

Report of the Children's Scrutiny Committee: Standing Overview Group Meeting of Monday 21st October 2024

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 accept this Report as an accurate record of the issues explored in the meeting ensuring transparency in scrutiny activities.

2) Background / Introduction

A Standing Overview Group (SOG) meeting takes place outside of the formal Committee, where Members discuss and review key topics. These sessions help to both develop Members knowledge and understanding of complex issues/topics but also promote good governance and accountability through Members critical friend challenge and recommendations.

To bring transparency, a short Report is brought back to the Committee to highlight pertinent issues and to take forward any actions or recommendations that have arisen.

3) Meeting summary

3.1 Elective Home Education and Children Missing Education Annual Update

An update on Elective Home Education (EHE) and Children Missing Education (CME) and to be consulted on the policy review for the Council's EHE and CME policies was requested by the Children's Scrutiny Committee on [19th September 2023](#).

At the Standing Overview Group Meeting of the 21 October 2024, the Schools Planning, Pupil Placement and Commissioning Manager appraised Members of the Elective Home Education (EHE) and Children Missing Education (CME) Annual Update.

The reports provided and officer comments included:

- The Draft Annual Reports for Elective Home Education and Children Missing Education 2023/24 including the relevant data and information on safeguarding and ensuring children receive a suitable education was shared.
- 3500 individual children and young people were registered as EHE during the year, a 19% increase from 2022/23 and at the time of the report, there were c.2500 children registered as EHE.

- There were 695 children and young people who were CME in the 2023/24 Academic Year, up from 574 in the previous year.
- Members were asked for their views on the draft Policy Statements relating to Elective Home Education and Children Missing Education, which will contribute to the Policy Statement Review in 2025.
- At the Children's Scrutiny Committee meeting in September 2023, the Committee asked the Cabinet Member write to the Secretary of State for Education on the rise of EHE numbers in Devon and improving regulation and oversight and subsequently received a response from the Parliamentary Under-Secretary of State, Baroness Barran.

Discussion and questions with Members included the following areas:

- The number of Children in Need recorded as CME reduced from 44 in 2022/23 to 22 in 2023/24 and officers outlined their line of sight over the most vulnerable children including CME, and those with Education, Health and Care Plans within the EHE and CME cohorts.
- It is incumbent on local authorities and partners to share information on the location of children to ensure line of sight on children moving between local authority areas.
- The Service's improvements to data function, data collection and keeping contact information up to date to improve line of sight and ensure regular contact is made with children and young people. This has been supported by better information sharing amongst schools.
- Clarification of the Council's legal responsibilities and statutory powers for children and young people who are EHE.
- The University of Exeter has academic researchers on Elective Home Education and those researchers have good contacts with Devon's EHE community.
- How the Council knows that EHE children are receiving a good quality education.
- EHE is part of the Council's wider work on inclusion in schools, attendance, and supporting Mental Health in schools with governance through the SEND Transformation Programme.
- The work of the EHE Team with diverse communities in Devon.
- A discussion on the incentives for schools not to permanently exclude pupils, also known as 'Money Following Excluded Pupils' or MFEP.
- A discussion around curriculum and the Government's planned review.

Officers complete an annual report on Elective Home Education and Children Missing Education and welcomed Members further oversight of these reports in future years. Members were content with the proposed EHE and CME policies set out in the reports provided.

Actions:

- (a) Officers to share the Department for Education categories and explanations of reasons for EHE.
- (b) Scrutiny Officer to add the Annual EHE and CME Reports to the Committee's future work programme.

3.2 Devon Information and Advice Service (DIAS) Annual Report

The Schools Planning, Pupil Placement and Commissioning Manager and the Information Advice and Support Lead appraised Members of the 2022/23 DIAS Annual Report. The DIAS service is jointly commissioned between Education, Children's Social Care and Health as the statutory and impartial information, advice and support service for children and parents with Special Educational Needs and Disabilities (SEND).

The report provided and officer comments included:

- An overview of the service delivery in 2022/23 including enquiries to the service, key developments in the information, advice and support offered, the delivery of training events, the Ambassador Volunteer programme, strategic activity and the outcomes and impact of the service including a collation of the key themes received from parents, carers and children and young people.
- There is a continuing rise of enquiries, with 3296 new enquires in the reporting period. Officers reported on the trends and the increase in the number of enquiries relating to support with appeals and tribunals.
- Additional funding had been achieved from Health partners as part of the commissioning arrangements for the service.
- Officers highlighted the impact of the service, feeding the key messages, themes and the voice of families into strategic conversations to influence and support the improvement of SEND services.

Discussion and questions with Members included the following areas:

- The increased outreach, improvements to reaching out to families and social media information campaigns.
- The Government's announced plans to impose VAT on Independent School Places and the impact of this on children and young people with SEND attending those schools.
- Contact from families to discuss school placements, parent's rights and the naming of schools in Education, Health and Care Plans.
- Permanent exclusions, inclusion in schools and transitions between primary and secondary schools.
- Referrals into the service, how parents, children and young people can access DIAS services and how services signpost to DIAS.
- The service's training offer is primarily aimed at parents and carers and includes SEND Support, EHCP processes and reviews, and sharing the voice of children and young people.

- Overall, the feedback on the service is good, highlighting the quality and transparency of the information and communication, and officers are able to build trusting relationships.

Actions:

- (a) The 2023/24 DIAS Annual Report would be circulated to Members once available.

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.

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).'

12) Summary / Conclusions / Reasons for Recommendations

The report outlines the topic(s) covered at the meeting of Monday 21st October 2024, 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

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Appendix - Attendance

Scrutiny Members: Councillors Tracy Adams (Chair), Philip Sanders (Vice Chair), Su Aves, Janet Bradford, Pru Maskell, Ron Peart, Margaret Squires and Ms Christina Mabin.

Cabinet Member for Children's Services and Schools: Councillor Andrew Leadbetter.

Presenting officers: Ceri Morgan (Deputy Director – Head of Education and Learning), Simon Niles (Schools Planning, Pupil Placement and Commissioning Manager), Victoria Bendle (Senior Executive and Policy Support Officer) and Amy Carey-Jones (Information Advice & Support Lead).

Scrutiny Officer: Charlie Fisher.