

EDUCATION SCRUTINY COMMITTEE – 9 JULY 2015

SERIOUS CASE REVIEW – IMPLICATIONS FOR EDUCATION SCRUTINY

Report by the Director for Children's Services

Introduction/Background

1. The Serious Case Review into Child Sexual Exploitation in Oxfordshire reflects much from the experiences of Children A, B, C, D, E, and F that can inform practice within schools and within Education and Learning generally.
2. Education is mentioned in the report on a number of occasions, as shown in Appendix A.

Education Implications from the Serious Case Review

4. Four key areas are highlighted that require further attention:
 - a) Attendance – to include restricted timetables and children educated at home and children missing from education.
 - b) Exclusions – to include alternative provision.
 - c) Record keeping and the transfer of information at key points of transition.
 - d) Information and training about CSE.
5. Within Oxfordshire County Council, the Schools and Learning Service is subdivided into four areas:
 - School Improvement
 - Governance
 - Business Management
 - Vulnerable Learners
6. There are implications from aspects of the Serious Case Review for all these areas, and all have discussed these implications on their work and developed strategies for raising awareness and training. For the purposes of this report, the Vulnerable Learners Service will receive most attention, as they bear the specific responsibility for attendance and exclusions.
7. Within the Vulnerable Learners Service, the Social Inclusion team has statutory duties to provide the following services.

- Exclusion and reintegration, including day 6 provision following exclusion.
- Supporting the admission of vulnerable pupils without school places.
- Prosecution for poor attendance.
- Issuing penalty notices in relation to unauthorised absence from school.
- Issuing child performance, chaperone and child employment licences.
- Monitoring elective home education.
- Responding to referrals from schools relating to children who go missing from education.
- Monitoring and recording information about pupils on reduced timetables.
- Maintaining a database of children who are not in receipt of a full-time school based education offer (including children within the Pupil Referral Unit).
- Challenging barriers to this and escalating concerns to senior managers.

Attendance Team

8. The County Attendance team consists of a senior attendance officer, 2.3 attendance officers and two admin officers who issue performance and chaperone licences, work permits and penalty notices.
9. The flowchart at Appendix B describes the process that may ultimately lead to the prosecution of parent(s) for failing to ensure that their child(ren) fail to regularly attend school. The process starts with action from school and links to work undertaken by the Early Intervention Service to improve attendance. The role of the County Attendance team is to take prosecution forward should attempts by the school and other services fail to make the required improvements.
10. We are in the process of developing a traded service to offer additional support to schools to improve attendance. In this way, we shall be able to tackle the issues of poor attendance in a strategic way and provide support to schools across the county.

Exclusion from School

11. Headteachers are required to inform the Local Authority immediately if they permanently exclude a pupil. The process the Social Inclusion Officers follow when they receive a notification is shown on the flowchart at Appendix C. Steps are taken immediately to arrange interim education provision while the exclusion process runs its course. If the exclusion is upheld, the SIO will consult with parents and the In Year Fair Access Panel to identify a new school or allocate long term provision at the Pupil Referral Unit. Any difficulties or delays in identifying interim or long-term education provision are monitored and reported to the Pupils Missing Out Strategic Group on a termly basis.

12. Permanent exclusions in secondary schools have increased this academic year so far and we expect the overall figure to be higher than in recent years. There is a particular concern in the increase of children being excluded with Statements or Education, Health and Care Plans or who are undergoing statutory assessment.

Reduced Timetables

13. Pupils are entitled to a full-time education, but in line with the Department of Education, we recognise that there are exceptional reasons why a pupil might benefit from a reduced timetable for a limited period and we have produced guidance for schools and have a reporting structure in place to monitor the use of these reduced timetables and will challenge schools when concerns that come to light. Guidance has been publicised to schools, academies and the Pupil Referral Unit to inform them of their responsibilities and of the method of reporting. Schools are asked to complete and forward a proforma to the Pupils Missing Out team inbox. The proforma emphasises that parents must give permission before a reduced timetable can be considered. Our guidance recommends that before a reduced timetable is considered, the school should have carried out the following:
 - a) Have carried out an assessment using the Common Assessment Framework (CAF) to establish if there are wider needs and identify what support is required from external agencies.
 - b) Undertake a thorough risk assessment and give consideration to safeguarding measures for the duration. The school must carry out a risk assessment before implementation and this should be recorded.
 - c) Notify the Social Inclusion team of the intention to implement a reduced timetable for a pupil by email to pupilsmissingout@oxfordshire.gov.uk.
 - d) Inform other services who are involved with the child/family e.g. El Hub, Social Care, SEN.
14. Although an increasing number of schools are providing information about reduced timetables, we are aware that many schools do not notify us. We are proactively contacting schools to collect this information.

Children Missing from Education

15. We have a named officer (Pupil Tracking Officer) who is the point of contact for schools to report concerns when a child ceases to attend school and where parents have failed to notify the school of a forwarding address or school. The school will have taken steps to try to investigate before contacting the Pupil Tracking Officer who will in turn undertake a series of checks and make enquiries to establish forwarding details. Should any of these enquiries raise possible safeguarding concerns, these will be highlighted to the relevant agencies and, if unresolved, will be reported to the Pupils Missing Out Strategic Group.
16. Information will also be placed on the national School to School (S2S) database.

Elective Home Education (EHE)

17. The EHE team are advised by schools when a parent removes their child from the school roll to home educate. The EHE lead officer will ask the school to complete a school exit form giving details of other agencies involved with the child and will ask specifically whether the school has any safeguarding concerns. Where concerns exist, or if concerns come to light following home visits, the team will liaise closely with colleagues in Social Care and the Early Intervention Team. This includes the sharing of relevant information, joint home visits and contribution to core groups and Child Protection conferences.
18. We have had incidents where schools have persuaded parents to remove their child from school supposedly to home educate under the threat of permanent exclusion or because the child has poor attendance. This is unlawful and we challenge robustly whenever we become aware that this has happened.

Admission and Monitoring of Pupils in the Pupil Referral Unit

19. Admission to Meadowbrook College is managed by the Social Inclusion Officers in conjunction with the In Year Fair Access Panel (IYFAP) members. Permanently excluded pupils are automatically allocated places for interim provision, while long term admissions are dealt with through the monthly IYFAP. The Local Authority is required to provide education to permanently excluded pupils from day 6 of the exclusion. The referral form, which is completed in all cases, requires the school to provide a risk assessment and details of any services known to be involved with the child. The form is in the process of being amended to place further emphasis on CSE risk and transfer of school files when there is a change of placement.
20. Once children are admitted to Meadowbrook College, their programmes are monitored by the Social Inclusion team to ensure that, wherever possible, pupils are receiving their entitlement to a full-time education and that when a temporary reduced timetable is felt necessary that guidance is followed. Regular meetings are held between Social Inclusion and Meadowbrook to review these arrangements and the results reported to the Pupils Missing Out Strategic Group.
21. The Local Authority is now reclaiming the AWPU funding from schools which permanently exclude pupils so that funds are available to ensure that those excluded pupils are provided with appropriate education. Initially more flexibility is being created with two places at Meadowbrook so the requirement for obtaining provision by day 6 is met.
22. Meadowbrook is now an academy under the Radcliffe Trust. The LA has representation on the Board of the Trust. This creates close links and additional accountability routes.

Pupils Missing Out (PMO) Strategic Group

23. The PMO Strategic Group has been in place since April 2015. The Group meets six times a year on a termly basis. The group is chaired by the Interim Deputy Director – Education and Learning.
24. Prior to the meetings, the PMO team and the Social Inclusion Manager look at concerns that are raised by the teams above and by other teams involved in admissions and attendance (SEN, Admissions, Hospital School, Virtual School, Early Intervention Hubs etc.). The information is collated and cross-referenced and, where possible, advice given or challenge made to try to address specific concerns.
25. Remaining concerns are presented to the Strategic Group in the form of data in relation to low level cases and with specific detail where the criteria are met to RAG rate a case as RED. The group seek to address significant procedural problems that are regularly causing children to miss out.

Record Keeping

26. Within the Social Inclusion team, almost all casework is recorded electronically and stored in EMS ONE or on Document Manager. The final piece of work to complete this process will be completed by September 2015. This means that involvement by the team is visible to all teams and services that have access to EMS ONE or Single View.
27. Advice has been provided to schools about the importance of honest and accurate record keeping, and passing that on to any receiving school.

Concerns around Data

28. Many schools on becoming academies have chosen to switch data systems, which are not easily compatible with those used by the Local Authority. This has led to difficulties in collecting data on fixed term exclusions and attendance. We also have a small number of academies who are unwilling to share this information with us on a regular basis. This has been raised with the academy sponsors.

Information and Training about Child Sexual Exploitation

29. The Values verse Violence project has worked with three primary schools using Dotcom materials and support. This project was separately evaluated and reported to the Commissioning Safeguarding Board.
30. The production of Chelsea's Choice has finished their work in schools across the county.
31. GWTheatre will be performing the Somebodies Sister, Somebodies Daughter production in secondary schools in the autumn. This targets Year 9 to 11 pupils. In conjunction with other LAs, they have been commissioned to write a

production for years 5 to 7. The writer has consulted with a headteacher in the county who has significant involvement with curriculum material focussing on preventing CSE.

32. There is a need to develop a robust monitoring process to measure the impact of these productions.

Education and the Multi-Agency Safeguarding Hub (MASH)

33. Both Early Years and schools have secured funding to employ workers within the MASH. These temporary posts started on 1 June. It had been noted in other MASH arrangements around the country that communication with school or setting leadership and the MASH was imperative on referral of a case.
34. Whilst it is still early days, this link is proving an invaluable role in ensuring decisions by school leadership are appropriate and in consultation with the multi-agency team. These roles will continue to evolve as the impact of their function is fully analysed.

The Virtual School for Looked After Children and Care Leavers

35. The Serious Case Review noted that five of the girls were under the care of the Local Authority. Their pattern of attendance at school was noted as one indicator to raise concerns, which in several cases had not been done sufficiently.
36. The Virtual School receives daily attendance information from Welfare Call, the commissioned agent who identifies absentees, regardless of where Looked after Children are educated. Urgent actions are decided by managers who contact and challenge schools if need be. If the situation needs to be escalated, the team leader or Head of the Virtual School are informed and consult across agencies and LA teams. The protocol to prevent exclusions is followed and, to date, no permanent exclusions have been made.
37. The attendance information is collated and weekly reports sent to managers. Actions are taken if necessary. Every six weeks a meeting is held, chaired by the Interim Deputy Director – Education and Learning, examining patterns of attendance and planning how to resolve any systemic barriers, both internally to the LA and with schools and external agencies.
38. There is still a need to further reinforce the expectations of schools to provide the best possible education and pathways for children in care as they progress to become care leavers. The role of the Virtual School in advocating for, and being the guarantor, of good education for children in care is not clearly understood by all school leadership teams. The statutory role of Head of the Virtual School needs to be continuously asserted within and beyond the LA so that the education of children in care is given due credibility in decision making.

39. The Pupil Premium Plus is allocated by the Virtual School for children in care to be given additional provision so that children have high aspirations and support in order to achieve as highly as possible. The LA policy resulted in all funds being distributed; all pupil education plans (PEPs) RAG rated and additional support provided centrally. The PEPs continuously improved in quality, though the reasons for using the Pupil Premium Plus could have been more ambitious and imaginative.

RECOMMENDATION

- 40. Education Scrutiny Committee is RECOMMENDED to note this report**

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Background papers:

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Serious Case Review – References to Education

Page 17 Para 3.15 – One parent submitted a written paper to the Review. As regards education the parent commented:

‘Although some individuals tried to support her, **education as a whole failed her...** the response was to exclude her as soon as at 12 she started exhibiting difficult behaviour and truanting...which meant she had nothing else to do except hang around the square where she was first approached and groomed by predatory men. The lack of education also further reduced her self-esteem, isolated her from her peers and...made her extra vulnerable to the blandishments of the child groomers.’

Page 21 Para 4.9 – Ofsted June 2014 inspection found that ‘**The authority has effective systems for identifying, monitoring and responding to those children who are missing from education and those who are educated at home.** Officers provide support and, where necessary, challenge to ensure the quality of the education provided in this way’.

Page 26 Para 4.28 – Involved agency process OCC – Education and Early Intervention Service (EIS)

- EIS organises or conducts return from missing interviews for children not open cases
- Safeguarding on the agenda of the termly Heads/Chair of Governors meetings with the Director of Children’s Services, e.g. dynamics of grooming, impact of absence
- Bespoke training for 250-plus staff in schools and FE colleges
- All state school year 8 and 9 shown the play Chelsea’s Choice, a powerful drama about grooming, and year 10s will be shown Somebody’s Sister, Somebody’s Daughter
- Senior EIS managers are involved with the OSCB, and its CSE and Quality Assurance/Audit groups, the Missing Persons Panel, and three staff are seconded to Kingfisher
- Centralised easy access list of children missing from education
- Transfer of records, including safeguarding concerns, between schools to be audited
- Greater information sharing about exclusions from school
- Directory of alternative quality provision completed

Page 33 Para 5.10 – Why the delayed identification and action on CSE? – a lack of knowledge about CSE crossed all organisations and professions. Information provided by Education to the SCR explained: ‘It was clear through conversations with a range of professionals for this review, including a focus group with head-teachers and designated school safeguarding leads, that **there was little understanding of child sexual exploitation** and any indicators to suggest that any of the girls might be subject to or at risk of it, at the time.’

Page 38 Para 5.35 – Why the delayed identification and action on CSE? – An extract from the Education submission to the review shows both the challenges and the lost opportunities to identify CSE: ‘From the education settings’ point of view...the persistent disruptive behaviour of the girls and the challenges that they posed were not easy for any setting to manage and, at times, they were at a loss to know what to do. These were girls who said that they had remembered for years, they stuck in their minds and had a significant impact on them. They were also girls that, even with all the challenges they posed, had academic ability. Staff spoke with affection about them and it should be noted that some tried really hard to support them when at school, and now feel a huge sadness at now knowing more about the reality of what was actually happening to them at the time’.

Page 55 Para 5.105 – The years before the Bullfinch investigation had been one of **considerable leadership change** at the top of Children’s Social Care (CSC), which had been merged with Education in 2006. From 2004-11 there were five substantive Directors, and three periods of interim directorship.

Page 56 Para 5.106 – The merger with Education also had an impact, with interviewees saying that CSC was the poor relation in terms of resources, and some staff saying that having no Director until 2010 with a social work background was not helpful.

Page 63 Para 5.139 – Education reported to the SCR that: ‘The reality is that the secondary educational experiences of the six girls were in the main poor. **They appear to have been responded to either through detention or exclusion and had long periods of absence from school.** Alternative provision was limited, with little evidence of cross-checking against alternative provision registers and school registers, leaving young people vulnerable as schools were not aware as to whether they were actually attending alternative provision.’ It also said that many staff saw the period after 2005, when Education and CSC were theoretically merged but in their view operating separately, as one of low morale and chaotic reorganisations. Information provided by Education to the SCR said that before 2008 there was view that the ‘educational needs of Looked After Children were just not seen as important as there was so much structural and leadership change’.

Page 64 Para 5.140 – As with other agencies, Education says that its staff, including its Social Inclusion Officers who advised on children likely to be excluded, **had no real understanding of CSE.** Exclusion decisions were based on children’s behaviour and attainment issues rather than wellbeing, and Heads who contributed to the Education submission to the SCR said they still see this as the national agenda. It is not surprising, given how all the other professions were seeing the girls’ behaviour, that education professionals also saw the solutions as lying with the children (or excluding them), or pressing the parents to improve their children’s attendance, rather than seeing the girls as victims.

Page 64 Para 5.141 – The Education contribution to the SCR described how a panel determined alternative arrangements after exclusion, but if the exclusion happened a day after a panel, nothing was done until the next panel. Now alternative for Looked After Children are planned promptly but in the past ‘they often had to wait some time before it was provided. Some of the parents or carers of the girls were at times left

trying to negotiate provision and appeared to get caught up from the limited range of provision on offer. This was particularly evident for three of the girls when they were returning from residential or secure placements to mainstream school'.

Page 64 Para 5.142– Education says that at the time (but now improved), the **transfer of education records between schools was poor**, which would have affected these children more than most because of the moves and exclusions. In another administrative issue, children could be recorded as present if they were known to be receiving alternative education elsewhere, but reported that there was no real system to be sure of actual attendance elsewhere, so absences could be missed when considering a child's progress. Like Donnington Doorstep, schools used the no names consultation process, and the Education contribution to the SCR says that staff found this confusing and actual referrals were low.

Page 64 Para 5.143 – Before Bullfinch at no time did it appear that professionals were really aware of the increased risk and vulnerability to CSE that being out of school posed or the implications of delay in finding alternative provision. At the same time, it has highlighted that the level of disruptive behaviour that the girls mostly displayed was something that the schools were at a loss to deal with and the support available to them was minimal.

Page 92 – Day-to-day processes were not strong enough - transfer of education records between schools was poor and the provision of alternative education after exclusion, or of post-secure placement education was slow.

Page 113 – Recommendations – The SCR sets out local recommendations for OSCB consideration, either for direct action or to oversee in its assurance role. Such assurance needs to be on-going. They are worded that the OSCB has flexibility in how it achieves them. **Where there is reference to 'member agencies', this should be deemed to include educational establishments that are not actual members, nor under OCC, and the OSCB will need to be sure how it seeks assurances from them.**

Appendix B

The County Attendance Team Case Process Flow Chart September 2014

School's Responsibility Pre Referral	
<p>If a pupils' attendance is less than 90%, the school identifies the reason for absence. If a cause for concern, contact parents by phone, letter, or invite parents to a Parenting Contract Meeting to identify any support required. Consider a home visit and start the CAF process, to be completed asap. Set achievable attendance target with parents and pupil. If the absence is due to illness over 10 days or in a regular pattern, seek written permission from the parents to contact GP for confirmation that pupil is too ill to attend. Set review date not more than 20 days later. Consider Penalty Notice if appropriate.</p>	
Review attendance, up to 20 days later.	
↓	Attendance target not met
<p>School to set up a Multi-agency planning meeting or TAC, inviting parents, pupil, Hub, and other agencies who may be working with the family to attend. This meeting will draw up an attendance action plan and will identify what support the pupil/parents may require to improve attendance. Set review date not more than 20 days later.</p>	
↓	Attendance action plan fails to improve attendance
<p>Referral to The County Attendance Team by completing in full the appropriate form. A referral will only be accepted if the pupil has at least 20% unauthorised absence and legal action is required to ensure regular attendance at school. Referrals will also be accepted when pupils are thought to be illegally employed.</p> <p>A referral will only be accepted when all steps above have been attempted and evidence provided.</p>	

CAT Responsibility Post Referral			
<ul style="list-style-type: none"> Decision taken by Senior AO on appropriateness of referral and legal route to be taken School Attendance Orders will lead to S444 prosecution if no compliance by parents 			
S444(1)	S444(1A)	ESO	Parenting Order
1st Warning letter issued together with PACE letter when referral accepted			
<ul style="list-style-type: none"> Attendance Panel Meeting (AO, Parents, Child, school,) or PACE meeting held in school within 5 weeks of referral Reg cert sent with invite, phone reminder to parents before meeting APM Recorded and attendance target set 			

<p>↓</p> <ul style="list-style-type: none"> • If target met, send letter, review within further 5 weeks • If target not met within 5 weeks of Attendance Panel or PACE Meeting proceed to Final Warning 	<p>May be added to S444(1) & (1A) if required</p>
<p>Final Warning Letter issued. Papers submitted to court</p>	<p>↓</p>