

Report of the Children's Scrutiny Committee: Report of the Children's Standing Overview Group meeting of Thursday 22nd June 2023.

Report of the Director of Legal and Democratic Services

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

1) Recommendation

That the Committee be asked to:

- (a) take action as outlined in the report including the addition of any highlighted issues of concern to the future work programme:
 - i) A report on Children Missing Education and Elective Home Education is prepared for the Children's Scrutiny Committee on 19th September 2023.
- (b) accept this report as an accurate record of the issues explored in the meeting ensuring transparency in scrutiny activities.

2) Background / Introduction

The Standing Overview Group of the Children's Scrutiny Committee meets with the purpose of bringing rigour and understanding to complex issues across different services and the NHS which could not meaningfully explored at public Committee. This is an informal information sharing and member development session where issues are presented to the councillors to raise awareness and increase knowledge.

To bring transparency, and ensure that Scrutiny is not 'carried out behind closed doors' a short report is brought back to committee to highlight pertinent issues and to take forward any actions or recommendations that have arisen.

3) Main Body

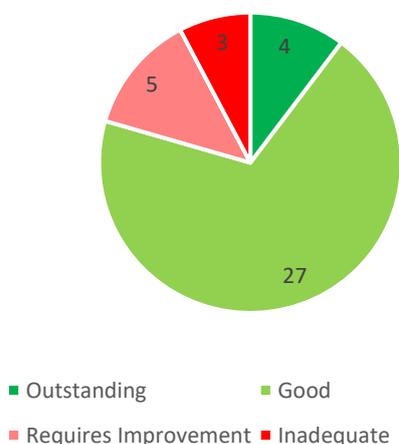
Head of Education Update

The Head of Education (Strategy), Matthew Shanks appraised Members on the Committee of the latest data and information to share on behalf of himself and Rachel Shaw, Head of Education (Delivery).

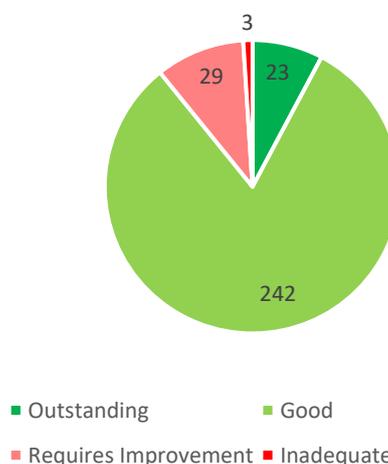
Pertinent points and data raised during the presentation included:

- Both Interim Heads of Education were part time in their roles and were with the Council until December 2023. Outside of their work with the Council, their substantive careers were CEOs of Multi Academy Trusts (MATs) in Devon.
- Social Mobility in the South West – research shows that the South West has the worst educational outcomes for disadvantaged young people in the country. The Council has signed up to support the work of this group along with neighbouring authorities.
- The Devon CC area has 51,862 boys and 49,545 girls of school age across primary and secondary schools. Figures highlight that the current year 6 is a large cohort and secondary schools will need additional places but primary schools will need fewer places.
- 18.9% of pupils are eligible for free school meals, with the highest figure being Atlantic Academy (41%) and the smallest being Colyton Grammar (6.5%).
- 5.2% of pupils have English as an Additional Language (EAL).
- 5053 (5%) children and young people of school age have an EHC Plan and 14,724 (14.5%) receive SEN support.
- There are 461 educational institutions in Devon - 413 are schools and 371 are state funded schools. There are 162 maintained schools and 209 academies/free schools. There are 197 schools in 26 MATs, where the average size of a MAT is 8 schools, and 80 schools in 28 federations.
- In terms of published Ofsted outcomes:
 - i) Secondary Schools – 4 Outstanding, 27 Good, 5 Requires Improvement and 3 Inadequate. Devon schools are slightly below the national average for Outstanding but above the average for Good.

Current Ofsted judgement of Devon Secondary Schools



Current Ofsted judgement of Devon Primary Schools



- ii) Primary Schools – 23 Outstanding, 242 Good, 29 Requires Improvement and 3 Inadequate. Likewise, Devon schools are slightly below the national average for Outstanding but above the average for Good.
 - iii) Many schools rated 'Outstanding' have not been inspected for some time due to Government policy. The current inspection framework has raised the bar for what schools need to do to get an Outstanding rating.
- Attendance:
 - i) Overall attendance at primary school is higher than last year and was currently at 94.2% against a target of 96%.
 - ii) Attendance at secondary is similar to levels last year and but lower overall at 88.8%, which is lower than the national average.
 - iii) Both primary and secondary attendance had large dips in December 2022 when Strep A was a concern. Seasonal working, strikes, parents working from home and apathy towards school are seen as reasons for the lower attendance.
 - iv) Compared to other authorities, Devon's absence and persistent absence rankings haven't fallen from 2020/21 to 2021/22.
- Suspensions – there a large number of suspensions taking place. Although this is also a national issue, Devon's ranking compared to other authorities have continued to fall from 2019/20 to 2021/22.
- There have been 150 permanent exclusions across Devon schools in this academic year so far (up to 26th May 2023). In 2021/22, with 108 permanent exclusions, our exclusion rate (0.11 per 100 pupils) was almost double the national exclusion rate (0.05 per 100 pupils).
- Elective Home Education (EHE) – sometimes parents elect to home educate their child for a number of reasons. There has been an increase of 1752 pupils in March 2022 to 2214 in May 2023.
- Children missing education (CME) – children of school age who are not receiving any education. There has been a rise in CME from 61 in March 2022 to 99 in May 2023.
- Alternative provision – there are 292 pupils currently receiving alternative provision to support their learning.
- Education other than at school (EOTAS) – there are 263 pupils receiving education other than at school.
- Members were given an overview of the SEMH Partnership Project with schools with funding for projects to help reduce suspensions.
- The current areas of concerns reported by schools include mental health, attendance, dissatisfaction amongst parents, increasing levels of SEND, lack of access to services, recruitment, finance, and Ofsted.

Discussion and questions with Members included the following areas:

- Clarification of 'hard wired' partners – schools having a vested interest in the performance of other schools and children as if it was their own school.
- The difficulty of getting schools into 'hard wired' partnership and Devon's position on this – The Head of Education (Strategy) stated our aim is for schools to work together, support each other and share resources to make them more effective. There is piece of work ongoing, although not yet a formal policy, to support partnership working.
- Clarification of an IEB – Independent Education Board. This is when the Diocese or Local Authority appoint a Governing Board to support maintained and federation schools in their future direction.
- How does the local authority hold MATs accountable for elective home education (EHE) and exclusions? - Our role for EHE is the same for maintained or academies in terms of checking up, safeguarding and ensuring inclusion. In terms of exclusions with MATs, we would write to the regional director and feedback during our weekly or fortnightly conversations with the DfE for them to take forward with MAT leaders.
- Assessing and checking up on children who are EHE – Parents have to be checked that they are capable of educating their child at home and the responsibility falls to the parent to ensure their child is receiving a suitable education. Local Authorities have no duties in relation to monitoring the quality of home education but can intervene if it appears children are not receiving a suitable education or if there are safeguarding or welfare concerns. With EHE and CME pupils, the Council has a 0.5 FTE officer and we complete safeguarding checks around every 2/3 years.
- The current financial situation in schools and schools losing teaching assistants and support staff to ensure budgets are not overspent and how to initiative conversations to share resources.
- Councillors requested that a further update or report be reported to Scrutiny on elective home education and children missing education and the possibility of communicating with schools to gather feedback on their current challenges.
- The work of the previous Cabinet Member in the f40 Group and asking Cllr Leadbetter for an update this work.
- The English as an Additional Language team (EAL) – the team provide a good job despite the lack of resources. Google Translate is utilised in schools as a way to communicate with children and parents.
- The importance of Children's Services, children and young people and Education to the Council, although it is not normally the highest priority for the public or the electorate.

4) Options / Alternatives

The report is the summary of a Scrutiny Standing Overview Group meeting. Scrutiny does not make decisions and this report does not propose any alternatives.

5) Consultations / Representations / Technical Data

As above, there are no specific considerations in regard to consultations, representations and technical data in this report.

6) Strategic Plan

The alignment of all Scrutiny activity with the strategic plan is detailed on the Scrutiny work programme. The issues raised in the report and the benefit of developing member knowledge and the 'critical friend' challenge of Scrutiny contribute to the Council achieving its strategic plan.

Improving Member knowledge on key issues contributes to the Council's commitment to being a trust, inclusive and innovative Council. It ensures good decision making and that the Council listens and learns.

The discussions outlined in the report contributes to the Council's strategic plan priority of 'Be ambitious for children and young people', for example:

- Promote high standards in all schools and help to address any areas of weakness.

7) Financial Considerations

There are no specific financial considerations in this report.

8) Legal Considerations

There are no specific legal considerations in this report.

9) Environmental Impact Considerations (Including Climate Change, Sustainability and Socio-economic)

There are no specific environmental impact considerations in this report.

10) Equality Considerations

There are no specific equality considerations in this report.

11) Risk Management Considerations

The activity of Scrutiny Standing Overview Groups contributes to the mitigations for:

Ineffective Member Scrutiny

defined as: 'Due to ineffective scrutiny, the level and quality of service management may drop, leading to financial mismanagement or harm to staff and/or citizens and reputational damage e.g. Grenfell.

Member Effectiveness

defined as: 'Inadequate member effectiveness due to a lack of training, support and knowledge leads to a lack of challenge to corporate officers and/or poor decision making, resulting in a negative effect on the County's citizens (poor value for money, poor service delivery, harm, etc).'

The findings of this report do have regard to some risks identified in the Council's risk register relating to Education and Learning services such as:

- Schools Funding
- Insufficient Capacity in Education and Learning Services to ensure the quality of education and safety of children subject to elective home-schooling.

12) Summary / Conclusions / Reasons for Recommendations

The report outlines the topic(s) covered at the meeting of Thursday 22nd June 2023, highlights the key points raised during discussion and details any agreed actions.

The report is formally reported to the Children's Scrutiny Committee in the interests of openness, transparency and good decision making.

Maria Price

Director of Legal and Democratic Services

Electoral Divisions: All

Cabinet Member for Organisational Development, Workforce & Digital Transformation:
Councillor Andrew Saywell

Local Government Act 1972: List of background papers

Background Paper – NIL

Date

File Reference

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Appendix

Attendance

Scrutiny Members: Councillors Su Aves (Chair), Philip Sanders (Vice Chair), Tracy Adams, Phil Bullivant, Ian Hall, Frank Letch, Pru Maskell, Lois Samuel and Ms Christina Mabin.

Children's Services Officers: Matthew Shanks (Head of Education (Strategy)).

Scrutiny Officer: Charlie Fisher.