Regulations 2006 as amended

²⁶ Under regulation 12 of the Education (Pupil Registration) (England) Regulations 2006 as amended

start of the first year of education normally provided by that school – unless the local authority requests for such information to be provided.

Providing information on standard transitions

27. As set out in paragraph 24, schools are under an automatic duty to provide information to the local authority for non-standard transitions. This relates to pupils removed from the admission register before completing the final year of education normally provided by the school, or pupils added to the admission register after the start of the first year of education normally provided by that school.
28. Schools are also **only** under a duty to provide information to the local authority for standard transitions **if** a local authority requests that schools make such returns. This relates to pupils removed from the school's admission register after the pupil has completed the final year of education normally provided by the school, or pupils added to the admission register at the start of the first year of education normally provided by the school. For the majority of pupils, a standard transition occurs when a pupil moves between a primary and secondary school, but this can also include other types of schools including where pupils move between infant and junior schools and in local areas with three-tier education systems with first, middle and high schools.
29. In a small number of cases, pupils removed from the admission register in one school would be a standard transition but their transfer to another school would be a non-standard transition and vice-versa. For example, a pupil leaving a primary school at the end of Year 2 is a non-standard transition, but their transfer to a junior school at the beginning of Year 3 is a standard transition. In such cases, only the school where the non-standard transition occurs is under an automatic duty to notify the local authority. The local authority would need to make a request for the information from the other school, if they required information on the standard transition.
30. There is no expectation for local authorities to request information from schools on pupils for standard transitions. Local authorities should consider carefully the benefits of having this information in meeting their duties in relation to children missing education and safeguarding, and assess the likely burden on schools and the local authority before deciding to do so.

31. If local authorities decide to request information on pupils for standard transitions, it should be made clear to schools that they are therefore under a duty to make such notifications. Local authorities should also establish a clear and efficient procedure for this, and communicate the procedure to schools in their area.

Making reasonable enquiries

32. The term 'reasonable enquiries' grants schools and local authorities a degree of flexibility in decision-making, particularly as the steps that need to be taken in a given case will vary. The term 'reasonable' also makes clear that there is a limit to what the school and local authority is expected to do.

33. In line with the duty under section 10 of the Children Act 2004, the expectation is that the school and the local authority will have in place procedures designed to carry out reasonable enquiries. The type of procedures may include the appropriate person checking with relatives, neighbours, landlords – private or social housing providers – and other local stakeholders who are involved. They should also record that they have completed these procedures. If there is reason to believe a child is in immediate danger or at risk of harm, a referral should be made to children's social care (and the police if appropriate).

34. A pupil's name can only be removed from the admission register under regulation 8(1), sub-paragraph (f)(iii) or (h)(iii) if the school and the local authority have failed to establish the pupil's whereabouts after **jointly**²⁷ making reasonable enquiries. Local authorities and schools should agree roles and responsibilities locally in relation to making joint enquiries.

35. As set out in [Working Together to Safeguard Children](#) statutory guidance, the Local Safeguarding Children Board should agree with the local authority and its partners a threshold document, which includes the criteria for when a case should be referred to local authority children's social care for assessment and for statutory services. In addition, local authorities, with their partners, should develop and publish local protocols for assessment, which set out clear arrangements for how cases will be managed once a child is referred into local authority children's social care.

²⁷ Under regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended

36. If there is evidence to suggest the child has moved to a different local authority area, contact should be made with the named person in the new authority using secure communication methods. The local authority should maintain a record of the child's details until they are located or attain school leaving age.
37. When the whereabouts of a child is unclear or unknown, it is reasonable to expect that the local authority and the school will complete and record one or more of the following actions:
- a. make contact with the parent, relatives and neighbours using known contact details;
 - b. check local databases within the local authority;
 - c. check Key to Success or school2school (s2s) systems;
 - d. follow local information sharing arrangements and where possible make enquiries via other local databases and agencies e.g. those of housing providers, school admissions, health services, police, refuge, Youth Justice Services, children's social care, and HMRC;
 - e. check with UK Visas and Immigration (UKVI) and/or the Border Force;
 - f. check with agencies known to be involved with family;
 - g. check with local authority and school from which child moved originally, if known;
 - h. check with any local authority and school to which a child may have moved;
 - i. check with the local authority where the child lives, if different from where the school is;
 - j. in the case of children of Service Personnel, check with the Ministry of Defence (MoD) Children's Education Advisory Service ([CEAS](#)); and
 - k. home visit(s) made by appropriate team, following local guidance concerning risk assessment and if appropriate make enquiries with neighbour(s) and relatives.
38. This list is not exhaustive or prescriptive, and so local authorities and schools should treat each case on its individual merits and use their judgement, ensuring they have taken into account all of the facts of the case. It should be recognised

that the type of reasonable enquiries required to try to locate a child will differ from case to case and additional enquiries to those suggested in this section may be necessary.

39. Making these enquiries may not always lead to establishing the location of the child, but will provide a steer on what action should be taken next, for example, to contact the police, children's social care and, in cases where there may be concerns for the safety of a child who has travelled abroad, the Foreign and Commonwealth Office.

Using Common Transfer Files to transfer pupil information

40. The Department provides a secure internet system – [school2school](#) – to allow schools to transfer pupil information to another school when the child moves²⁸. If the school the child is leaving agrees, the local authority may do this on the school's behalf.

41. The [Common Transfer File \(CTF\) guidance](#) makes clear that all schools maintained by a local authority in England are required when a pupil ceases to be registered at their school, and becomes a registered pupil at another school in England or Wales, to send a CTF to the new school.

42. Academies (including free schools) are also strongly encouraged to send CTFs when a pupil leaves to attend another school. Independent schools can be given access to school2school by the Department. Many independent schools also have Management Information Systems that are compatible with those used in the maintained sector and so would be able to download CTFs. Where a pupil transfers to a new school in Scotland or Northern Ireland the previous school in England is still required to send a CTF.

43. The school2school system also contains a searchable area, where schools can upload CTFs of pupils who have left but their destination, next school is unknown or the child has moved abroad or transferred to a non-maintained school. If a pupil

²⁸ In line with The Education (Pupil Information) (England) Regulations 2012.

arrives in a school and the previous school is unknown, schools should contact their local authority who will be able to search the database.

44. There may be exceptional circumstances when standard rules for sending and receiving a CTF for a pupil might not apply. Each case would need to be judged on its merits in consultation with relevant parties. Circumstances when it is not considered appropriate to pass on details via a CTF might include a family escaping a violent partner; if the family is in a witness protection programme; or where there are concerns that the child is at risk of forced marriage. Guidance on how to share information in these circumstances is included in the CTF guidance.

Sharing information with others

45. Families moving between local authority areas can sometimes lead to a child who is unknown to any local authority and consequently missing education. Where a child has moved or where the destination of a child is unknown, local authorities should identify relevant local authorities – either regionally or nationally – and check with them in order to ascertain where the child has moved.
46. Once the location of the child is established, the named person in the local authority where the child lives should satisfy themselves that that the child is receiving suitable education.
47. Secure systems should be used to share and transfer personal information. Local authorities should not make blanket enquiries, as contacting all local authorities with a list of children is poor practice. This is also not a secure method of sharing personal information. Best practice is for local authorities to carry out thorough local checks in their own authority area before contacting specific local authorities that they believe to be linked to the child.
48. Local authorities may wish to have a dedicated CME email address to where enquiries can be sent from other local authorities and agencies. Any sharing of information by email or other means must comply with the law relating to data protection and should be done in line with local arrangements for recording and sharing information. Further advice is available in the [Information sharing advice for safeguarding practitioner's](#) guidance.
49. Local authorities should regularly **raise awareness of their policies and**

procedures and notification routes with all schools in their area, and with local partners and agencies working with children and families, such as GPs, other health professionals, clinical commission groups, police and other emergency services, housing agencies, children's homes, statutory and voluntary youth services, voluntary and community organisations, and Youth Offending Teams.

50. These partners and agencies may become aware of the arrival or existence of a child living in the area, who is not receiving suitable education, before the local authority does (for example children of migrant worker families). They may also hold crucial safeguarding information about a child, and local authorities should identify all likely routes of information and consider involving them when making enquiries about children missing education.

51. It may also be helpful for local authorities to have local contacts with the Department for Work and Pensions, the Border Force, and HMRC to assist them in tracing children missing education. There may be others depending on local circumstances.

Children at particular risk of missing education

52. There are many circumstances where a child may become missing from education so it is vital that local authorities make judgements on a case by case basis. Although not exhaustive, the list below presents some of the circumstances that local authorities should consider when establishing their CME policies and procedures:

- a. **Pupils at risk of harm/neglect** – Children may be missing from education because they are suffering from abuse or neglect. Where this is suspected schools should follow local child protection procedures. However, if a child as in immediate danger or at risk of harm, a referral should be made immediately to children's social care (and the police if appropriate). Local authority officers responsible for CME should check that a referral has been made and, if not, they should alert children's social care. The Department's statutory guidance [Keeping children safe in education](#) provides further advice for schools and colleges on safeguarding children.

- b. **Children of Gypsy, Roma and Traveller (GRT) families** – Research²⁹ has shown that many children from these families can become disengaged from education, particularly during the secondary school phase. It is therefore important that schools inform the local authority when a GRT pupil leaves the school without identifying a new destination school, particularly in the transition from primary to secondary so that they can attempt to facilitate continuity of the child’s education. Although many are settled, some GRT families move regularly and their children can be at increased risk of missing education. Local authority Traveller Education Support Services (TESS), where these exist, or the named CME officer within the local authority, can advise schools on the best strategies for ensuring the minimum disruption to GRT pupils’ education, for example dual registration with other schools or the provision of electronic or distance learning packages where these are available.
- c. **Children of Service Personnel** – Families of members of the Armed Forces are likely to move frequently – both in the UK and overseas and often at short notice. Schools and local authorities should contact the MoD Children’s Education Advisory Service ([CEAS](#)) on 01980 618244 for advice on making arrangements to ensure continuity of education for those children when the family moves.
- d. **Missing children and runaways**³⁰ – Children who go missing or run away from home or care may be in serious danger and are vulnerable to crime, sexual exploitation or abduction as well as missing education. Further sources of information about missing children are listed at the back of this document.
- e. **Children and young people supervised by the Youth Justice System** – Children who have offended or are at risk of doing so are also at risk of disengaging from education. Local authority Youth Offending Teams (YOTs) are responsible for supervising those young people (aged 8 to 18). YOTs should work with the local authority CME officer to ensure that

²⁹ Wilkins, A et al (2010) [Improving the outcomes for Gypsy, Roma and Traveler pupils: final report](#) DFE-RR043 pp54-60

³⁰ See '[Children who run away or go missing from home or care](#)' statutory guidance.

children are receiving, or return to, appropriate full-time education. Where a young person was registered at a school prior to custody, the school may be able to keep the place open for their return.³¹

- f. **Children who cease to attend a school** – there are many reasons why a child stops attending a school. It could be because the parent chooses to home educate their child. However, where the reason for a child who has stopped attending a school is not known, the local authority should investigate the case and satisfy itself that the child is receiving suitable education.
- g. **Children of new migrant families** – children of new migrant families may not have yet settled into a fixed address or may have arrived into a local authority area without the authority becoming aware, therefore increasing the risk of the child missing education.

³¹ Regulation 8(1)(i) and 12(6) to (8) of the Education (Pupil Registration) (England) Regulations 2006

Further sources of information

Associated resources (external links)

- [Child abduction](#)
- [International child abduction](#)
- [Forced marriages \(FCO\)](#)
- [HM Revenue and Customs \(HMRC\)](#)
- [Home Office](#)
- [National Crime Agency \(NCA\)](#)
- [Missing People](#)
- [Missing Kids](#)
- [Border Force](#)
- [Missing Children and Adults strategy](#)
- [Ofsted report 2010: Children missing from education](#)
- [Ofsted report 2013: Missing children](#)

Additional departmental advice and guidance

- [Behaviour and attendance \(including exclusions, bullying and alternative provision\)](#)
- [Child sexual exploitation](#)
- [Child trafficking](#)
- [Elective Home Education guidelines](#)
- [Keeping children safe in education](#)
- [School Admissions Code](#)
- [School to school service: how to transfer information](#)
- [What to do if you're worried a child is being abused: Advice for practitioners](#)
- [Working together to safeguard children](#)
- [Young runaways](#)

Annex A: Grounds for deleting a pupil from the school admission register

	Grounds for deleting a pupil of compulsory school age from the school admission register set out in the Education (Pupil Registration) (England) Regulations 2006, as amended
1	8(1)(a) - where the pupil is registered at the school in accordance with the requirements of a school attendance order, that another school is substituted by the local authority for that named in the order or the order is revoked by the local authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school.
2	8(1)(b) - except where it has been agreed by the proprietor that the pupil should be registered at more than one school, in a case not falling within sub-paragraph (a) or regulation 9, that he has been registered as a pupil at another school.
3	8(1)(c) - where a pupil is registered at more than one school, and in a case not falling within sub-paragraph (j) or (m) or regulation 9, that he has ceased to attend the school and the proprietor of any other school at which he is registered has given consent to the deletion.
4	8(1)(d) - in a case not falling within sub-paragraph (a) of this paragraph, that he has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school.
5	8(1)(e) - except in the case of a boarder, that he has ceased to attend the school and no longer ordinarily resides at a place which is a reasonable distance from the school at which he is registered.
6	8(1)(f) - in the case of a pupil granted leave of absence in accordance with regulation 7(1A), that — (i) the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted; (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and (iii) the proprietor and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.
7	8(1)(g) - that he is certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he nor his parent has indicated to the school the intention to continue to attend the school after ceasing to be of compulsory school age.
8	8(1)(h) - that he has been continuously absent from the school for a period of not less than twenty school days and —

	<p>Grounds for deleting a pupil of compulsory school age from the school admission register set out in the Education (Pupil Registration) (England) Regulations 2006, as amended</p>
	<p>(i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);</p> <p>(ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and</p> <p>(iii) the proprietor of the school and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.</p>
9	8(1)(i) - that he is detained in pursuance of a final order made by a court or of an order of recall made by a court or the Secretary of State, that order being for a period of not less than four months, and the proprietor does not have reasonable grounds to believe that the pupil will return to the school at the end of that period.
10	8(1)(j) - that the pupil has died.
11	<p>8(1)(k) - that the pupil will cease to be of compulsory school age before the school next meets and—</p> <p>(i) the relevant person has indicated that the pupil will cease to attend the school; or</p> <p>(ii) the pupil does not meet the academic entry requirements for admission to the school's sixth form.</p>
12	8(1)(l) - in the case of a pupil at a school other than a maintained school, an Academy, a city technology college or a city college for the technology of the arts, that he has ceased to be a pupil of the school.
13	8(1)(m) - that he has been permanently excluded from the school.
14	8(1)(n) - where the pupil has been admitted to the school to receive nursery education, that he has not on completing such education transferred to a reception, or higher, class at the school.
15	<p>8(1)(o) where—</p> <p>(i) the pupil is a boarder at a maintained school or an Academy;</p> <p>(ii) charges for board and lodging are payable by the parent of the pupil; and</p> <p>(iii) those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.</p>

Annex B: CME policies and procedures checklist

We have set out a checklist below that local authorities may want to use to review whether they have effective policies and procedures in place to identify children missing education.

Strategic Management and Leadership
Does the local authority have a written policy - covering objectives, procedures, roles and responsibilities - agreed with partners concerning children not receiving a suitable education?
Are there arrangements to identify and provide the full range of services for children not receiving a suitable education and are they embedded? Are they translated into effective operational arrangements?
Is there regular monitoring of the processes/numbers by senior management and lead members?
Networks and Points of Contact
Has the local authority identified the key stakeholders (both statutory and non-statutory) to provide information about children without suitable educational provision in the local authority area?
Has the local authority provided and publicised notification routes for all key stakeholders?
Does the local authority have a named contact point to receive details about children not receiving suitable education?
Are there clear responsibilities for this role or those to whom the duties are delegated?
Information Systems
Does the local authority maintain a database of children not currently in suitable education?
Does the local authority monitor the numbers of children/young people in the authority area who are not receiving suitable education, including those new to the area or the country?
Are there clear access rules and procedures to ensure fair and safe data processing?
Re-engaging children into suitable education
Does the local authority have clear processes for securing the support of other agencies where it is needed e.g. for welfare or health reasons?
Does the local authority have an agreed process for securing suitable educational provision for children once found?
Does the local authority monitor the pace at which children move into provision?
Does the local authority have the information systems in place to allow access to up to date information concerning availability of school places and availability of places with alternative providers?

Effective Child Tracking Systems
Does the local authority have systems in place to keep children engaged in the education that is suitable for them?
Does the local authority keep a record of children who have left educational providers (school, custody and alternative provision) without a known destination?
Does the local authority keep a record of children whose parents or carers, fathers as well as mothers; it considers are not providing them with a suitable education and a note of action it has taken to address these concerns?
Does the local authority follow up children at regular intervals until they are registered with a new school?
Does the local authority have an agreed system with schools concerning children leaving schools that maximises the contribution schools can make to preventing children not receiving a suitable education?
Does the local authority have in place arrangements to share information with other local authorities concerning children who move between areas?
Does the local authority support and encourage schools to transfer files via s2s?
Does the local authority have an identified officer as database administrator for s2s?
Does the local authority upload to and download from the searchable area of the s2s website?



Department
for Education

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Wiltshire Council	
Families & Children Services (FCS)	
Policy in respect of Children Missing Out on Education (CMOE) and Children Missing Education (CME)	
Document Author & Role	Responsible Person & Role
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<u>Approval</u> Associate Director, Families & Children's Services	<u>Date of Approval</u> 9 th July 2018
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Contents

Foreword

Definitions of CME & CMOE

1. Purpose/Duty of the Local Authority
2. Scope
3. Context
4. Roles and Responsibilities
5. CMOE/CME Monitoring Group
6. Virtual School Processes

Annex 1 CME Flowchart

Annex 1A CME Form (completion by schools)

Annex 2 CMOE Monitoring Group Terms of Reference

Annex 3 EWO Practice Standards - CMOE

Author: _____ Version: _____ Date: _____ Page No: _____

Mal Munday, HoS (Strategic Support) SMT Agreed 4 090718 2

Foreword

All children, regardless of their circumstances are entitled to a full-time education, suitable to their age, ability, aptitude and any special educational needs they may have. Children and young people who are not being educated quickly become at risk of failing academically and socially. If their whereabouts are unknown, they may be particularly at risk of physical, emotional and psychological harm.

Section 436A of the Education Act 1996 requires the Local Authority to establish the identities of children within the area who are not registered at a school and are not receiving suitable education otherwise than at a school. Children of compulsory school age within this category are regarded as Children Missing Education (CME) and should be returned to full time education.

Wiltshire Council is committed to ensuring that children and young people are in receipt of a suitable form of education and facilitated back into education where this is not evident.

The Department for Education (DfE) issued updated statutory guidance relating to Children missing from Education in September 2016¹ and Local Authorities must have procedures in place to comply with the Statutory Guidance.

Definitions

Children Missing out on Education (CMOE) refers to any child of compulsory school age who is NOT registered at any approved education activity, alternative provision² or elective home education AND has been out of educational provision for *at least 4 weeks. This also includes where a child is not attending school despite having a school place, or being enrolled in some form of approved education activity or alternative provision.*

Children Missing Education (CME) refers to those children and young people who are missing i.e. their family or their individual whereabouts are unknown.

¹ <https://www.gov.uk/government/publications/children.missing.education>

² This includes children placed on “alternative timetables” by schools (either part time or full time where those children are not attending)

Author:	Version:	Date:	Page No:
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Mal Munday, HoS (Strategic Support)	SMT Agreed 4	090718	3
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1. Purpose/Duty of the Local Authority

- 1.1 Under the Education and Inspections Act 2006, Part 1, Section 4, Wiltshire Council has a statutory duty to identify children who are not receiving education. Under the School Standards and Framework Act 1998, as amended by the Education Act 2002, Wiltshire Council also has a statutory duty to provide promptly a school place for every child requiring one. As part of this duty it is necessary to ensure that any child or young person of statutory school age is allocated a school place as soon as possible, and in any event, the local authority (LA) will process in- year transfer forms within 10 school days if all relevant information has been provided.
- 1.2 Wiltshire Council has a duty under Section 436A of the Education Act 1996 to establish (so far as it is possible to do so) the identities of children in our area who are of compulsory school age but who are not registered pupils at a school or in receipt of some other form of suitable education. We must therefore identify all children within our area and ensure that they are either registered pupils at a maintained, non – maintained or independent school, academy or receiving education other than at school.
- 1.3 The obligation under Section 436A of the Education Act 1996 to make arrangements to identify children and young people who are not receiving a suitable education includes a duty to intervene. Local Authorities also have a duty to safeguard and promote the welfare of children and young people through their educational obligations (Working Together 2015/Keeping Children Safe in Education 2015).
- 1.4 This policy informs Local Authority Officers, schools and other agencies about the procedures to be followed in order to prevent children missing out of education and also identify children who are/or might be missing from education (whereabouts unknown). It should be read in conjunction with DFE statutory guidance; Families & Children’s Service’s safeguarding policies, Wiltshire Safeguarding Children’s Board (WSCB) Safeguarding Policies, and the WSCB Multi-Agency Thresholds Document, ‘Children Missing from Home and Care Protocol’.
- 1.5 This policy outlines the procedures necessary to establish, wherever possible, the identities of children in Wiltshire that are not receiving a suitable education, and/or are identified as missing.

Author: _____ Version: _____ Date: _____ Page No: _____

Mal Munday, HoS (Strategic Support) SMT Agreed 4 090718 4

1.6 Current evidence suggests that consistent and regular attendance in education is a protective factor for all children and young people and that it is a key responsibility of the Local Authority and its school. One way for the Local Authority and its schools to safeguard the welfare of children is to ensure that they are all on a school roll or registered as Electively Home Educated; and that children are not removed from roll inappropriately and become 'missing'.

1.7 Note should also be taken of the following:

[The Education \(Pupil Registration\) \(England\) Regulations 2006](#)

[The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#)

[Children Missing Education: Statutory Guidance for Local Authorities 2016](#)

<http://www.wiltshire.gov.uk/schools-iin-year-fair-access-protocol-primary-schools.pdf>

<http://www.wiltshire.gov.uk/schools--in-year-fair-access-protocol-secondary-schools.pdf>

[Statutory Guidance for Local Authorities in England to Identify Children not receiving a suitable Education 2009 \(Revised April 2013\).](#)

2. **Scope**

2.1 This policy details good practice and procedures for everyone in Wiltshire Children's and Young Peoples Workforce, regardless of their discipline or agency. Key partner agencies include Community Health, Schools, Police, Child and Adolescent Mental Health, Voluntary and Community Organisations.

3. **Context**

3.1 'Missing' children are amongst the most vulnerable in the country. Children either fail to start in appropriate provision or simply become lost from school rolls or fail to re-register at a new school when they move area. It is vital that practitioners in all services work together to identify and re-engage these children back into appropriate education provision as quickly as possible.

3.2 Children who remain disengaged from education are potentially exposed to higher degrees of risk, which could include engagement in anti-social or criminal behaviour, social disengagement, sexually risky behaviour, substance misuse (including alcohol), sexual and/or criminal exploitation.

Author: _____ Version: _____ Date: _____ Page No: _____

Mal Munday, HoS (Strategic Support) SMT Agreed 4 090718 5

- a. This policy and procedures should ensure that the Local Authority;
 1. Meets statutory duties relating to the provision of education and safeguarding the welfare of children missing in education.
 2. Ensures robust multi-agency systems are in place in Wiltshire to identify and track children missing from education or at risk of being so.
 3. Ensures that monitoring and reporting of systems are in place in order to identify a lead agency and a key worker for all children missing from education.

3.4 Children drop out of the education system and are at risk of 'going missing' because they;

- *fail to start appropriate provision and so never enter the system (e.g. pre-school to reception/Year 1 or new to area and no application is made to school (CMOE).*
- *cease to attend (including alternative provision) (CMOE).*
- *are excluded (CMOE).*
- *may be subject to illegal and unofficial exclusion or withdrawal (CMOE)..*
- *may be removed from rolls with no named destinations (where a Head teacher* persuades a parent to remove their child from the school roll)* This includes 'off-rolling' pupils from school registers. (CMOE).*
- *are not receiving suitable Elective Home Education (CMOE).*
- *fail to complete transition between providers or unable to find a suitable school place after moving into the Local Authority (CMOE).*
- *go missing (individually or with their family); or disappear from the area of Wiltshire and cannot be traced (CME).*

3.5 Some children who experience certain life events are more at risk of going missing from education. This is not an exhaustive list but may include:

- 1 Young people who have committed offences
- 2 Children living in a woman's refuge
- 3 *Missing children*
- 4 Children of homeless families, perhaps living in temporary accommodation, house of multiple occupancy or bed and breakfast
- 5 Children with long term medical and emotional problems
- 6 Unaccompanied asylum seekers
- 7 Children of refugees and asylum seeking families
- 8 Children in new immigrant families, who are not yet established in the UK and may not have a fixed abode
- 9 Looked After Children

Author: _____ Version: _____ Date: _____ Page No: _____

Mal Munday, HoS (Strategic Support) SMT Agreed 4 090718 6

- 10 Children from Roma or travelling backgrounds
- 11 Young Carers
- 12 Children living in households where there is significant deprivation and social problems
- 13 Children from transient families (family who move often from one geographical area to another)
- 14 Parents/guardians with mental health issues
- 15 Teenage parents
- 16 Children who are permanently excluded from school (especially those excluded illegally) www.dfe.gov.uk/guidance/exclusions
- 17 Children who engage in substance misuse including alcohol
- 18 Young people in forced marriage or under threat of forced marriage
- 19 Those at risk or suffering from Child Sexual / Criminal Exploitation
- 20 Children with complex Special Education Needs and Disabilities.

Note: This policy does not replace the South West Child Protection Procedures and Working Together 2015. Existing safeguarding procedures and mechanisms for reporting and recording child protection concerns must be observed at all times.

4. Roles and Responsibilities

- **Education Welfare Officers (EWOs)** primarily and all Children's Services' staff (generally) have the responsibility on behalf of Wiltshire Council to ensure that they:
 - a Follow up of all referrals of children and young people reported as or detected as missing from education (**CMOE**)
 - b Liaise with all partner agencies to track children and young people who may be missing education (**CMOE**)
 - c Collate information on all reported cases of CME in Wiltshire maintained schools, academies and alternative provision providers (**CME**)
- Upon receipt of notification the EWO will attempt contact with the family by undertaking a visit to the home, continuing telephone calls and writing to the parent/carer. This will be in conjunction with carrying out checks with other agencies such as Social Care, Police, Housing and other partner agencies. Where a child is not located an entry will be made on the database. Safeguarding processes will be followed at this stage if there is any evidence that the child is at risk.

Author: _____ Version: _____ Date: _____ Page No: _____

Mal Munday, HoS (Strategic Support) SMT Agreed 4 090718 7

- Families & Children's Services' staff retain an overview of 'Education Other Than at School' (EOTAS) provision and its staff attend Fair Access Panels in Wiltshire. EWOs and council services (e.g. SEND/Support and Safeguarding/Virtual School staff); offering child centred support to young people identified by schools as being at risk of permanent exclusion; and may be involved in allocating a range of alternative educational provisions within the county through established referral routes, panel arrangements and agreed protocols. There are strong links with colleagues supporting pupils from identified vulnerable groups e.g. Special Educational Needs, Looked After Children (including the Virtual School), Support and Safeguarding Teams.

Admissions Team

The Admissions Team have overall responsibility and accountability for ensuring all children and young people in Wiltshire receive an appropriate offer of placement.

- 4.5 *The Admissions Team are the first point of contact for any application. However Voluntary Aided and Academy Schools are responsible for considering their own applications and forwarding the outcome to the Admissions Team. Named admissions officers will be the lead officer for children not on a school roll and waiting for a school place. The Admissions Team has a lead officer responsible for contacting the EWO staff and the lead EWO Manager when a child known to them has been out of school for 20 days or more.*
- 4.6 Children missing education (CME) procedures should be followed where a child or young person has not taken up an allocated school place as expected and/or has 10 days or more continuous absence from school without an explanation and/or has left school suddenly and the destination is unknown.
- 4.7 Schools should start to complete the Children Missing Education Checklist if a pupil has had a maximum of 5 days of school non-attendance and where the school has been unable to contact the parent/carers. The **CME checklist** in **Annex 1** should be followed. The form (**Annex 1A**) notifying the Council officially that a child is missing from education **should be sent into the Council once 10 days of continuous absence have been reached** although if schools have any concerns before this point; they should initiate their own safeguarding process and do necessary follow up checks. *This can be supported by proactive 'Register checks' by EWOs to ensure that Headteachers are appropriately coding pupil's absence.*

Author: _____ Version: _____ Date: _____ Page No: _____

Mal Munday, HoS (Strategic Support) SMT Agreed 4 090718 8

Any concern of a Child Missing Education should be reported to the Local Authority to the relevant Education Welfare Officer. All schools have an allocated link Education Welfare Officer to whom reports should be made.

Informing the Local Authority of Deletions from the School Register.

4.8 The Regulations require schools to notify the Local Authority in the following circumstances as soon as the grounds for deletion are met:

- The pupil is moving away from the area and is known to have registered at another school
- The school medical officer has certified that the pupil has a medical condition and is unlikely to return before ceasing to be of compulsory school age
- The pupil is leaving a non-maintained school and is not known to have registered at another school
- The school has received written notification from the parent that the pupil is receiving education otherwise than at school
- the pupil has been permanently excluded

Schools should inform the relevant Education Welfare Officer in the case of pupils who have an EHCP (Education Health Care Plan/'SEN Statement') immediately where;

- i They become aware that a school roll deletion may be made
- ii A pupil is withdrawn by the parent/carer from the school without warning
- iii They receive a verbal notification of a parents' intent to home educate.

5. CMOE/CME Monitoring Group

5.1 A monitoring group *led by a manager* in the Support and Safeguarding Service has set up an internal multi-disciplinary (Virtual School, SEND, Support & Safeguarding etc.) group which keeps a list of all children & young people who are either CME or CMOE (see Foreword for definitions). The group will track or monitor all such young people; taking the necessary action to intervene or direct intervention to ensure the presenting issues are addressed.

5.2 The above is supported by lists, which are kept by EWOs for all children who are registered as Elective Home Educated and those who are formally classed as 'Children Missing Education' (absent 10 days or more / whereabouts

Author: _____ Version: _____ Date: _____ Page No: _____

Mal Munday, HoS (Strategic Support) SMT Agreed 4 090718 9

unknown).

- 5.3 All lists are checked with Support & Safeguarding Service, Children’s Social Care data bases (including the list of young people at risk of Child Sexual Exploitation); and action is directed where there are key concerns and interventions are required.

Note: We only know about who we know about; who we have been informed about or the situations we have detected. It is an expectation that all schools advise the local authority formally of any child whose parents/carers are electing to Home Education, or are where schools have moved children and young people onto alternative timetables and provision- whether part time or full time.

6 Taking Responsibility – it’s everyone’s responsibility

Ensuring that children remain in education is everybody’s responsibility regardless of their role. It is not just the job of Admissions Officers, schools, and Education Welfare Officers. Every professional working with children and young people must remain vigilant and act accordingly. This includes working with schools to improve the quality of school provision, school manager’s leadership standards (School Effectiveness Team), and the quality of Alternative Provision (Children’s Services Commissioning Team).

7. Virtual School Processes and Children Missing (Out on) Education

CMOE/school CME are linked closely to the work of the VSOs. They hold a caseload of Looked After Children and are in close contact with schools; social workers and carers, they will be respond directly to issues around provision, part-time timetables etc. VSOs will track cases ensuring timely action in identified cases making use of expenditure from Pupil Premium as required.

Author:	Version:	Date:	Page No:
Mal Munday, HoS (Strategic Support)	SMT Agreed 4	090718	10

Wiltshire Council

Children's Select Committee

Date: 5th March 2019

Elective Home Education in Wiltshire

1. Purpose of Report

- 1.1 To provide Children's Select Committee with an overview of the current situation within Wiltshire relating to Elective Home Education. Update on report to Children's Select Committee presented in January 2018 by Lucy Townsend, Director of Families & Children's Services.

2. Background

- 2.1 Elective Home Education (EHE) offers families and carers the opportunity to provide education for the children and young people in their care independent from the Local Authority or established school provision. The law in England states that the responsibility for a child's education rests with their parents/carers and that whilst education is compulsory, attending school is not.
- 2.2 A parent/carer can elect to home educate their child at any stage of a child's educational career. Should this option be taken at the earliest stage (pre-school), then the child will never be registered on any school roll. If the option is taken at a later stage, schools are required to notify the Local Authority and remove the child's name from the school roll. This means that such children are not included in the schools' census and the authority receives no funding for their education. The Local Authority holds a register of all children who are known to be home educated – which is overseen by the Education Welfare Service (which sits in the Support and Safeguarding Service of the Families and Children's Directorate).

3. The Wiltshire Context

- 3.1 The information below is based on academic years.
- i. **2015-2016 – Total Numbers**

Total number of young people known to be electively home educated.	385
Number of notices given to parents for	10 (2.6%)

unsatisfactory provision	
Number of School Attendance Orders served.	0

ii. **2016-2017 – Total Numbers**

Total number of young people known to be electively home educated.	437
Number of notices given to parents for unsatisfactory provision	16 (3.6%)
Number of School Attendance Orders served (commenced but withdrawn after parental improvement to provision)	1 (0.2%)

iii. **2017 – 2018 – Total Numbers**

Total number of young people known to be electively home educated.	619
Number of notices given to parents for unsatisfactory provision.	10 (1.6%)
Number of School Attendance Orders served.	2 (0.3%) (Both ceased as a result of parent applying for a school place and improved provision)

iv. **2018– present – Total Numbers**

Total number of young people known to be electively home educated.	596
Number of notices given to parents for unsatisfactory provision.	6 (1%)
Number of School Attendance Orders served.	1 commenced (0.17%)

3.2 Gender (2018-19 academic year to date)

Male	301	(50.5%)
Female	292	(49%)
Gender natural and transgender	3	(0.5%)

3.3 Ethnicity (2018 – 2019 academic year to date).

Gypsy/Roma	33	(5.54%)
Chinese	1	(0.17%)
White and Asian	3	(0.5%)
White and Black Caribbean	3	(0.5%)
Traveller of Irish Heritage	8	(1.35%)
White British	424	(71.14%)
Any other ethnic group	2	(0.35%)
Any other mixed background	7	(1.17%)
Any other white background	11	(1.85%)
Information not yet obtained	96	(16.11%)
Refused	8	(1.35%)

3.4 Academic Age by Year Group (2018 – 2019 academic year to date)

R	5	(0.88%)
Y1	20	(3.4%)
Y2	24	(4.01%)
Y3	39	(6.54%)
Y4	41	(6.87%)
Y5	43	(7.21%)
Y6	56	(9.39%)
Y7	47	(7.88%)
Y8	70	(11.74%)
Y9	74	(12.41%)
Y10	82	(13.75%)
Y11	95	(15.94%)

3.5 EHE List segmented by those who are SEND (*see below) 2018 – 2019 academic year to date.

Total EHE YP on the list	596
No of EHCP or Statement of SEN to be converted	64
SEN Support	129
Total SEND cases	193

Total SEND as % of the whole	32%
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4. Main Considerations for the Council

4.1 Current data shows us that the numbers of parents/carers who are Electively Home Educating their children is rising significantly and that this is a year on year trend. The Local Authority should be assured that this is not a trend particular to Wiltshire, but rather a national trend that has been recognised by the Children’s Commissioner for England in her report “Skipping School: Invisible Children. How Children Disappear from England’s Schools”, published February 2019 and attached as Annex 1.

4.2 In her report, the Children’s Commissioner for England, Anne Longfield highlights issues relating to school management and the practice of “off-rolling” pupils. Ofsted, in December 2018, defined “off-rolling” as;

‘... the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil. Off-rolling in these circumstances is a form of ‘gaming’. There are many reasons why a school might remove a pupil from the school roll, such as when a pupil moves house or a parent decides (without coercion from the school) to home-educate their child. This is not off-rolling. If a school removes a pupil from the roll due to a formal permanent exclusion and follows the proper processes, this is not off-rolling.’

Therefore, it applies where a school removes a child from roll and where practice has not necessarily been ethical or within the legal grounds for deletion from school roll. For example, parents/carers feel pressurised to opt for EHE rather than have their child excluded or placed in alternative educational provision. Ms Longfield also makes reference to parents/carers who do not feel that their children’s specific educational needs are being met within mainstream school environments. It is proposed that later this year all Local Authorities will be approached for data relating to pupils who have been removed from roll for the purposes of EHE and from which schools and this data will be published. Ofsted are examining the practice of “off-rolling” during routine school inspections and are using published data to provide challenge to schools where there are higher percentages of children removed from roll for EHE.

4.3 In Wiltshire, work is currently being undertaken to survey all parents/carers who are known to be Electively Home Educating and we will use the data to analyse the reasons for parents/carers withdrawing their child/ren from school and choosing EHE (this will be completed by the end of March 2019). In the past we have accepted that this is a parental choice and have not collected information relating to the specifics

of what leads a parent to make that decision. We do know that for some families, particularly those from the Travelling Communities, EHE is a lifestyle choice at the completion of primary stage education and children from these communities less often transition to secondary provision. It is anticipated that the outcome of this work will enable Wiltshire Council to have a better understanding of why the EHE numbers are growing and to provide support and challenge to schools who have larger numbers of children being withdrawn for the purposes of EHE.

- 4.4 Where children are not in receipt of satisfactory EHE provision or where parents/carers change their mind and want their child/ren back on roll at a school, Wiltshire Council has an agreement with schools which participate in the In Year Fair Access Panel (IYFAP). This protocol provides that if a home educating parent applies for a school place, or the Local Authority wishes to pursue a School Attendance Order where provision is unsatisfactory, the last school that the child attended will reinstate them to roll (providing that there has not been a transition from Primary to Secondary education during the period of EHE). This has been used successfully in Wiltshire and goes some way to mitigating the risk of schools “off-rolling” some pupils. In the academic year 2017-2018, 5 children in Wiltshire were raised at IYFAP either by parental application for a school place or by Education Welfare Officer referral where education provision was deemed unsatisfactory. All children were reinstated to school roll – some were provided with alternative provision or managed moves to another school.
- 4.5 Where it has been identified that schools may have “off-rolled” pupils, schools will be challenged by Education Welfare Officers and the matter escalated if there is reason to believe that the school has not acted in the best interests of the child and will not reinstate the child to roll.

5. Safeguarding Considerations

- 5.1 The law states that a parent must ensure that their child receives a suitable and efficient education that ‘primarily equips a child for life within the community of which he/she is a member’. There are no legal definitions of these terms and under current legislation the Local Authority has no statutory duty or powers to monitor home education provision or to visit or see the child.
- 5.2 Where the Local Authority is not satisfied that a child is receiving a suitable education – that is to say that there is no evidence of education taking place, then a parent can be asked to provide evidence of the provision being made. They do not have to comply with any request for information and recourse would be to refer to the MASH on grounds of safeguarding or to commence a School Attendance Order requiring the child to be placed on the roll of a school.
- 5.3 In Wiltshire there are semi-specialist Education Welfare Officers who are responsible for oversight of EHE. Currently, this establishment is 1.4 FTE,

s shared between 4 officers, 2 of whom work term-time only (taken into account in the stated FTE). The establishment has not increased despite rising EHE numbers.

- 5.4 The Children's Commissioners report highlights that on average, a full-time home education officer (in Wiltshire an Education Welfare Officer) has 295 home educated children on their caseload and Local Authorities are reporting that resource to manage this is inadequate. The current Wiltshire establishment of 1.4 FTE, EHE officers managing 596 children indicates that EHE caseloads are higher in Wiltshire than the national average.
- 5.5 Information from the last full academic year (2017-2018) tells us that in Wiltshire of the 619 children known to be home educated;
- i. 38 were open to officers within the Support and Safeguarding Teams
 - ii. 116 had had contact with Families and Children's Services at some point prior to the beginning of that academic year
- 5.6 Education Welfare Officers are currently located within the Support and Safeguarding Teams and this has allowed for improved communication and information sharing with Social Workers and Family Key Workers who are involved with EHE families. Joint work is undertaken to support families to ensure that education provision is suitable or to re-engage with schooling.
- 5.7 The Children's Commissioner's report also highlights that 6 children in the UK have died in the last 10 years and that being home educated and off the radar of services was a contributory factor. Ms Longfield has made a number of recommendations in her report that directly relate to safeguarding of EHE children and whilst those are yet to be adopted or implemented by parliament and statute, Wiltshire's current EHE processes put the authority in a good position to adjust to any future changes. Wiltshire already establishes contact with families known to be home educating and in the majority of cases families are willing to engage with officers to confirm their education provision. There are currently 4 families who have exercised their right to have no contact from the Local Authority. Those children are not known to Support and Safeguarding teams and there have been no welfare concerns raised either by professionals or members of the public. Visits to families should be offered within 12 weeks of families commencing EHE and thereafter on an annual basis. Where concerns about education provision are noted, visiting frequency will be increased. Data analysis is currently being undertaken to establish whether this target is being achieved (to be completed by the end of March 2019).

6. Public Health Implications

- 6.1 Children who are Electively Home Educated miss out on statutory health services provided in schools, including immunisation programmes. The Local Authority will share information with Health Providers, as long as parents have not opted out of doing so, and will assist with liaising with families regarding immunisation programmes and other health related information that would routinely be shared via school settings.

7. Progress on 2017-2018 Service Priorities

- 7.1 To improve data management through the implementation of the new case management system – removing four legacy databases.

Update: Partially achieved. Liquid Logic system is now implemented for Children's Services. The education module of this (EYES) is due to be implemented in March 2019 this year.

- 7.2 To ensure the ethnicity of those who are EHE is routinely captured.

Update: There has been progress in this area. There are fewer children whose ethnicity is unknown (96 compared with 368 at this time last year). Work to improve this figure is continuing.

- 7.3 To review the overall work and role of the Education Welfare Service set within the new Support and Safeguarding Service.

Update: The full review of Education Welfare Service remains in progress and is now forming part of the RESET programme with considerations as to how this service works across Directorate's including School Effectiveness.

- 7.4 To set up a new performance framework

Update: A fuller set of Practice standards are being developed for the Education Welfare Service which will support EHE EWOs to be consistent in their work with EHE families and allow for robust monitoring of cases where concern has been identified.

EHE Policy and Guidance for Parents has been revised and reissued.

8. Service Priorities 2018-2019

- 8.1 Our business priorities going forward during the 2018-2019 academic year within the Support and Safeguarding Service for Elective Home Education are as follows:-

- i. To ensure that all relevant case related information is transferred to the new case management system when it is implemented later this year
- ii. To complete work to establish reasons for parents opting for EHE and to use that information to provide support and challenge to schools and families
- iii. To monitor where children are being removed from the roll of schools and where high numbers of children are leaving particular schools analyse the data robustly and where appropriate challenge schools
- iv. To implement a protocol of challenge and escalation where schools are not prepared to engage with the Local Authority in matters of perceived “off-rolling”
- v. To complete Practice Standards document and ensure compliance with national and local expectations
- vi. To monitor the EHE numbers and review resource accordingly to ensure compliance with Practice Standards
- vii. To continue to develop and improve capture of data to measure performance and comparison with national picture.

9. Business Analysis Matrix

Public Health Considerations	Monitoring children and parents/carers’ application of Home Education Regulations generally contributes to the health and welfare of young people and their families. Information will be shared with Health Providers (unless parents/carers choose to opt out of this) in order that EHE children do not miss out on statutory health services (e.g. immunisation programmes) that are routinely available to children registered in schools.
Procurement and implications	Review of the Education Welfare Service is in progress and will be further considered as part of the RESET programme.
Equalities impact	Parents/carers have a right to home educate their children regardless of race, gender, ethnicity and sexual orientation etc. Current data in regard to ethnicity indicates that figures are in line with the county

	demographic with the exception of children from Travelling communities who may not progress to secondary phase education. This is commensurate with the national picture for travelling families.
Financial considerations	Education Welfare Service delivery is set within the agreed Local Authority financial allocation. Increased numbers of EHE families mean that resource to support is being reviewed to ensure we can continue to meet demand and ensure robustness of response.
Legal Implications	Select Committee are asked to note the statutory duty of the Local Authority to ensure that all children are in receipt of a suitable education and the role of the Local Authority in ensuring that this is the case for EHE children

10. Conclusions

- 10.1 Select Committee is asked to note this report and the role of Wiltshire Council in monitoring Elective Home Education; requesting an annual update.

Lucy Townsend
Director of Families and Children's Services

Report Author: Jen Salter

Head of Support and Safeguarding

15.02.19

Background Papers

The following unpublished documents have been relied on in the preparation of this report:

(Either 'None' or specify the documents relied upon)

None.

Note – we are now legally obliged to publish background papers. Please email any such background papers along with your report, clearly labelled as being background papers.

Appendices

Appendix 1 – Children’s Commissioner Report.

Skipping School: Invisible Children

How children disappear from England's schools

FEBRUARY 2019



Contents

Introduction from the Children’s Commissioner, Anne Longfield	2
A growing problem	4
When a child’s needs are not being met	7
Off-rolling or exclusion?	9
A small but growing number of schools	10
Under the radar	14
Illegal schools	14
What is the impact on children?	16
What can be done?	17
Conclusion and recommendations	18

Introduction from the Children's Commissioner, Anne Longfield



One exhausted mother described her daughter's secondary school to me as being like the Hunger Games. She, like thousands of other parents, had eventually removed her miserable child from school – just one more effectively excluded through no fault of their own from an unforgiving school system which appears to have lost the kindness, the skill or the patience to keep them. When did

school become like this? Schools have always been places of some rough and tumble, where the carefree days of early childhood meet the reality of work, of timetables, of expectations, and of more complex social relationships. Schools are places where you develop the skills, the independence and the resilience to grow up well.

But for thousands of children – and increasing each year – there is no school where they fit in. There is no school bell, no timetables, no lesson – no education. And that often means no friendships either.

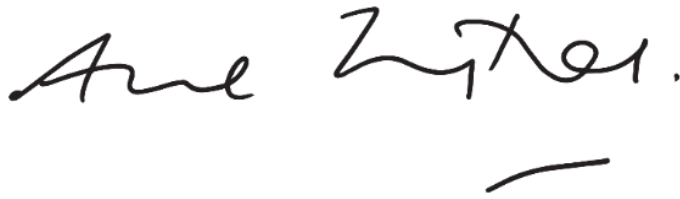
The phrase 'home education' unhelpfully encompasses a wide range of parenting styles – from those who choose to educate their children themselves for social and philosophical reasons and do so perfectly well, to those who choose to keep children out of the school system to avoid the eyes of the authorities or to deny them a secular education; and then those who would love to have their kids in school but cannot find a school to fit their needs.

For this group of parents, educating their children at home is not a choice, but a forced response to difficulties fitting in at school. The child who is being bullied. The child struggling to cope with noisy corridors and classrooms; or sometimes with school uniform policies, homework and timetables. The child not receiving the specialist help she needs. These kids can reach crisis point and without additional care from schools or from external agencies such as CAMHS, the children fall through the gaps.

It is sometimes schools themselves that put pressure on parents to remove children who don't 'fit in'. This practice, known as off-rolling, can amount to informal, illegal exclusion. New research by my Office, published here, suggests that 1 in 10 schools account for half of the pupil movement, but that this is becoming more common, even in some local authority-managed schools. Some schools are believed to have pro forma letters ready for harassed parents to sign, agreeing that their child would be better off home educated, when they come to meet the head after yet another problem. It is unacceptable that some schools are washing their hands of children - particularly the most vulnerable - in this way.

Children off-rolled into home education do not show up in school records – they just disappear from the roll. Which is why I've done a data collection from 11 local authorities to see how many children are withdrawn for home education in their area, and from which schools. Later this year we will extend it to all councils and publish school-by-school results.

This report examines what happens to these invisible children – the off-rolled and the hidden. It explores what we know about the growth in home education: what is driving it, the impact it is having on children and what should be done to address it. Whether or not you get an education in this country shouldn't be about survival of the fittest.

A handwritten signature in black ink, reading "Anne Longfield". The signature is written in a cursive style. Below the signature is a short horizontal line.

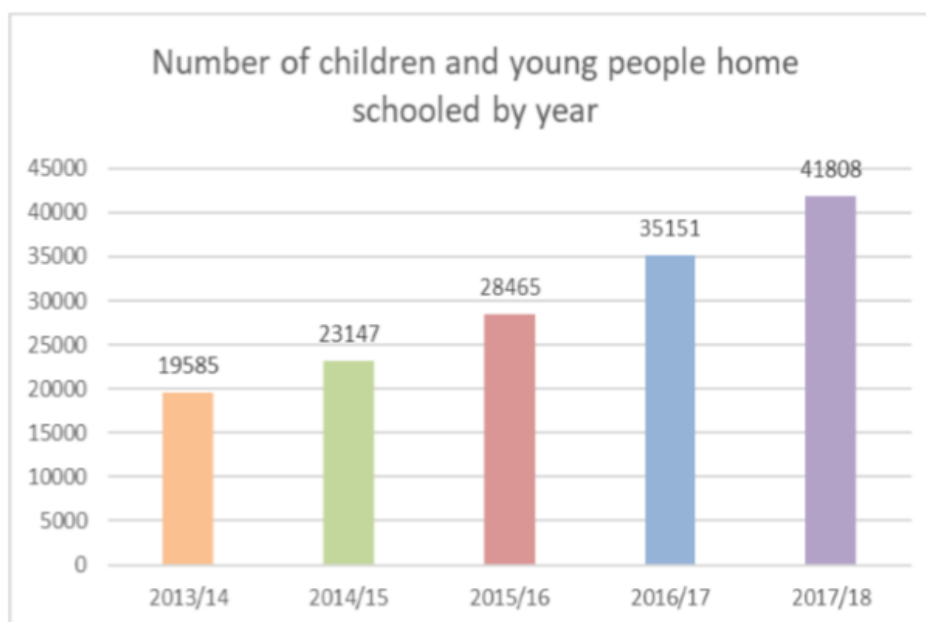
Anne Longfield OBE
Children's Commissioner for England

A growing problem

The Schools Adjudicator¹ reports that the total number of children local authorities said were being electively home educated was 52,770 children across all 152 local authorities on 29 March 2018.²

An Association of Directors of Children's Services (ADCS) survey in autumn 2018 found that across the 106 councils which completed the survey, around 40,000 children were being home educated. That suggests around 58,000 children were being home educated across England as a whole. The precise figures are unknown because parents do not have to register children who are home-educated, hence councils use various other sources to estimate the numbers.

ADCS found that the number of children known by councils to be home educated was 27% higher than in 2017. This is not an anomaly: the figure has risen by about 20% in each of the last five years and has doubled since 2013/14, as shown in the chart below³.



(Source: ADCS)

¹ The Office of the Schools Adjudicator rules on objections to school admission arrangements, hears appeals by schools against a LA decision to direct the admission of a child, and advises the government in cases where an LA wants to direct an academy to admit a child

² Office of the Schools Adjudicator Annual Report: September 2017 to August 2018 Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771529/OSA annual report September 2017 to August 2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771529/OSA_annual_report_September_2017_to_August_2018.pdf)

³ ADCS Elective Home Education Survey 2018, Available at: <http://adcs.org.uk/education/article/elective-home-education-survey-2018>

Finally, the ADCS survey suggests that 80,000 children could be being home educated at some point during the school year; they may dip in and out of school.

Although the evidence suggests a marked increase in children being home educated, there cannot be complete certainty on the numbers due to the lack of formal registration – something that sets England apart from many other European countries in which home education is legal⁴. According to a survey by ADCS, only 7% of local authorities are confident that they are aware of all the children being home schooled in their area⁵. The total number of children being home educated is therefore likely to be higher than the figures above suggest.

The current legal and policy context

In England, if you want to home educate your children you just have to write a letter to the school,⁶ who must then notify the local authority, but children who have never attended school, or who move area, may be completely unknown to the authorities. Parents should provide children with a suitable full time education but that is loosely defined as one that “primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so.”⁷ If a child is withdrawn from school to be home educated they do not have any right to return to that school at a later date. Parents who choose to home educate assume full financial responsibility for doing so, including exam costs.

Local councils have an obligation to identify children not receiving a suitable education⁸, but they have no legal duty to monitor home-educators and do not have the powers to insist on visiting the home to carry out checks on the education (unless they have a welfare concern). 92% of councils say that they do not have the powers they need to ensure children are getting a decent education⁹ and 28% of home educating families refused an offered home visit¹⁰. Councils can request information from a parent and if they are concerned can issue a school attendance order (SAO) requiring the child to attend a school. However, this process can take months and there are concerns that SAOs are too weak.¹¹ A handful of councils adopt positive

⁴ *Report to the Secretary of State on the Review of Elective Home Education in England*, G Badman, House of Commons, 11th June 2009 Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/328186/Review_of_Elective_Home_Education_in_England.pdf

⁵ ADCS/Dispatches Home Education Survey 2018; exclusive research carried out for Dispatches

⁶ Note that the bar is higher for children being withdrawn from a special school, as in these cases parents must seek the school's permission to de-register the child rather than simply notifying the school

⁷ Mr Justice Woolf in the case of *R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust* (12 April 1985)

⁸ Section 436A of the Education Act 1996

⁹ ADCS/Dispatches Home Education Survey 2018

¹⁰ ADCS Elective Home Education Survey 2018, Available at:

<http://adcs.org.uk/education/article/elective-home-education-survey-2018>

¹¹ 'Stronger laws needed to send home-educated children back to school, says ADCS', by J Lepper, CYPNOW, 5th July 2018 Available at: <https://www.cypnow.co.uk/cyp/news/2005513/stronger-laws-needed-to-send-home-educated-children-back-to-school-says-adcs>

practices, such as giving parents cooling off periods and support them to get children into a new school. Councils, however, lack resources to effectively monitor and support home education. According to recent research, there are an average of 295 home educated children for each full-time council home education officer¹², and 87% of councils say they do not have the resources necessary to offer support to all of the children and families who choose to home school in their areas¹³. Local authorities do not have a duty to provide support: some offer a home visit, but many just provide links to websites.

¹² ADCS/Dispatches Home Education Survey 2018

¹³ ADCS/Dispatches Home Education Survey 2018

When a child's needs are not being met

Many parents withdraw their child from school because s/he is unhappy or not coping. These parents often feel that the school has been insensitive or unsupportive, whether the child has special educational needs, challenging behaviour, mental health issues or is being bullied. Some parents have reached crisis point as the relationship with a school breaks down.

There are clear indications that the growth in home education is related to the rise in children leaving school due to their needs being unmet. Local authorities say the main reasons children in their area are being home educated are "general dissatisfaction with the school" and "health/emotional reasons"¹⁴. Ofsted's Chief Inspector Amanda Spielman has warned that there is a lot of anecdotal evidence that parents are also home educating their children under duress, because they are being encouraged to do so by the school, or because they want to keep the child out of sight of the state¹⁵.

The Children's Commissioner's Office has spoken to many children and parents who said that they only chose home education because the situation at school had become so desperate – sometimes traumatic for the children involved. This includes many children with special educational needs (SEND). Recent research by Channel 4's 'Dispatches' programme found that 22% of children withdrawn from school to be home-educated in the 2017-18 academic year had special educational needs.

12 year old Lily is autistic and is being home educated. She has been to 11 schools in 8 years, a mixture of mainstream and special schools, which have struggled to meet her needs and she has been excluded on multiple occasions. Her mother says:

"The idea, when people talk about homeschooling as elective, there is nothing elective about this at all. I don't want to be here, doing this. I love her, we love her, we want to help her but this isn't a choice....when your child sits on a sofa and says they'd rather be dead than go to school, you know your choice. That's your choice. And we chose we'll keep her home".

Lily also wants to find the right school that would support her needs¹⁶.

Schools should be helping every child to meet their potential. This means identifying and acknowledging individual children's needs and providing extra support where necessary.

'Dispatches' visited one school with the Children's Commissioner which has created a gentler school environment. Passmores Academy in Essex has a greater than average proportion of disadvantaged pupils and pupils with special educational needs and/or disabilities. At the core of its offer to these pupils and others with additional needs is the Inclusion Department, which offers support including an early intervention programme

¹⁴ ADCS Elective Home Education Survey 2018

¹⁵ Letter from Amanda Spielman, Ofsted, to Meg Hillier MP, Chair of Public Accounts Committee, 30th October 2018, Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752721/HMCI_PAC_letter_311018.pdf

¹⁶ Case Study from Channel 4 Dispatches programme, to be aired on 4th February

for students with behavioural difficulties, an independent school counsellor, and an autism hub.

Sadly, schools like Passmores Academy are not the norm. The Children’s Commissioner has heard of numerous school practices which have the effect of making it much more difficult, not easier, for children with additional needs to succeed. These include hard-line behaviour policies in which pupils receive two or three warnings for any breach of the behavior code (however big or small) before being sent to a seclusion room or isolation booth to work in silence for the rest of the day. Policies such as these might improve conduct among the majority of pupils, but can be counter-productive when applied without any flexibility for other pupils, including those with additional needs – such as children with ADHD who are very unlikely to be able to cope with being put in an isolation room. Another strategy illegally used by some schools is sending children home to “cool off” or “calm down” if they become angry or overwhelmed, rather than addressing their needs head on in school. While schools should not allow one or two pupils to disrupt the education of the rest, this shouldn’t undermine their duty to educate all their students – not just those that are the easiest to teach.

But schools across the country are feeling the dual strain of squeezed budgets and the drive for good results. Funding per pupil has fallen by 8 percent since 2010¹⁷ and 94% of school leaders say that they are finding it harder to fund support for pupils with SEND.¹⁸ This means that, according to the National Association of Headteachers, “the financial burden of additional support penalizes those schools that are the most inclusive”.¹⁹ Schools are being forced to cut additional support such as learning assistants and pastoral teams, making it more difficult for children with additional needs to cope.

Then, a key indicator of school performance is exam results. There are concerns that children who are not making good progress in the run up to exams, perhaps because they have additional needs that are not being met, are being abandoned by schools in order to protect the schools’ overall Progress 8 scores²⁰.

Another issue is the under-identification of children’s needs. This is particularly a concern for children who do not have an Education, Health and Care Plan but may have low-level autism, ADHD or other conditions which may present serious problems in the classroom. Teachers say they do not have the training or support to diagnose these problems accurately – and that they have limited capacity to do so given the pressures on the school system.

¹⁷ *School spending on pupils cut by 8%, says IFS*, S Coughlan, BBC, 12th July 2018, Available at: <https://www.bbc.co.uk/news/education-44794205>

¹⁸ *Empty Promises; The crisis in supporting children with SEND*, NAHT, 6th September 2018 Available at: <https://www.naht.org.uk/news-and-opinion/news/funding-news/empty-promises-the-crisis-in-supporting-children-with-send/>

¹⁹ Paul Whiteman, general secretary of NAHT, comments on LGA SEN report Available at: <https://www.naht.org.uk/news-and-opinion/press-room/naht-comments-on-lga-sen-funding-report/>

²⁰ *Forgotten children: alternative provision and the scandal of ever increasing exclusion*, House of Commons Education Committee, 18th July 2018, Available at: <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

Off-rolling or exclusion?

The decision to home educate may be taken by a child's parents in response to a school's poor treatment of a child, but at other times it is driven by the school itself. This can be because the school is focused on improving overall exam results and not the individual needs of each child. The practice is known as "off-rolling". Ofsted defines off-rolling as: "The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil." Off-rolling is distinct from formal exclusion, when a proper process must be followed. It is often referred to as illegal exclusion.

It is important that schools have the ability to exclude pupils as a last resort in order to maintain safe and effective classrooms for all children. However there is a clear process that must be followed for this to be lawful, with rights for parents, as set out in statutory guidance²¹. The Children's Commissioner is concerned that parents may feel obliged to accept home education to avoid a formal exclusion, without realising that by doing so they are giving up important safeguards. Moreover, schools can only exclude pupils on disciplinary grounds – not for other reasons such as low attainment or because the child has emotional needs which the school feels unable to meet. Schools that off-roll for these reasons are effectively excluding children for non-disciplinary grounds, a form of informal and illegal exclusion.

Some parents report that they opted for home education after the school threatened to exclude their child or fine them for non-attendance, believing that this would help their children by avoiding a formal record of exclusion. The Children's Commissioner has heard of schools, anecdotally, where pro forma letters declaring a decision to home educate are kept at reception, ready for parents to sign when things at school get tough. She has met distraught parents who have signed up to home-educating their child without even realising that was what they were doing.

9 out of 10 local authorities (88%) say that they are concerned about off-rolling,²² but to date what is known about it has been fairly limited. Until now, evidence has mainly been drawn from pupils disappearing from school rolls (some of whom may have left the country or gone to private school as well as those who have been offrolled). FFT Education Datalab found that 22,000 children who would have sat GCSEs in 2017 left state education during secondary school, up from 20,000 two years earlier²³. These children have higher rates of special educational needs, English as an additional language and free school meals. Nobody knows what happens to lots of these pupils afterwards.

²¹ *Exclusion from maintained schools, academies and pupil referral units in England: Statutory guidance for those with legal responsibilities in relation to exclusion*, Department for Education, September 2017, Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

²² ADCS/Dispatches Home Education Survey 2018

²³ *Who's Left 2018, part one: The main findings*, P Nye and D Thompson, FFT Education Datalab, 21st June 2018, Available at: <https://ffteducationdatalab.org.uk/2018/06/whos-left-2018-part-one-the-main-findings/>

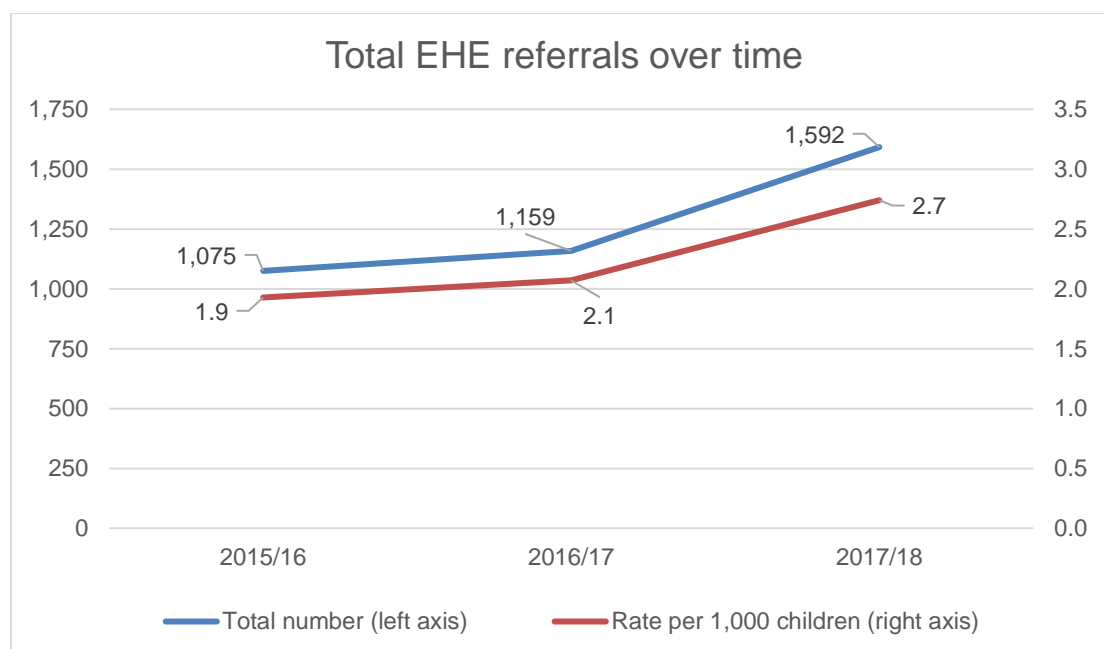
The ADCS survey suggests that the age group where home education is rising most rapidly is key stage 4, the critical GCSE years – up by 32% since 2017, possibly evidence of increased off-rolling of pupils who are about to sit their GCSEs and might negatively affect a school’s results.

A small but growing number of schools

Recognising a gap in the evidence, the Children’s Commissioner’s Office gathered data on the number of children being withdrawn specifically to be home educated across 11 local areas²⁴ in England. Councils were chosen where there were a high number of fixed term exclusions, which our qualitative research had suggested might be associated with off-rolling. The findings are therefore unlikely to be representative of the country as a whole.

The number of children known by councils to have been withdrawn from school into home education increased across the majority of areas between 2015-16 and 2017-18. Across the nine areas which provided data for the whole period,²⁵ it rose by 48%. The year-on-year growth has also accelerated: from 8% between 2015-16 and 2016-17, to 37% between 2016-17 and 2017-18.

Both London LAs saw sharp increases in this number between 2015-16 and 2017-18: 94% in Hackney and 176% in Newham. Hackney academies saw an increase in children moving into home education of 238% between 2016-17 and 2017-18; Newham academies saw a 112% increase. Among local authority-run schools in the two boroughs, the increases over the same period were 21% (Hackney) and 66% (Newham).

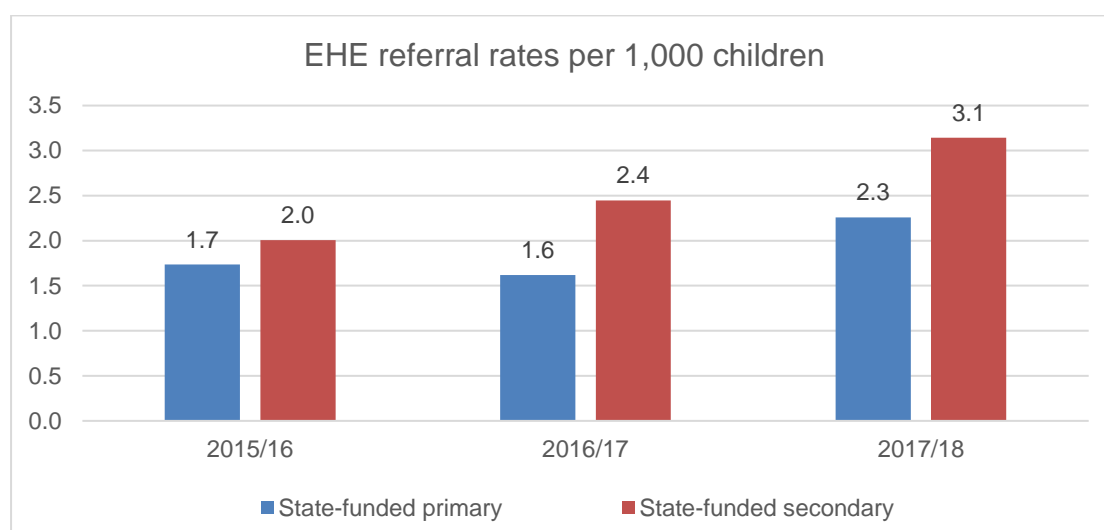


²⁴ Birmingham, Bristol, Doncaster, Hackney, Leeds, Middlesbrough, Newham, North Yorkshire, Nottingham, Stoke-on-Trent, Wakefield

²⁵ Middlesbrough did not return data for 2015-16 or 2016-17, while North Yorkshire did not return data for 2015-16.

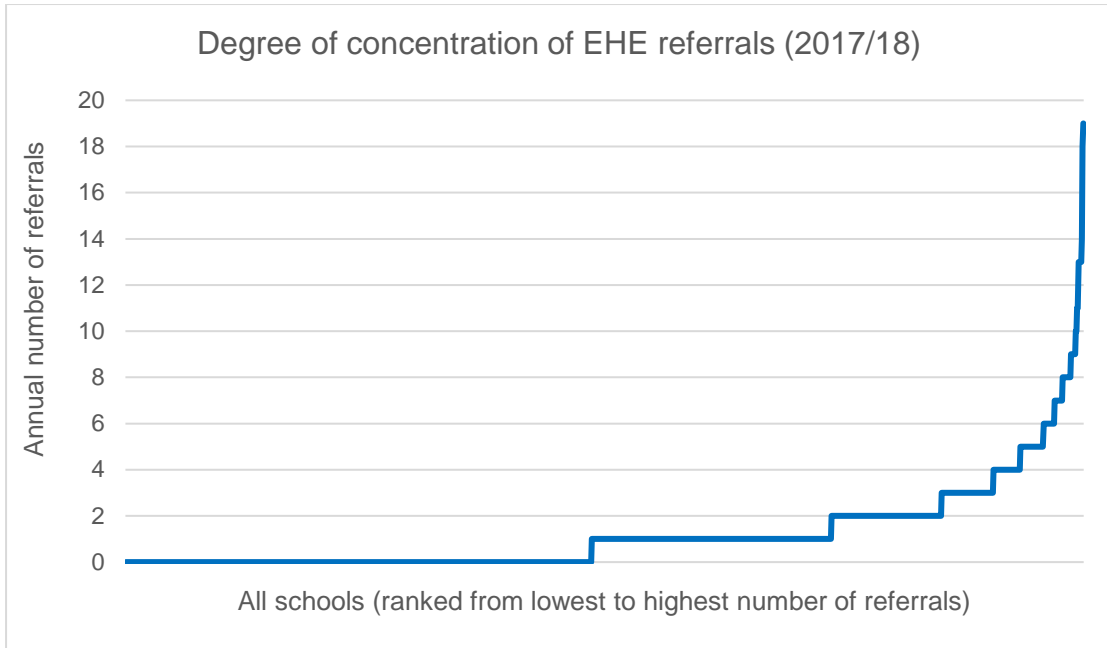
Note: Total number is based only on the nine areas which provided data for all three years, so it excludes Middlesbrough and North Yorkshire. The rate per 1,000 children is based on all 11 areas.

Alarming, the numbers of children being withdrawn into home education are increasing significantly among primary school children as well. The overall rate of increase in the nine areas providing data from 2015-16 to 2017-18 was 32% at primary schools and 71% at secondary schools, over this period. But between 2016-17 and 2017-18, the total number rose at a higher rate in primary schools (43%) than in secondaries (35%). It still remains the case that children in a secondary school are more likely to be withdrawn into EHE: across all 11 areas in 2017-18, the rate of EHE referrals stood at 3.1 per 1,000 children in secondary schools, compared with 2.3 per 1,000 children in primary schools.



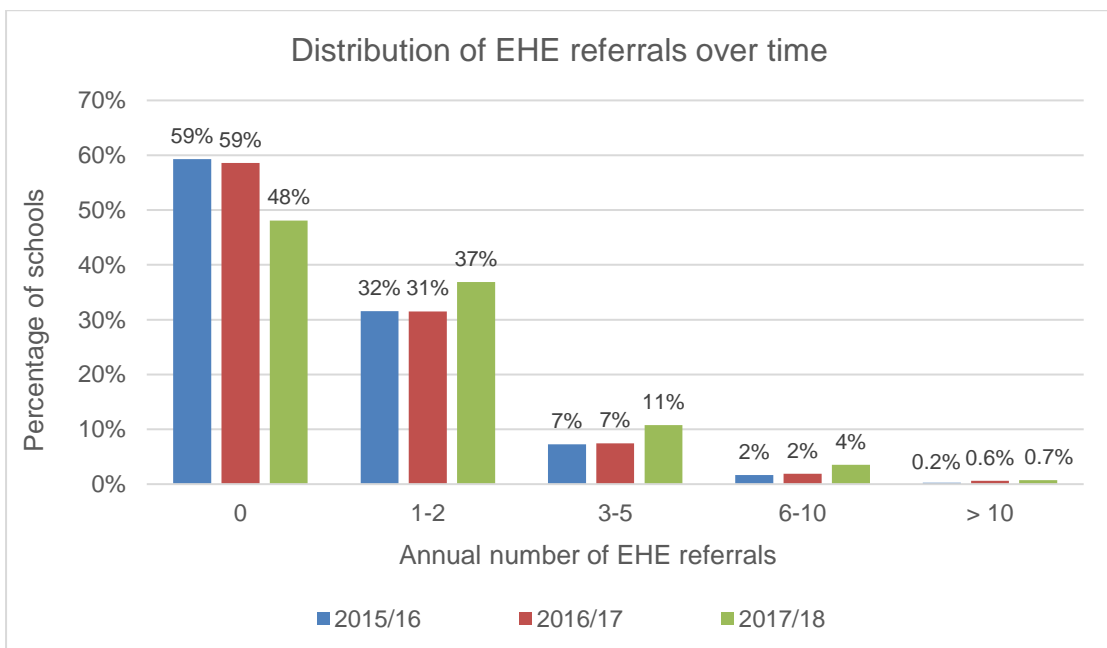
The data shows that very few schools are responsible for the majority of moves into home education. Roughly nine out of ten schools only saw 0-2 referrals into home education a year, but for a tiny minority of schools it can be more than 15 a year.

The chart on the next page visualises the degree of concentration in the number of EHE referrals. It plots the EHE referrals for all of the 1,400 schools in the data, ranked from the lowest number of referrals on the left to the highest numbers on the right. There is a big 'spike' at the end, which illustrates that a very small number of schools have very high levels of EHE referrals.



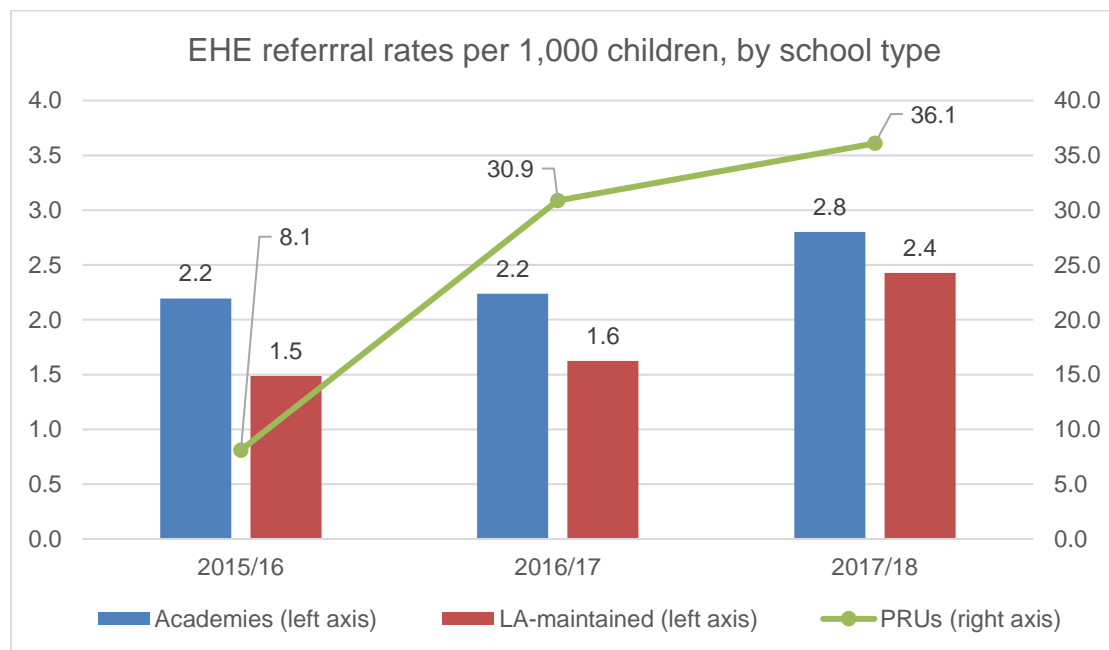
In 2017-18, half of elective home education referrals in these 11 LAs were from only 10% of schools, while 80% of the referrals came from a quarter of the schools. However there is evidence that the practice is spreading: between 2015-16 and 2017-18, the proportion of schools making no referrals at all to home education fell from 59% to 49%. The chart below shows that this has mostly happened between 2016-17 and 2017-18.

It is also becoming less uncommon for a school to have a significant number of EHE referrals in a year. In 2015/16, only 1.9% of the schools in this sample had more than five referrals; in 2017/18, it was 4.3%.



The analysis also sheds new light on the oft-cited claim that academy chains are ‘off-rolling’ more than LA-run schools. According to the data from all 11 LAs, academies do see children move into home education at a higher rate than LA schools: in 2017-18, academies had a rate of 2.8 EHE referrals for every 1,000 children, compared with 2.4 per 1,000 children for LA-run schools. However, LA schools are catching up. Overall, between 2015-16 and 2017-18, the numbers of children moving from academies into home education increased by 43%, but from LA schools it grew by 58% (across the nine areas which provided data for the whole period).

Our data also indicates among pupil referral units (PRUs), the rates of EHE referral are much higher – 36 per 1,000 children in 2017-18. This has also grown much more since 2015-16, when it stood at 8.1 per 1,000 children. However these figures relate to a much smaller cohort of pupils, so it may be difficult to extrapolate more widely.



The Children’s Commissioner has sent all the data collected to Ofsted, including the names of individual schools with very high rates of children moving into home education. She will also be writing to Regional School Commissioners about the schools with the highest rates of elective home education, asking how they plan to tackle the issue locally. And later this year the Children’s Commissioner’s Office will collect data from all councils in England and publish it, school by school, identifying which schools have high numbers of children being withdrawn into home education which may suggest practices of off-rolling.

Under the radar

Many home educators say they would welcome more support, and many make great efforts to keep in touch with the council. One of the most problematic consequences of home education, however, is that it means that some children are completely out of sight of the authorities. 93% of councils say they don't feel confident that they're aware of all the home educated children living in their area.²⁶ Worryingly, there are some parents who are well aware of the light touch regulation around home education and actively use this to their advantage, for example to keep out of sight of social services. In some cases a parent might choose to home educate their child after the school has made a referral to social services. Around one in 10 home educated children are known to social services²⁷ – some of these are current cases but some have been closed, meaning that there is not continued contact between children's services and the family. It is possible that some of those families will genuinely no longer need the support of social services, but they will have become less visible to the authorities since withdrawing their children from school, which could be very worrying if problems at home escalate.

Parents are under no obligation to register that they are home educating their children, and local authorities have no duty to monitor the education these children are receiving – only to make informal enquiries about those who might not be receiving a suitable education. This means that children can go for months or even years without contact with any professional. Local authorities may not even know about those who have never been educated at school as there are no records. The consequences of lack of oversight can be disastrous – for example, in 2011 the nation was shocked by the case of Dylan Seabridge, an eight year old boy who died of scurvy after collapsing at his home in rural Wales, having been completely off the radar of health and education professionals.²⁸ Dylan is one of six children to have died in the past decade, where their home education was seen to be a contributory factor²⁹.

Illegal schools

Some parents claim that they are home educating their children, when in reality they are sending them to unregistered and illegal schools (or "tuition centres") where they receive a substandard education and welfare standards are dubious. Illegal schools operate under the radar and outside the statutory frameworks designed to keep children safe. The definition of them is hazy, allowing many 'tuition centres', madrassas and yeshivas to operate off grid. Since setting up a specialist taskforce in 2016, Ofsted has identified 439 schools which are possibly operating illegally.³⁰

²⁶ ADCS/Dispatches Home Education Survey 2018

²⁷ *One in 10 home-schooled children 'known to social services'*, J Lepper, CYPNOW, 15th November 2018. Available at: <https://www.cypnow.co.uk/cyp/news/2006075/one-in-10-home-schooled-children-known-to-social-services>

²⁸ *Concise Child Practice Review*, CYSUR Mid and West Wales Safeguarding Children Board, 7th July 2016. Available at: <https://www.whatdotheyknow.com/request/452376/response/1084174/attach/html/2/CYSUR%20%202015%20CPR%20Report%20080716.pdf.html>

²⁹ Dispatches analysis of Serious Case Reviews into child deaths which refer to home education

³⁰ Figure provided by Ofsted to Dispatches

It is difficult for Ofsted to prosecute these schools, as registers may be incomplete or false, children can attend on a full-time basis or spend part of their time at the ‘school’ and part at home, and the centres are expert at keeping their answers within the legal framework. Children are believed to be coached not to respond to inspectors’ questions.

The Children’s Commissioner has accompanied Ofsted inspectors on visits to suspected illegal schools and found dozens, sometimes hundreds of children in filthy cramped rooms and Portakabins, with only religious texts in sight. Because home education does not have to be registered, nobody knows who the children are or what the true state of their education is.

Under current guidance, a setting must register as a school with the Department for Education as the regulator if it is attended by five or more pupils on a full-time basis (generally interpreted as more than 18 hours per week)³¹. Ofsted’s Chief Inspector Amanda Spielman has raised concerns about parents who use home education as a guise to enable them to use illegal schools³², for instance those offering a predominantly or exclusively religious education. Of the local authorities that responded to ADCS’s 2018 home education survey, nearly half were aware of tuition centres operating in their area (not all illegally) and over one in ten were aware of unregistered schools.

The first ever conviction for running an unregistered school was in October 2018. Al-Istiqamah Learning Centre taught around 58 pupils from a West London office block. The defendants claimed that they ran a part-time tuition centre for home-educated children rather than a school and that children did not attend for more than 18 hours, but the court heard evidence that at least 27 children were at the school for 25 hours per week and were therefore considered to be educated there full-time. With Channel 4 ‘Dispatches’, the Commissioner joined Ofsted on a visit to this tuition centre, which appeared still to be teaching students – albeit now on a part time basis. This demonstrates what Ofsted has warned about - that settings learn how to avoid registration by keeping within the legal definition of what constitutes “full-time” education.³³ It is difficult for inspectors to ascertain the truth about how long pupils spend at such schools as registers are not kept clearly, Ofsted does not have the powers to seize documents, and children may be told to lie to inspectors when they visit.

³¹*Registration of independent schools*, Department for Education, January 2016. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/492259/Registration_of_independent_schools.pdf

³²Letter from Amanda Spielman, Ofsted, to Meg Hillier MP, Chair of Public Accounts Committee, 30th October 2018

³³*The Annual Report of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills 2017/18*, Ofsted, 4th December 2018.

What is the impact on children?

“For like eight months . . . [I was home schooled] and like, I never saw my friends. I literally had like no friends for ages... I used to smoke all the time.”

“I had work sent home for like 2 weeks and then they stopped sending it.”

*Home-schooled teenagers, Children’s Commissioner 2018-19
Business Plan consultation*

Some children have very positive experiences of home education, where parents are educating them at home for all the right reasons, are well prepared and have the right support. In other cases, children have described feeling lonely and depressed, left alone for long periods in unstructured days. They miss their friends at school and can become isolated.

Parents who lack any kind of teaching experience, or who may even struggle to read and write themselves, are expected to draw up a curriculum with little or no support. Children are missing out on weeks, months if not years of education, only to return to school and then drop out again as their problems remain unaddressed.

Sam is currently home educating her 12 year old son, Baillie, because he has ADHD, was being bullied and was temporarily excluded for fighting. Sam says:

“Although education is very important, for me it’s more important that his mental health is top priority. When he was at school everyday he was coming home in some sort of mood, he was crying, he’d go up to his room and not really speak to anyone. But now since I’ve had him off school he’s wanting to be around people a lot more, he’s just a lot more happier”.

Sam is concerned that there isn’t much support for parents who are home educating either to provide an education or to help find another school. She says:

“I have huge doubts on my ability to be able to educate him in a way that a school could. Reading and writing aren't my strong points. I was diagnosed with dyslexia when I was a child.. there is no help out there and it’s a scary thought”³⁴.

For many children, home education is only meant to be a short term arrangement. The real goal is for the child to be able to return to their old school, or a new school so that they can have a fresh start. But this can take a long time. During this time, the problems that led to the child being home educated in the first place, such as school refusal, anxiety and other mental health problems, can become much worse, making it even less likely that school will be a success for the child when they do eventually return. This creates a vicious cycle where children oscillate between home education and school, with a significant impact on their education. It is not surprising that they often reach

³⁴ Case Study from Channel 4 Dispatches programme, to be aired on 4th February

school leaving age without any qualifications. Data on future outcomes of home educated children is inconclusive. But evidence given to one parliamentary review showed they are four times as likely to end up classed as NEET - not in education, employment or training - once they turn 16.³⁵

What can be done?

The Government is updating and consulting on possible changes to current non statutory guidance, focusing on registration, monitoring and oversight, family support and financial consequences for schools when parents opt to home educate.³⁶ The proposed changes are minimal - they simply aim to ensure that existing laws are better used by local authorities. In contrast, Wales has announced they will be consulting on the introduction of statutory guidance which will require Local Authorities to establish a database to assist them in identifying children not on the school register³⁷

Ofsted has been working to tackle off-rolling, for example by using data to prioritise and plan for inspections³⁸. In January 2019, it announced further measures in the draft of its new inspection framework, which will be effective from September 2019 and is currently open for consultation³⁹. Off-rolling is specifically mentioned: “leaders [should] not allow gaming or off-rolling”. According to the draft school inspection handbook, if a school is caught off-rolling, management will likely be judged “inadequate”. This effectively means that a school found to be illegally-off-rolling will most likely be graded “inadequate” overall.

Ofsted has been criticised over the charge that its inspection outcomes are heavily shaped by exam results, to the point that schools are forced into becoming “exam factories” in order to do well. In the new proposed framework, a “quality of education” is proposed to reward schools that are doing the best by all their pupils rather than just the easiest to teach. The Children’s Commissioner’s office welcomes this improvement.

³⁵ *Children educated at home twice as likely to be known to social services select committee told*, J Shepherd, Guardian, 13th October 2009. Available at:

<https://www.theguardian.com/education/2009/oct/13/home-education-badman-inquiry>

³⁶ *Home Education – Call for Evidence and revised DfE guidance*, Department for Education, 10th April 2018. Available at: <https://consult.education.gov.uk/school-frameworks/home-education-call-for-evidence-and-revised-dfe-a/>

³⁷ Announcement by Education Secretary, Kirsty Williams, on 30th January 2018. Available at: <https://gov.wales/newsroom/educationandskills/2018/education-secretary-announces-package-of-support-for-home-educating-families/?lang=en>

³⁸ *The Annual Report of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills 2017/18*, Ofsted, 4th December 2018.

³⁹ Education inspection framework 2019: inspecting the substance of education, Ofsted, 16th January 2019. Consultation, draft handbook and draft inspection framework available at: <https://www.gov.uk/government/consultations/education-inspection-framework-2019-inspecting-the-substance-of-education>

Conclusion and recommendations

Many parents who make a philosophical decision to home educate put a substantial amount of thought and dedication into providing their children with a high quality education. But as this report has shown, there are many other families out there who have ended up home educating for other reasons, and are struggling to cope. There needs to be a cultural shift away from pressurised, hot-housing schools, to help stem the tide of children entering home education when it is not in the family's true interests or wishes.

There is also a pressing need for more immediate measures to improve the experiences, safety and wellbeing of children who do end up being home educated.

The Children's Commissioner's Office is calling for the following:

A home education register

Parents who are home educating their children should be required to register their children with the local authority. In a survey of local authorities in Autumn 2018, all 92 respondents agreed that a mandatory register would aid them in their work.⁴⁰

The register should include the child's name, date of birth and the address at which they are being educated. Parents should also be asked why they are home educating their child and whether they intend for the child to re-enter mainstream education at some point.

There should be a requirement for parents to inform the local authority if they move away from the area and to re-register the child with their new local authority. Councils should put information-sharing agreements in place to further ensure that children do not disappear off-grid after moving.

Strengthened measures to tackle off-rolling

The Children's Commissioner's Office supports ongoing work by Ofsted to identify and tackle off-rolling, and welcomes specific mention of the practice in its new draft inspection framework. It is our hope that Ofsted will grasp this opportunity to come down hard on schools who are letting down some of the most vulnerable children, and we will provide data to Ofsted to identify which schools have high proportions of pupils moving into elective home education.

School behaviour policies should acknowledge that poor behaviour may be linked to additional needs, such as SEND, and ensure that children with additional needs receive appropriate support.

When inspecting schools with high levels of pupil movement, Ofsted should explore if there is any link between their behaviour policies and off-rolling. If particular behaviour policies are consistently a feature of schools found to be off-rolling, Ofsted should provide the evidence to the sector to enable schools to modify their policies.

⁴⁰ ADCS/Dispatches Home Education Survey 2018

Children who are withdrawn from school should be entitled to re-register with the same school without going through the usual admissions procedures. Local authorities should have the power to direct an academy school to admit a child who is being home educated and wants a school place.

A financial penalty should be considered for schools that are found to be off-rolling pupils.

Advice and support for children and families

Within three days of a decision being taken for a child to be withdrawn from school to be home educated, the local authority should visit the child and family to provide advice and support on alternative options, including other schools the child could attend. Local authorities should provide information at this point so that parents are aware of what they are taking on, including their responsibility to meet exam costs, and offer help negotiating entry to another school if desired.

This should be followed by another visit 4-6 weeks later once the family has had the opportunity to settle in to home education and understands better what is involved.

Greater oversight of children

Council education officers should visit each child being home educated at least once per term to assess the suitability of their education and their welfare. This will require additional funding for local authorities. Where there are concerns over a child's welfare, they should be spoken to without parents present.

Decisive action against unregistered schools

The government must strengthen the law so that it is easier to prosecute illegal schools. We support Ofsted in calling for a clearer definition of "full-time education" in law, so that unregistered settings can no longer exploit this loophole to evade prosecution.



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Wiltshire Council

Children's Select Committee

Date 05 March 2019

Consultation on Changes to Children's Centre Services 2019

Purpose of Report

1. This report outlines why the Council is proposing moving children's centre services from buildings to community venues and the related consultation process it is undertaking.

Background

2. When children's centre services were recommissioned in 2016, they were clustered into four areas to allow for a more financially efficient model. Spurgeons, a national charity and The RISE Trust, a local charity, were successful in gaining the contracts to provide these services. The focus of the new contracts was on the original children's centre priorities of: health, parenting, educational attainment, training and employment opportunities. The services were also more focussed on the most disadvantaged children in Wiltshire in the most deprived areas. There would be limited universal access to provision but this would be available in all community areas. In order to achieve this, children's centres have been successfully using a broader range of community venues aiming to deliver services and programmes in places where families are living, socialising and working.
3. Wiltshire Council is facing reduced funding and, to meet the budget gap in 2019-20, services have been reviewed to identify whether they can be delivered more efficiently. In reviewing children's centres, the Council has considered what savings could be made without having a significant impact on frontline services. Based on the successful use of wider community venues for children's centre services rather than tie money up in the running costs of buildings, it is proposed that we reduce the number of buildings by six and deliver more services in the community where they are needed and where the families can easily access them. This is a development of the work that is already taking place and follows discussions at contract meetings with providers about how efficiencies can be made with the least impact on services for the most disadvantaged families. Saving money on buildings means that delivery staff will be retained and able to work with families. The centres that would be de-commissioned are in the less deprived areas and have very little service delivery taking place in the buildings. It is anticipated that these changes would achieve savings of £250 000 in 2019-20.

Main Considerations for the Council

4. To ensure that the proposed community model and reduction in funding is the most effective we aim to:
 - a) Realign the children's centres to a preventative model
 - b) Place children's centres more firmly within an integrated offer of early help
 - c) Coproduce the changes with children's centre providers and other partners and stakeholders
 - d) Closely follow guidance regarding changes to children centre services with full consultation and impact analysis
 - e) Achieve efficiencies largely through not using discrete buildings, but having greater use of existing community venues.

How We Will Achieve These Aims

5. The reorganisation will refocus children's centre services to work with families at the earliest opportunity. Services will be accessed in the following ways:
 - Both children's centre providers offer a digital doorway to their services. We will improve this offer so that families who feel more comfortable accessing services online are able to use it as an initial approach
 - Children's centres will be encouraged to work closely with local partners to ensure information about activities and services are widely shared in the community and with voluntary and commercial community providers (e.g. parent and toddler groups, nurseries, soft play centres etc.)
 - The Early Help Hub will give early access to families who need support, ensuring families receive the right support at the right time and place, reducing barriers to access and duplication of services.
 - Health Visitors will continue to be a primary referrer for additional support.
6. Children's centres will provide universal support:
 - We will invest in Five to Thrive, an attachment based approach which encourages parents to interact with and listen to their child, improving behaviour and parenting expectation
 - Wiltshire children's centres are part of the scaling up of the Empowering Parents Empowering Communities (EPEC) programme which supports families with parenting and is facilitated by volunteers alongside a trained practitioner. This model would enable parenting support to be more accessible to parents across Wiltshire
 - Open access stay and play events will be available and will have the principles of Five to Thrive as a basis of the session.
7. The children's centres will also provide additional support:
 - There will be closer work with health visitors with a focus on identifying children early. Where there are concerns about a child at birth, six weeks or at the 9-11 month check by health visitors, families will be offered evidenced based support from the children's centre teams

- There will be an increased focus on the development of early language and communication as part of a Early Years strategy led jointly by Public Health, commissioning and the Clinical Commissioning Group
 - Bookstart Bookcorner activities will be undertaken with families who need support with children's literacy
 - Wiltshire children's centres already have a good relationship with Family and Community Learning, but, in the future, programmes will also need to focus on getting families into further training and work and for them to be delivered where there is an identified need.
8. Finally, children's centres will also provide intensive support:
- Wiltshire children's centres will continue to host and co-deliver Baby Steps, a nine week NSPCC evidence based programme, which supports attachment and develops parenting
 - Webster Stratton Incredible Years parenting programmes will continue to be offered to parents whose children are receiving support from social care or where there is a concern that without intervention the need could escalate to social care threshold
 - The Freedom programme will offer support to mothers affected by domestic abuse
 - You and Me, Mum will be available for families affected by domestic abuse.
 - More outreach support will be offered in homes to families where a 1:1 approach will have the greatest impact. They will use strategies from the evidenced based programmes that are used in the children's centres.
9. Other considerations
- Staff in children's centres have been trained in Make Every Contact Count (MECC) and this approach will support families to change behaviours that may be damaging to their health and their child's
 - Wiltshire is part of a DWP Contract Package Area in the south west to deliver programmes that will work with families to Reduce Parental Conflict. This service will be available from April 2019.
 - There will be a greater focus in future on monitoring outcomes and ensuring that we achieve the Troubled Families outcomes of a reduction in support from the public purse
 - Local Area Co-ordinators are already in place in three Wiltshire areas and about to go live in six other areas. This role will be used to link the work of the children's centres with the wider community. Children's centres will also link more closely with the Community Engagement Managers. They will continue to be represented at Multi Agency Forums
 - The Good Level of Development (GLD) for children at the end of Foundation Stage has improved year on year and it is currently at 72.1%. Focussed work is undertaken with parents in areas where there has been a low GLD. The GLD achievement gap is currently 50% and children's centre staff work with families who are eligible for Better2gether Funding, free early learning for two year olds of 15 hours a week

- Wiltshire Children’s Centre staff will work closely with the early years team from Wiltshire Council to plan forum meetings and focus work so that those that are most in need receive appropriate services and support at the earliest opportunity.

10. We will place children’s centres more firmly within an integrated offer of early help:

- Early Years Services in Wiltshire are being reviewed to offer a more streamlined approach to supporting settings. As part of this review children’s centres staff will continue to link with childcare settings to offer complementary parenting support to families
- Children’s centre staff will target work with settings to offer support to parents where there is a low Good Level of Development to improve the Home Learning Environment and family relationships
- Children’s centre staff will check termly with settings on the progress of Better2Gether funded two-year olds and offer additional support for families where necessary
- Children’s centre staff will work with the Early Years Advisory Teachers to ensure that the education offer in children’s centres meets the principles and standards of the Early Years Foundation Stage and with the Inclusion Officers on accessing appropriate services
- Children’s centre staff will have a process in place with health visitors that will enable support to be offered at the earliest and most appropriate point and will avoid duplication
- Centres will work with schools and preschools to identify families who have specific needs where early intervention will have a significant impact.

11. In discussion with the children’s centre providers the following efficiencies have been identified to ensure frontline services are maintained:

- Closing six of the sites which are underutilised and delivering services in more community settings
- Management rationalisation
- Some reduction in administration staffing costs.

12. It is proposed that the following sites are closed:

Site	Detail	Why should this site be considered for closure	Alternative use
Cricklade	Mobile building on St Sampson’s School site next to Thames pre-school mobile	Less deprived area and centre is not in the right location for those who want to use it.	Offer to the pre-school as additional childcare places
Mere	Converted rooms upstairs in the primary school, with toilets and an office	Less deprived area very little use of the centre building by the public. Only used 3	Offer to the school for additional places or to the pre-school

	downstairs, leased from Duchy	days a week	
Pewsey	Purpose built building on Pewsey school site shared with Puddleducks Pre-school	Less deprived area and very little use of the centre by the public	Offer to the onsite childcare provider and possibly retain a contact room at the back
Salisbury City	Stand alone building in St Edmund's Church Street	Building is used three days a week by health visiting and very little by children's centre services The Little Folly on Bemerton Heath building will remain to serve all of Salisbury	Relinquish the lease of the building
Trowbridge – Longfield	Upstairs in a purpose-built building on Oasis Academy Longmeadow site. Stepping Stones and YMCA Little Shoots are downstairs	Less deprived area in Trowbridge The building at Studley Green will remain and this will serve all of Trowbridge	Offer to the onsite childcare and District Specialist Centre
Westbury – White Horse	Purpose built centre on Westbury Infants School site shared with onsite childcare Bright Stars	Rooms are small and services can be offered in the community	Offer to the onsite childcare

13. It is likely that most of the efficiencies can be met through building closures, however, there will be a reduction in management and administration costs. There will be a recruitment freeze to these posts. It is proposed that the following savings will be made:

Building costs	£110,000
Management rationalisation	£90,000
Admin Staff	£50,000
Total	£250,000

14. We aim to take these changes forward in co-production with the children's centres, key stakeholders and the families that use them. The key stakeholders are:

- Parents
- Staff
- Health Visitors
- Midwifery
- Early years settings

- Wiltshire Parent Carer Council
 - Oral health team
 - Health trainers
 - JCP
 - Debt advice services
 - IAPT services
 - CAMHS staff
 - Libraries
 - Primary schools
 - Community leaders.
15. Representatives from Procurement, Legal, Properties, Finance, Communications, Public Health and Commissioning have been involved in meetings to manage the change process.
16. There is no statutory guidance on how long to consult over the closure of a children's centre building. Historical guidance was that consultation should be no longer than 12 weeks and recent consultations in other authorities have been as little as five weeks. Our consultation period will run from January 23rd until March 20th 2019, lasting eight weeks. A report will be taken to Cabinet on 30th April 2019. The proposed changes will take effect from 1st July 2019, the beginning of the children's centre contract year, which runs 1st July to 30th June.
17. The consultation is mainly in the form of an online survey as well as public and professional meetings in the centres where there are proposed to be closures.¹

Mitigation

18. To mitigate the effects of the reduction in budget, it is proposed that the children's centres offer a more focussed early help offer for children below the social care threshold with support pathways for children who are subject to a CP or CiN plan. There is also a proposal to appoint a Grants Officer who will seek and apply for grants to support discrete pieces of work that will ensure that the children's centre objectives are achieved. These will include:
- Improving the Home Learning Environment by offering parenting, nutrition, budgeting
 - Literacy support for parents and children
 - Reducing parental conflict
 - Attachment and adult/child interactions
 - Relationship approach to family resilience

Safeguarding Considerations

¹ At the time of writing, one Area Board, Pewsey, has requested a presentation and a Town Councillor will attend the partners' meeting in Westbury. Two councillors and four preschool managers have each attended a session of the eight consultation events that have been held so far. No parents have attended. There has been little reaction to the Facebook posts although they have received 1500 views.

19. Safeguarding is a priority of both children's centre services contract holders. They regularly monitor cases and work with families at all levels of need from universal through to families who are at risk of breakdown or who are already separated. There will be no increased risk to children and families through these proposals.

Public Health Implications

20. Children's centre services work with Public Health to deliver Baby Steps courses and Mum2Mum breastfeeding support groups in centre buildings. The children's centres also act as a distribution point for healthy start vitamins and vouchers.

Environmental and Climate Change Considerations

21. The proposal may result in increased energy consumption involving transport but a decrease in the energy consumption of buildings. It will also give better use of existing buildings getting better value from the investment of heating and lighting in these current buildings. There are no specific measures required to reduce the carbon emissions associated with the proposal. There are no additional risks relating to day to day environmental management.

Equalities Impact of the Proposal

22. Children's centre services offer a free accessible service to parents in Wiltshire. Universal services are available in halls and centres that are local to families. Where families live in more rural areas, services can be delivered to their home in the form of outreach support. It has always been the vision of children's centre services to be accessible to all families who need additional support. If there are less buildings this will not have a negative impact on services to those most in need. All services are affected by access to travel links.
23. There is an equalities impact assessment in process which will be updated once the consultation replies have been collated.

Risk Assessment

Risks that may arise if the proposed decision and related work is not taken

24. There will be a reduction in the number of staff able to deliver children's centre services if the buildings remain open and there is a budget reduction. If these changes are not coproduced and integrated with a wider engagement in early help, the services may become isolated and disjointed.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

25.

	Risk	Action to mitigate the risk
1.	Clawback payment requested by the DfE	Children's centre buildings will be used to provide support for under 5s through childcare
2.	Without buildings services are less visible to families	<p>There will be an emphasis on the children's centres developing greater engagement in sharing information about their services in:</p> <ul style="list-style-type: none"> • public and commercial resources e.g. Libraries, soft play centres, • cafes and restaurants that families frequent • social media • schools and nurseries <p>There will be a focus on partnership information sharing ensuring that all professionals are able to share information about partner services with families.</p> <p>The Community Engagement Managers (CEMs) will help share information.</p>
3.	Health Visitor clinics will need new venues	Health Visitor clinics will be run in venues identified with Health Visitors and linked to the work of the children's centre services. The children's centres and health visiting services are working together to negotiate with local venues which in turn contribute to keeping local services vibrant in rural areas e.g. Libraries
4.	Lack of rooms for children's services meetings with families	Assessments have and are being made in the key towns to use available venues such as libraries and leisure centre rooms as well as sites where parents already frequent. e.g. softplay centres, and parent/toddler groups.
5.	Lack of rooms for midwifery clinics, IAPT sessions, CAMHS sessions	Services have been asked to source their own rooms from their budgets, but in partnership with the children's centres
6.	Possible venue for Maternity Transformation Plan (MTP) Community Hubs will not be available	Conversations with representatives from MTP will ensure that there is a joined up approach to provision

Financial Implication

26. The planned change in the delivery of services will result in a saving of £250,000 per annum. The use of local community venues will give greater security to other community provision e.g. libraries and community hubs.

There are a number of childcare providers who are keen to expand into vacated buildings, giving new childcare in the area and increasing the number of small to medium size enterprises (SMEs) and job opportunities in the area.

Legal Implications

27. The provision of children's centre buildings was restricted to use by children aged 0-5 and their families. If the buildings are closed there is a risk of clawback from the DfE. This will not apply if the buildings are used for the provision of childcare.

The Salisbury City building will not be used for childcare or the provision of services for children under the age of five. These services will be available in the Methodist Church next door.

There is guidance regarding the closure of children's centre services and buildings². This guidance has been carefully followed to take forward the consultation and the proposed changes.

Options Considered

28. The budget is being reduced so there is a need to make service cuts. There is no other viable alternative that would retain good quality services for families with children under the age of five.

Conclusions

29. Children's centre services are fundamental to a range of early help and early years provision to support the health and wellbeing of children and families in Wiltshire. The proposals identified here whilst making efficiencies will bring support closer to families while protecting provision in areas of highest deprivation.

Proposal

30. The committee notes the proposals as presented and supports the consultation to understand and appreciate the impacts (both positive and negative) of the proposed changes.

Helen Jones
Director of Commissioning

Report Author: Lucy-Anne Bryant, Lead Commissioner

05 March 2019

Background Papers

2

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/678913/childrens_centre_stat_guidance_april-2013.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/678913/childrens_centre_stat_guidance_april-2013.pdf

Appendices

1. Consultation document
2. Meeting times and venues document
3. Centre running costs document
4. Select Committee Presentation



Children's C Meeting date



Meeting date



Surgeons C



19 03 05 Select
Committee presenta

Wiltshire Council

Children's Select Committee

5th March 2019

Interim Report of the SEND School Provision Task Group

Purpose of the report

1. To present the findings and recommendations of the task group for endorsement by the committee and referral to the Cabinet Member for Children, Education and Skills for response.

Background

2. The task group was originally established at the 5th September Children's Select Meeting where the committee resolved to establish a task group to look at the plans for the future provision of SEND schools and school places in Wiltshire.
3. The task group undertook a large piece of work and submitted an interim report to the 15th May 2018 Cabinet meeting alongside the Cabinet report on Special Schools Provision. The task group report included 11 recommendations relating to the potential future provision of SEND education in Wiltshire.
4. Following this Cabinet agreed to enter a pre-consultation stage on three options for the future provision of SEND education in Wiltshire. Since the end of this pre-consultation the task group began evidence gathering regarding the Wiltshire vision for SEND school provision.

Terms of reference

5. The following terms of reference for the task group were endorsed by the Children's Select Committee on 31st October 2017:
 - 1) To consider the future provision of SEND education for Wiltshire's children and young people in the context of the challenges outlined in the "Wood Report"/WASSPP report (May 2017).
 - 2) To receive evidence from:
 - a. Wiltshire Council officers;
 - b. Wiltshire schools;
 - c. Parents/guardians of children with SEND.

Membership

6. The task group comprised the following membership:

Cllr Jon Hubbard (Chairman)
 Cllr James Sheppard
 Mr John Hawkins (Children’s Select Committee Teacher Representative)
 Ms Jen Jones (Wiltshire College Representative)

Methodology

7. The task group received evidence from the following witnesses:

Wiltshire Council witnesses:

Cllr Laura Mayes	Cabinet Member for Education and Skills
Cllr Jane Davies	Portfolio Holder for Disabled Children and Adults
Terence Herbert	Corporate Director, Children and Education
Alan Stubbersfield	Interim Director, Education and Skills
Judith Westcott	Lead Commissioner, SEN

External witnesses:

Jo Stoling	Head Teacher, Three Ways School, Bath
Lyn Dance	Head Teacher, Milestone School, Gloucester

8. The following written evidence was received by the task group:

- Wiltshire Council’s Vision for SEND Education Provision

9. The task group performed visits to all six of the SEND schools in Wiltshire. The task group also attended a WPCC public meeting to discuss the provision of SEND schools with parent carers.

10. The task group met 5 times, as demonstrated in the following table:

Date of meetings	Item / topic	Details
23 rd October	Pre-Consultation Briefing	Task group members received a briefing following the pre-consultation.
9 th November	SEND Provision Wiltshire Vision Briefing	Task group members received a briefing on the vision and proposals for SEND provision in Wiltshire.
13 th November	Visit to Three Ways School, Bath	Evidence gathering visit.
21 st November	Visit to Milestone School, Gloucester	Evidence gathering visit.
19 th December	Task Group Meeting	To consider the task group’s report.

Evidence

Wiltshire Council

11. The task group were informed by officers and the Executive in a confidential briefing of the intention to close Larkrise, St Nicholas and Rowdeford schools and the opening of two “Centres of Excellence” located nearby the Rowdeford and Exeter House sites. They were informed that the resulting consultation would be set to begin after Christmas 2018 with the results feeding back to the March 2019 Cabinet meeting. Closure of the schools would be planned for 2022.
12. The process for opening the Centre of Excellence would be separate to the closure process. New providers for the academies would be invited to express interest whilst a phased-out closure for older children would be put into place to avoid requiring them to transition to the new schools.
13. The rationale for the proposals focused on the removal of physical restrictions currently preventing the achievement of “outstanding” Ofsted rated SEND provision in the county. Central to the proposals was also the need for futureproofing and reducing the current need for reliance on out of county provision through improvement in quality and level of provision in Wiltshire. At the time of the Task Group’s briefing there were 77 children with SEN in independent school provision aged between 5 -16. The Wiltshire vision outlined the aim to reduce the future numbers, whilst acknowledging that there may always be a small number due to the complexity of some needs.
14. A strong message received during the pre-consultation following the Cabinet decision in May 2018 was that parents and carers did not want to travel through the traffic congestion during the routes from Melksham to either Chippenham or Trowbridge. It was explained that the village of Rowde is located on the congestion-free side of Devizes. The site by Exeter House School is located north of Salisbury City Centre. It was noted that having SEND provision located in towns on Wiltshire’s borders such as Chippenham and Trowbridge was problematic due to proximity with out of county schools.
15. Green sites such as Ashton street in Trowbridge (previously noted by the task group in their report received by Cabinet on 15th May 2018) were explained as not viable in planning terms. Problems with the Ashton Street site included access issues. Department for Education regulations meant that the Larkrise site couldn’t be used to build a new school. The site near Rowde primary school was identified as the best location by the planning team for a new SEND school. One of the value facilities of the site was the ample outdoor facilities and space. It was also confirmed to the task group that the original Rowdeford School building would remain due to its listed building status.
16. The Centre of Excellence would receive £20mil of funding which was planned to be used to provide new opportunities to improve training and develop closer working with Wiltshire’s secondary schools. It would also offer the chance to

improve the quality and access to facilities such as hydrotherapy pools and visual/sensory rooms.

17. The new schools would operate through a campus model and as such would be designed to provide effective transfer opportunities within the school for children when progressing through each key stage. The Centre of Excellence model also allows for the chance to engage and provide access to mainstream schools. The development of post-16 provision were proposed to take place through cross-county provision, including Chippenham and Trowbridge, and would include improved links with Wiltshire College.
18. There were plans in place for current staff in SEND schools to be TUPE'd across to the new schools when necessary.
19. In early November, the task group conducted two visits to nearby SEND schools which had been rated "outstanding" by Ofsted. These were Three Ways School in Bath and Milestone School in Gloucester. Three Ways School is a modern, purpose-built school near Bath which was created to replace three special schools. Milestone School was created out of the physical merging of three special schools through the construction of a "link block".
20. Three Ways school contained a number of modern facilities including a water-mobility pool/hydrotherapy unit regularly rented out to external groups. They also have a visual and sensory room with 180degree projector units, interactive lights and ambient 360degree sound. The sensory room is used for a variety of purposes including dance, general education and preparation for children before they embarked on potentially stressful trips to public places, such as airports.
21. A work skills café was constructed at Three Ways through a successful fundraising campaign (including funding from local businesses). The café operates out of a building adjacent to the school and is open to the public. It is used by the school as a community hub/informal meeting place and is also used to promote professional skills for students through letting them work and assist in the running of the café.
22. Milestone School have renovated their hydrotherapy pool to include a café run by pupils and students, along with an activity zone. This was done to create a community space for use by parents and external groups. During hours of non-school use, the hydrotherapy pool is made available to external groups at a rental charge.
23. Rooms such as food tech had been protected from classroom conversion by Three Ways during the requests for increases in their planned admission number (PAN). This was done to protect the school from losing a valuable education resource which teaches students independence and had opened many to careers in the culinary sector.
24. Milestone School had invested in a challenging behaviour unit (CBU) with high spec, durable fittings to reduce replacement costs. They noted that this was an

important facility to have if there was the intention of reducing the future spend on out of county independent provision. It was also explained that including this facility during the initial build was a cheaper option than retrofitting in the future.

25. The multi-agency workers at Three Ways were provided with their own section in the school. Although the team members were sometimes working away from the building this was described as a valuable resource to have on site. Milestone School had offices available for specialists which reduced the number of hospital trips required.
26. Special Educational Needs Co-ordinators (SENCo's) at Three Ways school work with mainstream primary schools alongside any other specialists that may be required to ensure that they can receive the help they need.
27. Staff at Three Ways are issued a "wish list" annually to ask them which other areas of the school they might be interested in working with, or whether they are satisfied continuing where they are.
28. Transition throughout education in a single school was managed at Three Ways through a gradual process catered to the individual child. This was done with the aim of avoiding any potential shock from the transition, such as a move from a focus on one teacher in primary to multiple teachers in secondary. A focus was also placed on the child's stage in the curriculum, rather than their age.
29. The parking and drop-off/pick-up situation was noted as problematic at Three Ways. It had been altered slightly since opening to include a single way in and a single way out, however the number of parking spots was relatively small and the size of the area was not large enough to easily deal with the amount of traffic flow during key hours.
30. Both schools noted the increase in the complexity of needs and referenced the importance of SEND schools being ready to adapt to year-on-year changes in the complexities of school intakes. Reference was also made to a general increase in autism complexity and the number of requirements and medical professionals attached to each child.
31. Having wide corridors and adequate storage space which would be able to withstand future demands was noted by the schools as important. Milestone School were using some corridor space for equipment storage and had to create some improvised storage space in classrooms.
32. Milestone School emphasised the need to have "quiet rooms" built in to each classroom to provide children with the option to withdraw from the rest of the class for a period of time if necessary.

Conclusions

33. All SEND schools in Wiltshire, especially any new build, should act as a hub of knowledge and expertise to all other schools in order to promote, build and

share knowledge for the better of children with SEND. With this in mind the specifications of the new Centre of Excellence should be built to a high level from the start to prevent any replace or retrofitting costs in the future. This would be in line with the advice received from Milestone School.

34. To ensure a practical design and building layout from the final product the architect and other relevant professionals or contractors should work closely with the school staff throughout the entire process. Similarly, a sense of community ownership needs to be promoted from the outset of the process. The community need to be involved in the process from the start to opening day. This is to ensure that there is a sense of familiarity any ownership of the building by the community and the parents when the school opens. This could be done through arranging monthly meetings between the architects and the school staff. However, clarification is needed on when the academy will be appointed and what role they will have in the design. The task group expressed concerns if the process was that none of the school staff would be involved in the design stages of the Centre of Excellence. It was felt that school staff provided important sources of information and opinion, and that their input in the early design stages would serve to assist in producing a well thought out and practical finished design.
35. The plan to create a futureproof SEND education provision should protect important rooms and facilities in the schools such as food technology rooms from any potential future classroom conversion. Facilities such as this provide children with important life skills and in some cases potential careers.
36. As demonstrated by both Three Ways School and Milestone School it is important to ensure that there is easy access for parents and external groups to relevant facilities in the school building(s). This is to provide an ease of flow and prevent any potential safeguarding issues. Three Ways school has a direct route from the entrance and reception down to their hydrotherapy pool, which bypasses any of the education areas. Milestone school noted that one of their ideal improvements would be to reduce the distance from their reception to the parent meeting areas.
37. As seen at Three Ways school there is a clear benefit from providing Multi-Agency Workers with a work space on site. Also, as seen at Milestone School there is a similar benefit to providing health specialists with dedicated on-site work space. These reduce the travel requirements off site for children and provide a central collection of knowledge and expertise for the school to use.
38. The task group was originally worried about the loss of, or watering down of the transition model in education from the proposed new schools. However, since performing the evidence gathering visits it was demonstrated that the sense of transition can be improved if the advantages a single school are correctly implemented. This has been demonstrated through the implementation of a gradual transition which focuses on the child's development level and is catered to their individual needs. An effective way of implementing this was through splitting the school into separate physical blocks based on educational level, each with a separate deputy head teacher.

39. One of the most impressive modern facilities seen by the task group was the café attached to Three Ways School. The task group agreed that there should be a focus on embracing the potential in Wiltshire to be build a similar café into any new builds. This should be done to take advantage of the opportunities to build a space that can be used by the community, parents, staff and students, and to also have the space run by the students themselves. It should also be noted that it is worth engaging with other local businesses to promote a wider range of potential skills and careers for students.
40. After hearing about the serious problems with the parking and drop-off/pick-up arrangements at the relatively new Three Ways School the task group felt that the need to emphasise the importance of sufficiently considering traffic flow management and an effective parking strategy. It needs to be ensured that the parking and traffic flow design for any new schools is efficient and can manage current and future demands.
41. The task group felt that plans on reducing the current demand for and reliance on Independent Special School Provision needed to be made clearer. The reliance could be split into two situations. Firstly, when parents/parent-carers visit a current SEND school, are unhappy with it as a choice and wish to send their child elsewhere. This first situation is a preventable situation which could be avoided through the new Centre of Excellence. Secondly, the needs presented by the child are so complex that we do not have the provision to meet them. This is a situation which is generally unavoidable and requires a degree of acceptance that not all needs can be catered for, and will therefore require independent provision.
42. However, there is still a need to address the current overreliance on independent providers. Based on the visit to Milestone School a serious part of reducing this reliance should be the creation of a challenging behavioural unit at the new school site.
43. The task group heard about the importance of effective early assessment of mainstream and SEND School suitability to ensure that early intervention takes place for those that need it. If this is properly in place then the situation of “waiting until a child fails” in mainstream education before action is taken can be avoided. This should be supported with specialist support in mainstream schools in the form of resource bases to provide better for mainstream inclusion and integration for those that need it. Resource bases and mainstream schools should be properly supported by the new Centre of Excellence.
44. In order to maximise on the potential reduction in demand for spaces at the new Centre of Excellence that can be provided by implementing resource bases a graduated response to young people with SEND should be implemented:
 - a. Local school
 - b. Supported education in a mainstream school
 - c. Resource base
 - d. Comprehensive resource base
 - e. SEND School (such as the new centre of excellence)

45. There also needs to be a clear code of practice for how children with SEND can transition between mainstream schools, resource bases, and SEND schools. It also needs to be ensured that this provision also allows for deescalating from SEND schools down to resource bases and also into mainstream schools. Transition into further education at Wiltshire College also needs to be covered.
46. The task group also felt that there could be potential benefits in developing a close working relationship between the Centre for Excellence and the future Whole Life Care Service and Wiltshire College. This could improve the support provided throughout childhood and adulthood.
47. To strengthen the effectiveness of the resource bases a deal needs to be agreed early in the process. As such, they need to be included as part of Wiltshire Council's expectations during the exploration for new providers and as part of the bid to ensure that it is included in the future provider's budget.
48. One of the serious concerns from the task group is the location of the new school in the village of Rowde. Whilst they were informed that transport to the community will be utilised the task group wish to seek reassurance that there will be clear details about what transport and plans will be in place and how they will work effectively to provide children with effective integration into the local communities.

Proposal

49. That the Cabinet Member for Education and Skills and Members of Cabinet consider the following recommendations from the task group when considering the report on Special School Provision:

Recommendations

That the Cabinet Member for Education and Skills:

- 1. Makes suitable arrangements, such as monthly meetings, for the school staff to work closely with the architect and development team to ensure that the finished buildings are practical for all purposes.**
- 2. Clarifies the role of the academy provider in the design of the Centre of Excellence building.**
- 3. Works to keep the Wiltshire parental & parent-carer community consulted, closely involved and informed throughout the development process to promote community ownership and governance of the new schools.**
- 4. Includes the opinion of Wiltshire parent & parent-carer community, through the medium of the Wiltshire Parent Carer Council (WPCC), in the**

decision-making process for choosing the new academy provider of the Centre of Excellence.

- 5. Ensures that all relevant parties, such as parents/parent-carers, are kept well informed throughout a transparent decision-making and selection process for the academy provider who will be chosen to run the new Centre of Excellence.**
- 6. Ensures that the chosen academy provider for the Centre of Excellence is specialist in SEND education.**
- 7. Ensures that school facilities such as hydrotherapy and sensory rooms are available for use by external groups and parents/carers, and that they are located suitably within the building to minimise disruption and provide independent access.**
- 8. Provide a dedicated office, meeting and therapy space within the new builds for Multi-Agency workers and health specialists to serve as a base for the workers.**
- 9. Ensures that there is an effective educational transition process in place which caters to the individual child and allows them to grow whilst progressing through the school.**
- 10. Ensures that the design of the school is made up through a collection of sub schools (or “blocks”) to allow each child to progress through these “blocks” based upon educational need, rather than age.**
- 11. Develop a close working relationship between the future Whole Life Service, the Centre of Excellence, and Wiltshire College.**
- 12. Creates community facing student-run cafés at the new builds and utilises them as a resource for use by the community, parents/carers, staff and students.**
- 13. Sufficiently considers the current and future traffic flow and parking requirements for the schools and creates a system that can exceed these demands.**
- 14. Include the development of a Challenging Behavioural Unit in the proposals to reduce future out of county provision and ensures there is an effective admissions procedure developed for the unit in consultation with SEND schools with existing Challenging Behavioural Units.**
- 15. Supports mainstream integration, in line with the Task Groups comments in para 44, through providing specialist SEND support in both primary and secondary schools across the county in the form of Resources Bases supported by the Centre of Excellence.**

16. Provides details on the transport plans which will be used to provide children with effective integration in the local communities.

Cllr Jon Hubbard, Chairman of the SEND School Provision Task Group

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Appendices

None

Background documents

None

DfE Changes – Update December 2018 – February 2019.

Ofsted 2017/18 Annual Report

1. HMCI published her second annual report. Key findings include:
 - The report states that improvement in LA performance should be acknowledged because there often appears to be a public perception that LAs are failing children. The proportion of LAs judged good or outstanding has increased from 36% to 42% and the proportion of LAs judged inadequate fell from 22% to 13% following the introduction of the ILACS
 - In January 2018, there were 1.3 million pupils with SEND (15% of all pupils). Of these, 250,000 pupils had a statement of SEN or an EHCP and around 1 million pupils were on SEN support. Both groups have increased in number since January 2017. 93% of pupils with SEN support are in mainstream schools, whereas 46% of pupils with a statement or EHCP attend a special school
 - The report highlights a lack of co-ordinated 0 – 25 strategies and poor post-19 provision whilst noting the quality of EHCPs remains variable. Critically, the gap in performance and outcomes for children and young people with SEND is widening between the best and worst performing local areas
 - 86% of schools were good or outstanding at their last inspection, however, 500 or so schools have been stuck in a cycle of poor performance since 2005. 36% of schools are now academies or free schools (seven out of 10 secondaries and three out of 10 primaries). There are now over 1,100 trusts
 - A recent analysis by Ofsted found around 19,000 pupils did not progress from Year 10 to Year 11 in the same secondary school, 9,700 of this number did not reappear elsewhere (this equates to 4% of Year 10 pupils). They also identified 300 schools with particularly high levels of movement raising concerns about 'off rolling'
 - There are almost 3,000 social care providers, 84% of whom good or outstanding, however, the performance of secure training centres continues to be a serious concern. The number of fostering households continues to decline (43,710 in March 2017 down from 44,320 in 2016). The proportion of young people staying with their foster carers past their 18th birthday fell by 8%
 - 77 new children's homes opened in the last year, an increase of 4%. While the total number of children's homes in England continues to increase, the number of LA children's homes has fallen from 26% in 2012 to 18% in 2018 and 43 LAs (28%) no longer own any children's homes.
2. The full report can be read [here](#)

National funding formula tables for schools, early years and high needs: 2019 to 2020

3. The DfE has issued the revenue funding settlement for schools. The tables cover the updated national funding formulae (NFF) allocations for 2019 to 2020 and the fully implemented NFF. The full settlement details can be accessed [here](#).
4. The provisional Dedicated Schools Grant (DSG) allocation for Wiltshire Council is £351.646m and covers spend on Schools, Central School Services, High Needs and Early Years areas. This is an increase of £9.148m compared with 2018-19. The increase reflects the impact of the funding uplift for the national funding formula (NFF) and the overall increase in the numbers of pupils, for the Schools, Central and High Needs Blocks. The Early Years block remains at 18/19 allocation levels until the January 2019 census data is available.
5. The High Needs block funds children and young people with Education Health & Care Plans (EHCPs) and has been allocated as per the baselines notified to local authorities in September 2018. These baselines are calculated according to the national funding formula for high needs, 50% of which is allocated according to historic spend. Historically, Wiltshire was a low spender and therefore the allocation base does not reflect current service levels and spending patterns. The funding includes the additional £1.128m awarded to Wiltshire as part of the '*new funding to support children with Special Educational Needs*' announced on the 16th December 2018.
6. The national funding rate for Early Years providers is unchanged for 2019/20 despite inflation pressures. Due to parental preference, take up levels have averaged 96% for the past three years which means that payments to providers for 3- and 4-year olds can be increased to £4.20 per hour whilst the £5.32 funding received for 2-year olds remains unchanged and is passported direct to providers.

Childcare and early years survey of parents: 2018

7. The government has released official findings from the January 2018 to August 2018 survey of parents with children aged 0 to 14. It covers parents' use of childcare and early years provision, and their views and experiences, including: overall usage of childcare providers; receipt of the funded 15 hours and 30 hours of childcare a week, parents' perceptions of the quality and availability of childcare provision; the cost of childcare and perceptions of affordability; and factors influencing maternal employment decisions. Key headlines include:
Overall, in 2018, 75% of families in England with children aged 0 to 14 had used some form of childcare; 41% parents rated the affordability of local childcare as very or fairly good; 52% of parents who paid for childcare said it was easy or very easy to meet their childcare costs; 70% of mothers with children aged 0-14 were in work in 2018.
8. The full findings can be accessed [here](#).

Life-saving skills in school

9. The Education Secretary has underlined the importance of every child having the chance to learn life-saving skills under plans for health education to become compulsory in every school by 2020. Under the proposed new guidance, by the end of secondary school pupils will be taught how to administer CPR, the purpose of defibrillators, and basic treatments for common injuries. The proposals are part of the Department for Education's plans to strengthen teaching of health, sex and relationships education. Further information can be found [here](#).

Consultation on out-of-school settings

10. The DfE has launched a consultation on a draft voluntary safeguarding code of practice for out-of-school settings. Examples of OOSS providers include ballet classes, gymnastic training, sports tuition, instrumental music tuition, martial arts training, drama classes, the Scouts and Guides, and religious settings which offer education in their own faith. The sector is currently not regulated by education and childcare law, meaning out-of-school settings providers are not subject to the same safeguarding regulation as registered schools or childcare settings.
11. The draft consists of a code for providers and guidance for parents and carers. The consultation runs for 12 weeks closing on 24 February 2019, and can be accessed [here](#).

Introduction of T Levels

12. T Levels are due to be introduced from the academic year 2020 to 2021. Guidance has been updated with information on how T levels fit with other post-GCSE choices, the structure, funding and grading, and a new section on industry placements, and can be accessed [here](#). The T Level Action Plan has also been refreshed and can be accessed [here](#)

Academies Update

13. Number in Wiltshire at the beginning of February 2019:

Academies	94
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14. There are no new academies in this period.

Transport to education and training for people aged 16 to 18

15. Statutory guidance for local authorities on supplying transport for all post-16 students and students with SEND, older students and those in rural areas has been updated. The guidance now includes good practice suggestions and department compliance checks. A local authority transport policy template and section on sustainable transport have also been added. The updated guidance can be accessed [here](#).

SEND provision capital funding for pupils with EHC plans

16. In March 2017, the government committed £215 million of capital funding from 2018 to 2021 to help local authorities create new school places and improve existing facilities for children and young people with SEN and disabilities. In May 2018, a £50 million increase to this fund was announced and in December 2018 a further £100 million was granted, taking the total fund to £365 million. This has resulted in a £558,790 top-up to the Wiltshire allocation which has increased from £800,933 to £1,359,723.
17. This capital funding is not ring-fenced and can be used to improve special provision for children and young people with education, health and care (EHC) plans. Guidance can be found [here](#).

Autism strategy

18. The government has announced an extension of the review of its autism strategy to include children and young people as well as adults. The review will inform the new joint adults and children autism strategy to be published in autumn 2019 and will be looking at:

- Joining up health, care and education services to address autistic children's needs holistically
- Developing diagnostic services to diagnose autism earlier, in line with clinical guidance
- Improving the transition between children and adult services so that no young people miss out, and ending inappropriate reliance on inpatient hospital care
- Improving understanding of autism and all its profiles, including recently identified forms such as pathological demand avoidance (PDA).

19. The full announcement can be found [here](#).

Review of Children in Need – interim findings

20. The government has produced their interim findings on improving the educational outcomes of children in need of help and protection. The policy paper summarises the learning from the responses to a call for evidence, explains barriers to education faced by children in need of help and protection and outlines what is needed to improve their outcomes. It can be accessed [here](#).

21. The final part of the review will focus on identifying and addressing gaps and systemic barriers, and considering what more government can do to incentivise, equip and support practitioners through policy and guidance.

Safeguarding children affected by parental alcohol and drug use

22. Public Health England (PHE) has produced guidance for local authorities and substance misuse services to help them work together to safeguard and promote the welfare of children affected by parental alcohol and drug use. The guidance can be found [here](#).

23. In conjunction with this, PHE is allocating £10.5 million of funding to LAs for projects and improving services to help improve the lives of adults and children impacted by alcohol. Funding consists of £4.5 million innovation fund for local projects working with children and families and £6 million capital fund to improve access to alcohol treatment in the community. PHE is announcing a call for bids for a share of the £6 million capital fund for LAs which can be used to improve services and facilities for people with alcohol problems. Successful projects will be announced in the spring and funding available from 2019 – 2020.

The £4.5 million innovation fund has been awarded by PHE to nine projects across the country in the following LAs: Swindon; Haringey; West Sussex; Brighton and Hove; Greater Manchester (Rochdale, Bolton, Bury, Salford and Trafford); Portsmouth; North Tyneside; Knowsley; St Helens.

24. The full press release can be found [here](#).

Consultation on draft handbooks launched

25. Ofsted has launched a consultation on its plans for regulating schools, early years and FE settings in the future. Changes to the inspection framework are proposed to come into force from September 2019. Some of the differences to the current framework for schools include:

- Maintained schools and academies waiting to be brokered or re-brokered will receive monitoring visits within nine months

- The quality of education will be assessed by looking at the intent, implementation and the impact of the school's curriculum, teaching and the outcomes achieved
- The new framework has a keen eye on gaming, exclusions and off-rolling as well as arrangements for pupils accessing off-site or alternative provision
- The safeguarding section has also been expanded to include information on the segregation of pupils whilst in school.

26. The consultation will be open until 5 April and can be accessed [here](#). Draft copies of the handbooks can be found [here](#).

TERENCE HERBERT
Corporate Director

Report author: Nicola McCann, EY Information and Co-ordination Manager, Children's Services. 18/02/2019

Largely taken from the DfE website 07 December 2018 to 18 February 2019.

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Wiltshire Council

Children's Select Committee

5 March 2019

Task Group Update

Purpose

To provide an update on recent task group activity and propose any decisions requiring Committee approval.

1. Traded Services for Schools Task Group

Membership:

Mr John Hawkins (Chairman)
Cllr Trevor Carbin
Cllr Jon Hubbard
Cllr Tony Jackson

Supporting Officer: Marie Gondlach

Terms of reference:

1. To review the proposed developments for traded services to schools, considering the outcomes of the service review of traded services (commenced in October 2016), with a particular focus on the following areas:
 - a) The model for the centralised trading unit and the proposed traded services team structure and appointments to ensure sustainability and quality of service;
 - b) The cost of services that are currently provided against projected costs to ensure value for money;
 - c) The plans for marketing to ensure continuous take-up;
 - d) The current policy;
 - e) How traded services will be future-proofed.

2. To review and comment on the Cabinet report regarding the proposals for the future of outdoor education in Wiltshire, with particular focus on the Evidence based analysis that led to the options presented within the report. Comments from the task group will be presented to Cabinet at the same meeting at which the report is considered (scheduled for 28 March 2018 at the time of writing).

3. To review and comment on:
 - a) the Council's advertising of the two outdoor education sites (Braeside and Oxenwood);
 - b) the Council's consideration of expressions of interest, including evaluation

criteria and weighting;
c) the report to Cabinet (planned for 9 October 2018 at time of writing)
presenting the findings on the expressions of interests.

Recent Activity:

The task group has meetings scheduled as follows:

- Monday 25 February – update on outdoor education bids
- Friday 8 March – focus on traded services

A verbal update will be provided by the Chairman of the task group, Mr John Hawkins.

The task group is working towards presenting its final report on Traded Services at the next available meeting of the Children's Select Committee.

Adam Brown, Senior Scrutiny Officer, T: 01225 718038, E: adam.brown@wiltshire.gov.uk

Children's Select Committee Forward Work Programme

Last updated 1 MARCH 2019

Children's Select Committee – Current / Active Task Groups		
Task Group	Start Date	Final Report Expected
Child and Adolescent Mental Health Services (CAMHS)	October 2017	TBC
Youth Transport	April 2019	TBC
SEND School Provision	October 2017	TBC (Interim received June 2018 & February 2019)
Strategy and Support Programme for Disadvantaged Learners	TBC	TBC
Traded Services for Schools	December 2017	TBC

Children's Select Committee - Rapid Scrutiny		
Topic	Details	Date

Children's Select Committee – Forward Work Programme			Last updated 1 MARCH 2019		
Meeting Date	Item	Details / Purpose of Report	Associate Director	Responsible Cabinet Member	Report Author / Lead Officer
15 May 2019	Nursery Places Update	To receive the annual update on nursery places.	Helean Hughes	Cabinet Member for Children, Education and Skills	
15 May 2019	Executive Response to the Interim Report of the SEND School Provision Task Group			Cabinet Member for Children, Education and Skills	
15 May 2019	School Ofsted Judgements	To receive a report detailing school Ofsted judgements since the last school term.	Helean Hughes	Cabinet Member for Children, Education and Skills	
16 Jul 2019	Apprenticeships Update - Service Provider Contract Obligations	To receive an update from the Corporate Director for Growth, Investment & Place on the progress made towards building in obligations into service provider contracts to ensure Level 2 apprentices are included within their Wiltshire-based workforces.		Cabinet Member for Children, Education and Skills	Alistair Cunningham
16 Jul 2019	Wiltshire Council Apprenticeship Growth Target	To receive details on Wiltshire Council's submission to central government on how we are fulfilling our apprenticeship target.	Pitt	Cabinet Member for Children, Education and Skills	Joanne Pitt

Children's Select Committee – Forward Work Programme			Last updated 1 MARCH 2019		
Meeting Date	Item	Details / purpose of report	Associate Director	Responsible Cabinet Member	Report Author / Lead Officer
16 Jul 2019	Performance & Outcomes for Families & Children's Services	To receive an overview of the performance and outcomes of children's social care.	Lucy Townsend (Director - Family and Children's Services)	Cabinet Member for Children, Education and Skills	Lynda Cox
12 Nov 2019	Higher Education Strategy	To receive an update on the progress of the SWLEP Higher Education Strategy as agreed by the committee in November 2018.		Cabinet Member for Children, Education and Skills	Jackie Tuckett

