

Scrutiny Children & Young People Sub-Committee

Meeting of held on Tuesday, 18 April 2023 at 6.30 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillors Councillor Richard Chatterjee (Chair), Councillor Maddie Henson (Vice-Chair), Sue Bennett, Gayle Gander, Eunice O'Dame, Helen Redfern, Manju Shahul-Hameed and Catherine Wilson

Co-optee Members

Josephine Copeland (Non-voting Teacher representative) and Paul O'Donnell (Voting Parent Governor Representative)

Also

Present: Councillor Maria Gatland (Cabinet Member for Children and Young People)

Apologies: Elaine Jones (Voting Diocesan Representative (Catholic Diocese))

PART A

20/23 Apologies for absence

Apologies were received from Elaine Jones (Voting Diocesan Representative (Catholic Diocese)).

21/23 Minutes of the Previous Meeting

The minutes of the previous meeting held on the 28 February 2023 were approved as an accurate record.

22/23 Disclosures of Interest

There were no declarations made at the meeting.

23/23 Urgent Business (if any)

There was none.

24/23 Exclusions Update

The Sub-Committee considered a paper set out on pages 17 to 26 of the agenda, which provided an update on Exclusions and Suspensions in Croydon. This item was deferred from the last meeting on the 28 February 2023. The Director of Education introduced the item and went through the presentation slides.

Members asked whether officers attended Exclusion Panels for academy schools, and heard from the Head of Access to Education that parents were provided the contact details of the Council Exclusions Lead in the statutory exclusions letter, and could invite them should they wish; academies were not obligated to inform the Council of the details of Exclusion Panels. The Director of Education explained that the Council has a statutory duty to provide education to excluded students and so would be aware of these pupils, if they have not been informed, after the Panel had taken place, or earlier in some cases. The Sub-Committee asked if academies had their own Pupil Referral Units and heard that this was not the case.

The Sub-Committee asked about challenge where patterns of disproportionality with exclusions were identified, and what training opportunities were provided to Head Teachers. The Head of Access to Education explained that there were training opportunities available, but these were at the discretion of Head Teacher to attend. Representatives from every school in Croydon had attended a training session on 'Adultification' in the 2021/22 academic year; this had been followed by other ongoing training sessions for which the Council held attendance logs. Academies held their own training and reported these sessions to the Council. The Head of Access to Education explained that the Council did undertake Section 11 statutory audits of safeguarding which included scrutiny of the training schools were providing. Members asked if training had been effective in reducing disproportionality for black children and the Head of Access to Education explained that it was effective on an individual basis and that strong challenge was being made on the basis of race, which would be reflected in this year's exclusions figure. The Head of Access to Education acknowledged that systemic change would take a much longer time to embed.

Members asked about the independent review of exclusions decisions and the Director of Education explained that every permanent exclusion went through an independent review panel that was usually convened by the school's governing body. The Sub-Committee asked about Croydon's adoption of a 'Public Health' approach to crime, and whether there was a correlation between exclusions and youth crime. The Director of Education explained that there was a known link that had been identified through the Vulnerable Adolescents Review. Members heard that sometimes young people 'self-exclude' by taking a decision not to attend school and that this could impact on their outcomes. Members heard that Saffron Valley Collegiate, the Council's Pupil Referral Unit (PRU), have been involved in the AP 'taskforce' project and that pupils within the PRU were receiving support that extended beyond their education and incorporated a 'trauma informed' approach.

The Vice-Chair asked about scenarios where exclusions would or would not be challenged by the Council. The Head of Access to Education explained that there was always an initial challenge and conversation with a Head Teacher from the Exclusions Lead, followed by scrutiny of the exclusions paperwork. Members heard that the Council would investigate whether there had been a lack of effort or intervention with the child prior to the exclusion,

and if there was any evidence of discrimination or unfair treatment. The only circumstances where the Council would not challenge is when the paperwork and evidence for the Exclusion were 'watertight', but this was extremely rare. The Vice-Chair asked how confident officers were that the advice and support being provided to parents by schools was good and relevant. The Director of Education responded that the Council worked closely with Head Teachers, and that they were confident that Head Teachers had a strong understanding of the exclusions process and their statutory responsibilities.

The Sub-Committee asked about the target number for exclusions in the borough, acknowledging that exclusions could be a positive journey for some students and the right decision for a school to have made. The Director of Education explained that early intervention was always preferred, but those being identified as being at risk of permanent exclusion were discussed and alternative pathways were always considered to ensure interventions were taking place as early as possible. Members heard ideally no students would be excluded, but it was recognised that this was a power that sat with Head Teachers to be used where appropriate for the students, schools and staff. The Director of Education explained that regularly reviewing exclusions data was important to identify disproportionality in the way students were being excluded in schools. Members asked if it was ever possible for exclusions to be reversed because incorrect processes had been followed, and heard that this was the case but that many conversations were had leading up to an exclusion, including at the Fair Access Panel. The Sub-Committee asked about more in depth breakdowns of exclusions data and heard that this was contained in the Education Standards report received annually by the Sub-Committee. The Head of Access to Education explained that three primary school students had been permanently excluded in the current academic year, and 27 secondary school students.

Members asked about disproportionality with regards to children with Special Educational Needs (SEN), and whether there was best practice in regards to reducing disproportionality for Black Caribbean students. The Director of Education explained that children with Education, Health and Care plan (EHCP) were not excluded from schools, and that any concerns were picked up in the annual review process. Members heard the reducing disproportionality for Black Caribbean students was a priority and that work with Head Teachers was ongoing, but that the Local Authorities' power here was limited. The Education Partnership would have representatives from all schools and would set priorities across Croydon; the Director of Education would be suggesting that inclusion and the reduction of disproportionality be a priority for the Partnership. The Head of Access to Education explained that where serious concerns around disproportionality were identified, the Council could intervene under safeguarding legislation; this had happened a few times in the last year and had resulted in visits from the Director for Education and members of the Exclusions Team to conduct in depth reviews of the school's practices.

The Sub-Committee asked if the Council had any Key Performance Indicators (KPIs) around reducing disproportionality in exclusions, and heard that this

was the case and that reductions were being seen. The Corporate Director of Children, Young People & Education explained that the Council could influence schools through the Partnership and other work, and was able to have a positive impact in this way given the large number of academy schools in Croydon; however, it was acknowledged that there was always more that could be done. The Cabinet Member for Children & Young People commented on the positive step being taken in establishing the Education Partnership, which would work to achieve shared priorities for all schools in Croydon.

The Vice-Chair asked about the increase in primary exclusions and the Head of Access to Education explained that there two trends that had been acknowledged. The first was increased numbers of children in nursery with complex needs, SEN and EHCP applications; this was impacting on the ability of schools to meet the needs of some very young children coming into schools. The second was children who had missed significant amounts of nursery and reception schooling during the pandemic. Long wait times for Child and Adolescent Mental Health Services (CAMHS) and the complex diagnosis pathway for Autism and ADHD was also acknowledged as a contributing factor. The Director for Education explained that Croydon Locality SEND support was providing funding into primary and secondary schools to support early interventions for students; this would be rolled out to Early Years settings in the near future to pick up on the needs of children at an earlier stage.

The Sub-Committee asked about the statutory requirement to capture internal exclusions and whether the Council would hold this data; the Director of Education explained that schools would report this to their governing bodies. Members heard that the Schools White and Green papers had been focussed on attendance and that conversations would take place through the Education Partnership to decide exactly what data is required. The Director of Education commented that it was important to consider capacity in regards to this data, as it was not just about information capture, but about the resultant action and follow up that would be needed.

Members asked if there was data on how successful 'managed moves' were and whether there were ever multiple managed moves for the same child. The Director of Education explained that multiple managed moves had been stopped, as if it had not been successful initially it was unlikely to be successful a second time; instead, additional support was provided to these children. It was acknowledged that managed moves could take place outside of the Fair Access process, which the Council would not be aware of. The Director of Education explained that it was difficult to put a figure on the number of successful managed moves as not all of this data was collected, and it was likely easier to find data on where a move had not been successful as these children may come back into the Fair Access process. In response to questions, the Director of Education explained that where a managed move broke down, this could lead to a permanent exclusion; it was explained that successful 'managed moves' required a strong level of understanding and support, and that processes were always under review. The Director of

Education stated that they would discuss with the Head of Access to Education a way to provide some data from the Fair Access Panel to the Sub-Committee in an appropriate format.

Members commented on the need for school governors to be trained and aware of best practice to ensure they were best able to scrutinise the decisions of Head Teachers. The Director of Education agreed and explained that the Council did provide training to governing bodies and that the best training did include examples of best practice. It was agreed that it would be a good idea to have experienced chairs of governing bodies talk at these training events and that this would be something considered in the future.

The Chair asked about the availability of soft data on exclusions for the current academic year. The Director of Education explained that they needed to be careful on this to ensure children were not identifiable and that incorrect data was not provided. The Vice-Chair asked about the impact in the change in name from 'fixed term exclusions' to 'suspensions', and heard that this had been limited but was still seriously considered in the context of inclusion. The Director of Education explained there was an expectation that schools kept good data on this and that the Council and Ofsted monitored suspensions. Members and the Director of Education highlighted that all cases needed to be considered on the basis of the individual children concerned.

Conclusions

The Sub-Committee concluded that training on exclusions for governors to support head teachers in making different decisions was vital in reducing the number of exclusions and disproportionality amongst the children affected.

The Sub-Committee concluded that a future work programme item should be added to talk to Head Teachers at schools that were examples of best practice in their exclusions processes.

25/23 Elective Home Education

The Sub-Committee considered a paper set out on pages 27 to 50 of the agenda, which provided a briefing on Elective Home Education (EHE) in Croydon, including the data showing the number of Children and Young people receiving EHE. The Head of Access to Education introduced the item and summarised the report.

Members asked whether the Council provided any open days for EHE pupils and heard from the Director of Education that this was not the case due to the small size of the EHE team and the different circumstances of families that were better addressed through individual conversations. The Head of Access to Education added that the Local Authority had to remain neutral in regards to EHE, and could not make a judgement on any family's decision to take that route. Members heard that historically the EHE team had provided a number

of resources to EHE families, and that additional online resources were planned for the future with expansion of the team.

The Sub-Committee asked what the Council could do to address children who fell significantly behind in EHE. The Director for Education explained it was expected that any child with a special need was in a school that could meet their needs, but where families had chosen to EHE, they would be responsible for meeting these needs without resources from the Council. The Corporate Director for Children, Young People & Education explained that there was very little power for the Council to intervene over issues that could not be in the child's best educational interest, but that forthcoming legislation may change this. The Sub-Committee heard the Council was supportive of this legislation changing. The Sub-Committee asked how many SEN children were being home educated and heard that currently there were seven in Croydon with an EHCP, but some parents may be in the process of applying for EHCP, or have less substantial needs. The Head of Access to Education explained that families were responsible for delivering the EHCP should they chose to EHE.

The Sub-Committee asked if the Council knew how many 'not known' EHE students were in Croydon, and whether there were any processes to try to identify these children. The Director for Education explained that families did not have to register with the Council to notify of EHE, but the Council would know if the child had previously been on a school roll. The Vice-Chair asked how an EHCP process would be conducted for a child receiving an EHE. The Director of Education explained that a parent or GP could submit an application for an EHCP assessment. Members asked about the increase in parents not providing a reason for EHE and heard that this was not known but that possibly this was because it was the first year that this option had been included as a 'tick box' on the notification form.

The Sub-Committee asked about the most common obstacles facing children in receipt of EHE. The Head of Access to Education explained that many families delivering EHE did so very successfully. Challenges were referred on to the 'Children Missing Education' team, and referrals for EHE were only accepted when the family wanted to EHE; if this were found not to be the case, then the school would be challenged and this could lead to a referral to Children's Social Care. Members asked if the Council tried to intervene with students and families who taken the EHE route as a result of bullying. The Head of Access to Education explained that this was the case and that there would be an immediate conversation with the school. It was likely that these cases would not sit under the EHE team for very long and would be passed on to the 'Children Missing Education' team to work with the family alongside inclusion officers where a number of options could be considered, including a move to a different school.

The Sub-Committee enquired as to if there was any curriculum that EHE students needed to follow. The Head of Access to Education explained that any EHE curriculum needed to be 'suitable' and 'efficient', both of which were very low legal tests. Members heard it was not appropriate for the Local

Authority to intervene in EHE curriculum at all, unless it was presenting a safeguarding concern, but that many children receiving EHE had a wide and varied curriculum that could include group sessions with other EHE children. Members asked if EHE officers ever talked directly to children and the Head of Access to Education explained that this did happen, but that it was always at the discretion of the parents. Children were regularly involved in reviews for the registered families administering EHE. In response to questions about whether whole families opted to EHE, or if it could just be one child with their siblings in mainstream schools, the Sub-Committee heard that it was a whole range.

Members asked about the philosophical and ideological reasons for families choosing to EHE, and heard from the Head of Access to Education that this may be due to cultural, religious or anti-establishment beliefs (e.g. unschooling or de-schooling). The Sub-Committee asked if there was any common social or economic factors amongst families choosing EHE, and heard that again this was a whole range, but that demographic data was not collected in line with current legislation.

The Vice-Chair asked if there were any indicators that children were likely to go from mainstream schooling into EHE, and whether any data on this was collected. The Director of Education explained that there was going to be a greater national focus on attendance in the future, but that low attendance did not necessarily indicate students would be moving to EHE. Members commented on anecdotal evidence that attendance could often increase before students moved to EHE in an attempt to get as much out of schools as possible before children stopped attending.

The Sub-Committee highlighted families who had wanted to move to EHE who were involved with Children's Social Care or were on child protection plans. Members noted that the report stated that this had been challenged robustly and asked how it was ensure that these children were still attending school. The Director of Education explained that the Council would monitor attendance for these children in conjunction with Social Care; a social worker would be assigned to each of these families. Members asked if pupils who received EHE disproportionality went on to become 'Not in Education, Employment, or Training (NEETs)'; the Head of Access to Education explained that this was difficult to benchmark for a number of reasons.

Conclusions

The Sub-Committee concluded that they should continue to monitor any upcoming legislative changes for Local Authority powers on Elective Home Education.

26/23 Experience of Care Leavers

The Sub-Committee considered a paper set out in the supplementary agenda, which outlined the position of Care Experienced young people in Croydon as

assessed by Officers in the Annual Self-Assessment and Improvement plans and a recent review and recommendations by Mark Riddell, the National Implementation Adviser for Care Leavers, at the Department for Education (DfE). The Head of Looked After Children and Care Leavers introduced the item and summarised the report. The Cabinet Member for Children and Young People explained that this report was a very early response to the recent review and recommendations by Mark Riddell, and that a full report would be coming forward through Cabinet and the Corporate Parenting Panel.

Members asked about the housing offers available to Care Leavers, and whether there was effective support from the Council Housing department. The Corporate Director for Children, Young People & Education explained that significant work with Housing colleagues was already underway, but the scale of the challenge in this area was not being underestimated. A full Cabinet paper would be forthcoming on the housing responsibilities to Care Experienced Young People that would be a collaboration between the Housing department, Deputy Mayor, Children, Young People and Education department and Cabinet Member for Children & Young People. The Corporate Director for Children, Young People & Education agreed with the Sub-Committee that a 'whole Council' approach was needed in addition to good partnership working.

The Sub-Committee asked if all departments were aware of their Corporate Parenting responsibilities. The Head of Looked After Children and Care Leavers explained that he felt departments were as a whole, but often individuals were not and there needed to be additional training and available information to further embed this approach and knowledge to make sure every officer was aware of their responsibilities.

The Chair asked what housing support and options were offered to Care Leavers. The Head of Looked After Children and Care Leavers responded that a large number of Care Leavers had 'stay put' arrangements where they were able to stay with their foster carers. Some young people did not want to do this and wished to live independently, but housing waiting lists for those who wished to move on could be long, and often other alternatives had to be sought in the private rental market, rent guarantee schemes or supported living where appropriate. The Head of Looked After Children and Care Leavers stated there was an aspiration for more supported housing to be available. Members heard that there were a number of wraparound services that were available and work had begun on developing these further to provide some additional support. The Head of Looked After Children and Care Leavers explained that Housing colleagues were on-board with further developing housing pathways for Care Leavers.

The Sub-Committee asked what the main obstacles were to providing a good service for Care Leavers. The Head of Looked After Children and Care Leavers explained that this question had been considered in a recent restructure of the service; the housing expectations of young people could often be challenging, as well as finances, a lack of expertise for welfare benefit advice and support for young parents. Members heard that improving

interdepartmental working with Housing and Public Health would be important in meeting these challenges.

Members asked about 'Supported Lodgings' and heard that this scheme was being investigated with commissioning colleagues, alongside looking at individuals who had previously applied to be foster carers. The Cabinet Member for Children & Young People explained that there was a large transformation project on fostering planned that would look at this in part.

The Sub-Committee asked about KPIs and monitoring of the service. The Head of Looked After Children and Care Leavers explained that a number of KPIs were received by and monitored by the Corporate Parenting Panel who would also be receiving the full action plan once completed; in addition to this, the department also had a number of internal KPIs. The Cabinet Member for Children & Young People highlighted the work happening on the Corporate Parenting Strategy that it was hoped would be launched in September 2023. The Corporate Director for Children, Young People & Education explained that this report was an introduction and overview to the next phase of a significant improvement plan; it was recognised that this work would involve the whole of the Council and its partners.

Conclusions

The Sub-Committee recognised that this was an early report on what would be a wider and larger piece of work to transform services for Care Leavers and concluded that the Sub-Committee would continue to monitor it closely.

The Sub-Committee welcomed the ongoing work to expand the reach of the Corporate Parenting Panel.

The Sub-Committee concluded that the voice of Care Leavers should be prominent in the transformation work happening and welcomed the plans for the inclusion of a Care Experienced Young Person in the role of Co-Chair on the Corporate Parenting Panel.

27/23 Early Help, Children's Social Care and Education Dashboard

The Sub-Committee considered a report set out on pages 51 to 54 of the agenda, which provided the Early Help, Children's Social Care and Education Dashboard.

Members asked about 'Progress 8', and heard from the Director of Education that the figure in the report was an average across schools and that the Council was focussed on improving outcomes for Key Stages 4 and 5. One of the main remits for the Education Partnership would be around working collectively to improve outcomes for children in attainment and progress. The Director of Education explained that recent Ofsted inspections had been very positive, but a balance needed to be struck between making sure children made progress and making sure outcomes were comparable to Croydon's

neighbours. The Director of Education commented that this needed to be a collective priority that was shared between schools.

The Chair commented on the Sub-Committee's desire to include some KPIs on Care Experienced Young People in future versions of the dashboard.

28/23 Cabinet Response to Scrutiny Recommendations

The Sub-Committee noted the report.

29/23 Work Programme 2022/23

The Sub-Committee noted the report.

The meeting ended at 8.56 pm

Signed:

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Date:

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