

SCRUTINY BOARD (CHILDREN AND FAMILIES)

WEDNESDAY, 3RD NOVEMBER, 2021

PRESENT: Councillor A Lamb in the Chair

Councillors E Flint, A Forsaith, C Gruen,
Z Hussain, J Illingworth, S Lay, J Lennox,
A Marshall-Katung, K Renshaw, L Richards
and R. Stephenson

CO-OPTED MEMBER (VOTING)

Mr A Graham – Church representative (Church of England)
Ms J Ward – Parent Governor Representative (Secondary)
Ms K Blacker – Parent Governor Representative (Primary)

CO-OPTED MEMBERS (NON-VOTING)

Ms C Foote – School Staff Representative
Ms H Bellamy – School Staff Representative
Ms L Whitaker - Young Lives Leeds

23 Appeals Against Refusal of Inspection of Documents

There were no appeals.

24 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

25 Late Items

There were no late items.

26 Declaration of Interests

There were no declarations of interest.

27 Apologies for Absence and Notification of Substitutes

Apologies for absence were received from Councillors J Senior and H Bithell.
Councillor J Lennox was in attendance as substitute.

Co-opted Member Tony Britten also submitted his apologies.

28 Minutes - 13th October 2021

RESOLVED – That the minutes of the meeting held 13th October 2021 be approved as an accurate record.

29 Inquiry into Exclusions, Elective Home Education and Off-rolling (Part 2) - Session one

The Head of Democratic Services submitted a report that presented information relevant to part two (session one) of the Scrutiny Board's ongoing Inquiry into Exclusions, Elective Home Education and Off-rolling.

The following were in attendance:

- Councillor Fiona Venner, Executive Member for Adult and Children's Social Care and Health Partnerships
- Julie Longworth, Deputy Director of Children and Families
- Tim Pouncey, Chief Officer Resources and Strategy
- Dave Clark, Head of Service, Learning Improvement
- Val Waite, Head of Service, Learning Inclusion
- Barbara Temple, Elective Home Education Lead

The Head of Service for Learning Inclusion introduced the report and provided an initial general overview of attendance across local schools as well as a more detailed overview of the data and trends relating to elective home education (EHE) and the duties of the local authority in terms of safeguarding and monitoring young people who are home educated. Members were advised that notification of intentions to EHE has increased significantly since the beginning of the COVID-19 pandemic, with a particular increase in whole families choosing to home educate and citing anxieties associated with COVID-19 as their primary reasoning for doing so.

Members discussed a number of matters, including:

- *Proportion of school age population that are EHE.* In response to a query, Members were advised that the proportion of school age population currently home educated is approximately 0.5%.
- *Reasoning for EHE.* Members were advised that parents do not have to provide a reason on the initial letter of notification. Where this is provided, there is often more than one reason for the decision but only one can be recorded. Caseworkers are also focused on updating this information after they have spoken to parents.
- *Professional guidance.* Members queried whether parents have the right to professional guidance, and were advised that the local authority provide general advice and guidance, which some families choose to engage in. However, there are no current duties set out in legislation

for local authorities to provide specialised advice and guidance. In addition, it was noted that while access to services provided through school clusters are not available to families who home educate, they can still access a range of services, such as Mindmate, with information on this provided on the Leeds Offer.

- *Examination and qualifications.* In response to a query, it was confirmed that there is no duty for young people to take any formal examinations whilst home educated, and any examinations taken are at the expense of the family. It was noted that, in 2018, the local authority submitted concerns about the overall legislation for EHE as part of the national DfE consultation. Members requested that the response to this consultation be provided to the Board, if available. Members were also advised that the local authority do not receive the data for examinations taken by home educated children as parents make individual arrangements for this that are not shared with the EHE team. Members expressed concern about the local authorities' ability to monitor young people in their choices post-16 and identify how many are Not in Education, Employment or Training (NEET), and were advised that all post-16 young people are contacted to provide signposting information about their next steps by the EHE team and by the Pathways Team.
- *Socio-economic factors.* In response to a query, it was noted that while the Council does not specifically gather socio-economic data relating to EHE families, it is able to identify those that are eligible for free school meals, which is currently 26%.
- *Increase in BAME children home educated.* Members queried the reasoning for the recent increase in BAME families choosing to home educate and were advised that the impact of Covid to multigenerational families was often being cited as a main concern for those families from BAME communities. Officers highlighted that the Equality and Diversity Board will be looking at disproportionality within education for children and young people from BAME backgrounds and will be exploring the increase in EHE in further detail.
- *Gypsy and traveller communities.* In response to a query, Members were advised that the number of gypsy and traveller families choosing EHE has remained unchanged throughout the COVID-19 period. The Executive Member advised Members that the directorate is working with Leeds Gypsy and Traveller Exchange (GATE) who have highlighted that EHE is not a cultural choice, and that many families report the racism and discrimination as the primary reason for removing their children from school settings.
- *Returning to school settings.* Members queried whether it is possible to track each cohort to understand why some families choose to return to formal school-based education and others do not and were advised that data for returns by year group will be submitted for the Board's consideration as part of its inquiry work. However, it was noted that, on average, children remain in EHE for one to two years.
- *Children who have never been to school.* It was confirmed that children who have never been to school may not be registered as home educated under current legislation as there is no obligation to inform

the local authority and therefore are not included within the EHE list collected by the local authority. Members were advised that new proposals from the DfE include requirement for all children to be registered with a local authority.

- *Home visits for EHE settings.* Members were advised that if the Council does have any significant concerns due to lack of communication with a family, then safeguarding checks are undertaken at the home. If no response, social care are notified and a police welfare visit may be arranged. However, it was noted that local authorities do not have powers to physically enter a EHE setting unless there are safeguarding concerns.
- *Off-rolling.* In response to a query, Members were advised that any situations potentially involving off-rolling could be explored at the point when families notify the local authority of their intention to home educate. However, if families choose not to give a reason then this can be hard to identify.
- *Suitability of education plans.* Members were advised that all families are requested to submit an education plan in some form, and it is assessed by a teacher to identify whether the plan is suitable for the age, aptitude and special educational needs, if any, of an individual child. It was noted that local authorities have no powers to assess the plan based on a child's attainment.

In his closing comments, the Chair raised a number of further requests for information, including a breakdown of EHE figures by Ward; data around annual visits and the general feedback from these visits; and how the Leeds position compares with other core cities and also nationally, although it was acknowledged that this may prove difficult in the absence of any national data collection requirement. In view of this, the Chair suggested that the Board may wish to schedule an additional inquiry session to consider the implications of EHE in more detail, which would be explored after the meeting.

RESOLVED –

- a) That the contents of the report, along with Members comments, be noted.
- b) That the information requested during discussions be provided to the Board, with the potential option of holding an additional inquiry session to consider the implications of EHE in more detail.

30 Update on Government Guidance for GCSE and A-Level Exams 2022 / 2023

The Director of Children and Families submitted a report that presented an update on government guidance for GCSE and A-Level exams for 2022/2023.

The following were in attendance:

- Councillor Fiona Venner, Executive Member for Adult and Children's Social Care and Health Partnerships
- Julie Longworth, Deputy Director of Children and Families
- Tim Pouncey, Chief Officer Resources and Strategy
- Dave Clark, Head of Service, Learning Improvement
- Val Waite, Head of Service, Learning Inclusion

The Head of Service for Learning Improvement introduced the report and provided an update on the changes announced by the Department for Education to the plans for GCSE and A-Level Exams in 2022/23. It was noted that such clarity was being provided to schools at a much earlier stage than last year.

Members requested further detail regarding the number of resit exams that have been taken in the COVID-19 period, and of those resits, how many achieved the required grading.

The Chair noted that Members previous comments had been addressed within the update and therefore a working group meeting to discuss the matter in further detail would not be required. However, it was agreed that the Board will continue to maintain a watching brief.

RESOLVED –

- a) That the contents of the report be noted.
- b) That the information requested during discussions be circulated to Members.

31 The new, revised SEND and Inclusion strategy 2021

The Director of Children and Families submitted a report that invited the Scrutiny Board to consider and provide any comment on the new, revised SEND and Inclusion Strategy prior to it being finalised.

The following were in attendance:

- Councillor Fiona Venner, Executive Member for Adult and Children's Social Care and Health Partnerships
- Julie Longworth, Deputy Director of Children and Families
- Tim Pouncey, Chief Officer Resources and Strategy
- Dave Clark, Head of Service, Learning Improvement
- Val Waite, Head of Service, Learning Inclusion

The Head of Service for Learning Inclusion introduced the new strategy, providing an overview of the development of the six priorities set out and the steps taken to deliver the best outcomes for children and young people with additional needs.

Members discussed a number of matters, including:

- *Supporting SEND young people into employment.* Members were advised that one of the six priorities of the Strategy is focused on the continuum of provision which includes post-16 learners and opportunities through supported internships and apprenticeships. In welcoming these opportunities, Members emphasised the importance of those young people also receiving appropriate pay while on such placements, regardless of subsequent opportunities for paid employment.
- *Capacity to deliver the new strategy.* Members recognised that historically SEND provision has been underfunded and is still underfunded. Linked to this, Members discussed the impact of the National Funding Formula and the cap on the High Needs Block of the Dedicated Schools Grant. Capacity and funding was highlighted as a barrier to actioning the Strategy and Members were advised that the local authority SEND and Inclusion teams are significantly under capacity to meet the growing demands. However, it was highlighted that the Strategy is a joint strategy across social care and health and not just the sole responsibility of learning within the Children and Families directorate.

In conclusion, the Scrutiny Board collectively endorsed the new revised SEND and Inclusion Strategy 2021 and the Chair suggested that the Board maintains a watching brief surrounding the implementation of the Strategy. It was therefore proposed that a formal update be brought back to Scrutiny within 12 months.

RESOLVED –

- a) That the contents of the report, along with Members comments, be noted.
- b) To note that the Scrutiny Board (Children and Families) collectively endorses the new revised SEND and Inclusion Strategy 2021.
- c) That an update on the Strategy is brought back to Scrutiny within the next 12 months.

32 Refreshed 3As Plan

The Director of Children and Families submitted a report that invited the Scrutiny Board to consider and provide any comment on the refreshed 3As Plan prior to it being finalised.

The following were in attendance:

- Councillor Fiona Venner, Executive Member for Adult and Children's Social Care and Health Partnerships
- Julie Longworth, Deputy Director of Children and Families
- Tim Pouncey, Chief Officer Resources and Strategy
- Dave Clark, Head of Service, Learning Improvement
- Val Waite, Head of Service, Learning Inclusion

The Head of Service for Learning Improvement introduced the draft refreshed 3 A's plan, outlining the process to identify the five priorities and how Children and Families Services will focus work to support education settings to support all children and young people's learning.

Members discussed a number of matters, including:

- In relation to Priority 1 (Action 1) within the Plan, Members identified the need to make clear that the performance indicator relating to 100 reading deep dive reviews being carried out by the end of the academic year 2021/22, refers to 100 schools and not individuals.
- Reference was made to Priority 4 of the Plan which states that all children and staff working in learning settings are supported with their wellbeing. Members felt this was particularly significant given the impact of Covid-19, particularly in relation to those individuals dealing with Long Covid symptoms and still requiring support as part of their recovery.
- Members recognised the need to engage effectively with other directorates and partners in terms of implementing the 3As Plan successfully.

In conclusion, the Scrutiny Board collectively endorsed the refreshed 3As Plan and the Chair suggested that the Board also maintains a watching brief surrounding the implementation of this Plan. It was therefore proposed that a formal update be brought back to Scrutiny within 12 months.

RESOLVED –

- d) That the contents of the report, along with Members comments, be noted.
- e) To note that the Scrutiny Board (Children and Families) collectively endorses the refreshed 3As Plan.
- f) That an update on the 3As Plan is brought back to Scrutiny within the next 12 months.

33 Work Schedule

The Head of Democratic Services submitted a report that presented the draft work schedule for the forthcoming municipal year.

The Deputy Director for Children and Families also provided an update on action taken in response to the Ofsted Focused Visit Improvement Plan, including progress made in relation to partner attendance at strategy discussions.

The Principal Scrutiny Advisor also informed the Board that there had been a request made by the Children and Families Directorate for the Scrutiny Board to receive the annual report of the Leeds Standing Advisory Council on Religious Education. It was proposed by the Chair that the latest annual report

be brought to Scrutiny in February or March to provide an opportunity for members to be aware of, and ask questions about, matters relating to religious education in the city, as well as providing the opportunity for the Board to offer any views and perspectives that they would like the Advisory Council to recognise in the current and future years, so ensuring a 'joining up' of priorities. Moving forward, it was proposed that this remains an annual feature of the Board's work schedule.

RESOLVED – That the work schedule be updated to reflect requests made during the meeting.

34 Date and Time of Next Meeting

Wednesday, 26th January 2022 at 10 am (Pre-meeting for Board Members at 9.45 am)