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Agenda

Name of meeting	POLICY AND SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES, EDUCATION AND SKILLS
Date	THURSDAY 3 MARCH 2022
Time	5.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the committee	Cllrs R Quigley (Chairman), K Lucioni (Vice-Chairman), D Adams, R Downer, S Ellis, S Hendry, T Outlaw
Co-opted Members (Voting)	Rob Sanders
	Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

1. **Minutes** (Pages 5 - 8)

To confirm as a true record the Minutes of the meeting held on 9 December 2021.

2. **Declarations of Interest**

To invite Members to declare any interest they might have in the matters on the agenda.



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's Committee [website](#). This information may be available in alternative formats on request. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

3. **Public Question Time - 15 Minutes Maximum**

Questions may be asked without notice but to guarantee a full reply at the meeting, a question must be put including the name and address of the questioner by delivery in writing or by electronic mail to Democratic Services at democratic.services@iow.gov.uk, no later than two clear working days before the start of the meeting. Therefore, the deadline for written questions will be Monday, 28 February 2022.

Members of the public are invited to make representations to the Committee regarding its workplan, either in writing at any time or at a meeting under this item.

4. **Progress on outcomes and recommendations from previous meetings**
(Pages 9 - 10)

The Chairman to report.

5. **School Attainment** (Pages 11 - 20)

To consider the position on the Island relating to attainment of children of statutory ages in schools.

6. **Elective Home Education** (Pages 21 - 32)

To consider the position on the Island relating to children being home educated.

7. **School Exclusions** (Pages 33 - 44)

To consider the process in relation to school exclusions and the current figures for the Island and trends.

8. **Committee's Work Plan** (Pages 45 - 46)

To consider the inclusion of any relevant items within the Committee's future workplan.

9. **Members' Question Time**

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to democratic.services@iow.gov.uk no later than 5pm on Tuesday 1 March, 2022. A question may be asked at the meeting without prior notice but in these circumstances, there is no guarantee that a full reply will be given at the meeting.

CHRISTOPHER POTTER
Monitoring Officer
Wednesday, 23 February 2022

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

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If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

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Minutes

Name of meeting	POLICY AND SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES, EDUCATION AND SKILLS
Date and Time	THURSDAY 9 DECEMBER 2021 COMMENCING AT 5.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, ISLE OF WIGHT
Present	Cllrs R Quigley (Chairman), D Adams, C Critchison, R Downer, S Ellis, S Hendry and T Outlaw
Also Present	Cllr D Andre Stuart Ashley, Brian Pope, Paul Thistlewood and Megan Tuckwell Justine Ball (The Advocacy People), Derek Benson (IW Children's Safeguarding Board)

20. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 2 September 2021 be confirmed.

21. **Declarations of Interest**

No declarations were received at this stage.

22. **Public Question Time - 15 Minutes Maximum**

No public questions were received.

23. **Progress on outcomes and recommendations from previous meetings**

The chairman presented the report which provided an overview of the progress against outcomes and recommendations from previous meetings. Attention was drawn to the recommendation relating to the Annual Fostering Report and it was confirmed that no approaches had been made to the Chairman of the Policy and Scrutiny Committee for Health and Social Care to date.

RESOLVED:

THAT the progress report be noted.

24. **IW Safeguarding Children's Board annual report**

The independent chair of the Isle of Wight Children's Safeguarding Board presented the annual report which provided an assessment of the effectiveness of agencies

across the Isle of Wight to safeguard and promote the welfare of children for the period 1 April 2020 to 31 March 2021. The committee noted that the safeguarding and wellbeing of children on the Island remained at the forefront of the Partnership's work, with a continued commitment to protecting children during the Covid-19 pandemic. Discussion took place regarding the success of involving both parents in learning workshops delivered in summer 2021. It was advised that nationally this varied from case-to-case dependent on particular family dynamics, and it was confirmed that a specific written update on this matter would be provided.

RESOLVED:

THAT the IW Safeguarding Children's Board annual report 2020-21 be noted.

25. **SACRE Annual report**

The committee received a presentation which provided an overview of the support available to teachers on the Isle of Wight for religious education and the implementation of the Locally Agreed Syllabus: Living Difference IV over the upcoming two school terms. Questions were raised regarding the range of faiths taught in religious education and whether any special events or celebrations were held. It was advised that the SACRE syllabus focused on depth rather than range, and it was clarified that the law states that Christianity should be taught in the main alongside other religions which would be determined locally.

RESOLVED:

THAT the SACRE annual report be noted.

26. **Ofsted July 2021 inspection on Children in Need and Child Protection Services**

The Deputy Director of Children's Services presented the findings of the Ofsted focused visit where inspectors looked at the local authority's arrangements for children in need and children subject to a child protection plan. The committee were provided with the headline findings in relation to social work practices, leadership and management, and the identified areas for development. Discussion took place regarding the budget 2022-23 and whether cuts to children's services could be avoided. The Cabinet Member for Children's Services, Education and Lifelong Skills confirmed that the budget prepared in respect of the children's services portfolio would not have a negative impact on the safeguarding of children. Questions were raised regarding the replacement of the current case management system and it was confirmed that the procurement process was complete, and the programme was on track to launch in summer 2022. Discussion took place regarding any barriers for development in the area identified for improvement (the quality of assessments to ensure better consideration of parental histories and previous agency involvement). With regards to workforce stability, it was confirmed that staff turnover on the Island was significantly lower than the regional and national average. Questions were raised in relation to whether anything had been highlighted locally in response to the recent safeguarding case of child Arthur. It was confirmed that there would be a national review and as agreed at the meeting in June 2021, it was reaffirmed that arrangements would be made for members of the committee to visit to the Multi-Agency Safeguarding Hub (MASH).

RESOLVED:

THAT the findings of the Ofsted inspection on children in need and child protection services, be noted.

27. Performance and Budget Update

The Deputy Director of Children's Services presented the performance data in respect of children's social care for Quarter 2 2021-22. Questions were raised in relation to the level of school exclusions and whether this was high compared to elsewhere in the region. It was agreed that a review of exclusions would be carried out and reported to the committee. Discussion took place regarding referrals and clarification was provided around the way different authorities record contact and referrals. Questions were raised in relation to the long-term plans for the investment in temporary and permanent social workers made in September 2020, in response to increased demand on the service as a consequence of Covid-19. The Cabinet Member for Children's Services, Education and Lifelong Skills confirmed advised that a transformation programme was underway which aimed to enable social workers to work more effectively and to ensure is that we have got the right workforce at any given point in time to continue to provide a safe, effective, and improving service. Discussion took place regarding elective home education; whether this had increased due to Covid-19 and how the council supports those families. It was noted that a judicial review in Portsmouth on home education may have consequences for the Isle of Wight and it was agreed that a report on the matter would be presented to a future meeting of the committee.

RESOLVED:

THAT the performance and budget update be noted.

28. Committee's Work Plan

Consideration was given to the future workplan and any key issues that should be included. It was agreed that reports on school exclusions, school governor recruitment and retention, social worker recruitment and retention, and elective home education, would be added to the workplan with the dates and timings to be confirmed after the meeting. Reference was made to autism and reporting from the Youth Trust.

RESOLVED:

THAT reports on school exclusions, school governor recruitment and retention, social worker recruitment and retention, and elective home education, would be added to the workplan with the dates and timings to be confirmed after the meeting.

29. Members' Question Time

No questions were received.

CHAIRMAN

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POLICY AND SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES, EDUCATION AND SKILLS – PROGRESS ON ACTIONS AND OUTCOMES 2021/22

Date	Item	Actions	Comments
17 June 2021			
	Performance and Budget Update	THAT arrangements be made for members of the Committee to visit to the Multi Agency Service Hub (Mash).	To be arranged when circumstances permit.
	Young Carers Support	THAT the draft Isle of Wight Carers Strategy following a review be submitted to the Committee for comment before formal approval is given by the Cabinet.	Still to be actioned.
9 December 2021			
	Performance and Budget Update	<p>Concern raised as to the level of school exclusions and whether this was high compared to elsewhere in the region. It was agreed that a review of exclusions would be carried out and reported to the committee.</p> <p>It was noted that elective home education had increased , possibly due to Covid-19. Councillors asked how the council supported those families. It was indicated that a judicial review in Portsmouth on home education may have consequences for the Isle of Wight. The committee therefore agreed that a report on these matters should be presented to a future meeting of the committee.</p>	<p>Report being submitted to the March 2022 meeting.</p> <p>Report being submitted to the March 2022 meeting.</p>
	Committee's Work Plan	Reports on school exclusions, school governor recruitment and retention, social worker recruitment and retention, and elective home education, would be added to the workplan with the dates and timings to be confirmed after the meeting.	<p>School exclusions and home education at being considered at the March 2022 meeting,</p> <p>School governor recruitment to be considered at the June 2022 meeting.</p>

		<p>In addition items relating to autism and the Youth Trust should be considered for inclusion but required some further scoping. The work of the Youth Justice Team was recommended for inclusion in the workplan</p>	<p>A date to be finalised for social worker recruitment and retention</p> <p>The scope and outcomes relating to items on autism and the Youth Trust to be finalised by the Committee.</p> <p>The work of the youth justice team has been included for June 2022 meeting.</p>
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Committee report

Committee	POLICY AND SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES, EDUCATION AND SKILLS
Date	3 MARCH 2022
Title	ATTAINMENT OF CHILDREN AND YOUNG PEOPLE IN ISLE OF WIGHT SCHOOLS 2021
Report of	BRIAN POPE, ASSISTANT DIRECTOR, EDUCATION AND INCLUSION

SUMMARY

1. The purpose of this report is to provide the context for statutory assessments and examinations in 2021, that were again cancelled by the Secretary of State for Education due to the impact of COVID-19.
2. Consequently, it is not possible to report on the attainment of pupils in the primary age range for the second year running. Attainment in KS4 is within the context of the revised arrangements for 2021.

BACKGROUND

Recommendation

3. The Policy and Scrutiny Committee is asked to note the contents of this report.

Executive Summary

4. This report seeks to explain the changes to expectations of statutory assessment in 2021 in Early Years, Primary and Secondary education.
5. It is useful however to set the scene by providing a summary of the situation in 2019, the last year that statutory assessments were published prior to the advent of the pandemic. The 2019 performance tables show the percentage of children attaining a good level of development in the early years to be 72 percent, which is in line with national averages. At the end of primary school, in year 6, outcomes are measured by the percent of pupils attaining age related expectations (ARE) in reading writing and maths (RWM) combined, and this improved by 9 percent between 2018 and 2019, which meant that the

Isle of Wight was the third most improved local authority in the country for this measure. However, outcomes at ARE remain below national averages and the continuation of this improvement trajectory continues to be an urgent priority. At the end of secondary school in year 11, looking at the most recent government preferred performance measures, 'attainment 8 (A8)', the performance of pupils in a range of 8 specific subjects, a three-year trend of improvement from 2017 to 2019 was seen. Over this period the national A8 score increased by 0.5, and the Isle of Wight's A8 score showed a significantly steeper improvement trajectory of 1.7. As with KS2 outcomes however, it is widely and comprehensively recognised that these are not yet good enough and the focus on continuing improvements in outcomes for KS4 students has remained a priority, including through the pandemic.

6. It is also useful to report on the outcomes of the very few Ofsted inspections that have happened since the advent of the pandemic ceased usual Ofsted activity in March 2020. It is only recently that schools are starting to receive Ofsted inspections in which their grade can change, and all inspections that have taken place on the Isle of Wight since this point have seen improvements. Ofsted is currently working about four terms behind schedule which means that many schools that would have been inspected by now, with the chance of improving their grade, have not yet had that opportunity. The current figure stands at 77 percent good or better. There are no longer any schools judged to be inadequate on the Isle of Wight.
7. Attendance has also remained above national figures for Isle of Wight children and young people throughout the period of the pandemic.
8. It is important to look at how well secondary education on the Isle of Wight furnishes its pupils with the means to progress successfully to the next stage of their education or training. In 2021, 98.2 per cent of 16 and 17-year-olds received a formal offer of education or training. This compares to 94.3 per cent nationally. Subsequently, formal participation by young people on the Island in education, employment, and training is higher than it is nationally – 93.8 per cent against 93.2 per cent. Also, the proportion of 16 and 17-year-olds who are not in employment or training (NEET) is lower on the Island than the national average – 1.7 per cent against 2.8 per cent.
9. Returning to the matter of assessment in the pandemic years. Attainment in Early years and in Primary education was not externally assessed in 2021, for the second year in succession. There were no moderated teacher assessments that were required by statute, or collected locally, although settings and schools continued to provide transition information to support pupils. There is anecdotal evidence of the impact on attainment and progress of young children, partially supported by some early small-scale studies nationally. This suggests that there has been a general slowing of progress that might have been expected overall but that this is very individualised and in a very wide range when comparing pupils with one another. This also impacts differently in education settings that are now

faced with uneven consequential challenges in supporting progress of pupils and the regaining of lost curriculum experiences.

10. The same is generally true in secondary education with the exception that there have been more regularised assessment and qualification systems for students in KS4 in the past two years, with significant changes in 2021. The information gleaned locally from these suggests that students perform differently, and in some cases better, when not in the examination conditions of previous years, particularly more disadvantaged and vulnerable students.
11. The proposed and expected return to statutory assessment in 2022 in all Key Stages presents a number of challenges. Firstly, in ensuring an equitable curriculum coverage for all that means that pupils are well prepared for assessments. Secondly, that the individual performance of pupils and schools will be subject to a greater number of variables in experiences. Thirdly, the use of comparative performance information about individual schools and geographical areas for accountability purposes will be challenging. This will be the case for governing bodies and school leaders and for agencies such as the Local Authority, the Department for Education and Ofsted.

Contextual information

12. In the Early Years Foundation Stage (EYFS), Key Stage 1 (KS1) and Key Stage 2 (KS2) there was no requirement placed upon schools and settings to undertake statutory assessment in 2021. In the absence of national statutory guidance, local guidance was produced by the Hampshire Inspection and Advisory Service (HIAS) school improvement team to support with end of Key Stage assessments. The purpose of these was to enable effective transition between key stages and settings.
13. Although there has been no collection of assessment information at each of these primary age Key Stages, there is a general professional consensus forming about the impact of the pandemic on overall attainment and progress. Overall, the pandemic would appear to have resulted in a slowing of progress when measured across a whole cohort of children whether in a school, Isle of Wight or nationally. Whilst this is impossible to quantify precisely, this would naturally result from periods of home learning, absence from school and disruption to the planned curriculum experienced in last two years.
14. Nonetheless, as is the case in other Key Stages to a lesser or greater effect, the impact of the disruption caused by the pandemic is unique to each child, family and setting. The range of complex and interwoven factors such as attendance of children and staffing, lengths of time at home and available attention and skills of parents and carers has had a highly differential impact. It is also the case that some children have made better progress in some areas of the curriculum particularly suited to lower-level rote learning or repetitive practice such as handwriting skills, but this is not seen consistently.

15. In Early Years, overall, children starting school have shown signs of delayed development. Available evidence suggests that changes in access to Early Child Education and Care has had an impact on pre-school children in a number of ways, including social, emotional and behavioural development and mental health, physical development and school readiness. However, evidence also suggests that children and families have experienced the pandemic in very different ways, which has shaped any impacts on development, both positive and negative.
16. Sadly, it is inevitable that the negative impacts on children's development and mental health are most likely to have been felt more by disadvantaged children and children with Special Educational Needs and Disabilities (SEND), as well as other children experiencing vulnerability, such as those open to social care. Again, though, there is variation here. Schools remained open for children with a social worker, and many attended – more so on the Isle of Wight than nationally. For some of these children, work in smaller groups tailored to their needs meant that they lost less learning time and opportunity than their peers. Variations were inevitably seen which were affected also by the family situation and the COVID impact on the home environment.
17. School settings on the Isle of Wight are reporting that our youngest children were not as “school ready” as in pre-COVID years but that steady strides are already being made in accelerating progress in the Autumn Term and start of Spring Term. This is supported in an Education Endowment Foundation interim report of the School Starters Study in April 2021, <https://educationendowmentfoundation.org.uk/projects-and-evaluation/projects/the-impact-of-the-covid-19-pandemic-on-childrens-socioemotional-well-being-and-attainment-during-the-reception-year>
18. The survey of 58 schools in England found that 76% of schools reported children needed more support when entering school in the Autumn Term 2020 than previously. Communication and language development; personal, social and emotional development; and literacy were all cited as particular areas of concern by schools. However, once the school year had started most parents reported that children had settled well and that they were not concerned about their child's ability to cope. This was anecdotally also being reported in the Autumn term 2021.
19. Attainment at the end of EYFS, in recent years, has been a strength of the Isle of Wight Early Years Sector. It seems likely that, given the higher levels of attendance than recorded nationally, the Isle of Wight's children will have made the most of their access to education during this important first year in school settings in 2020/21. Research again suggests that better attendance in educational settings has a strong correlation with the development of receptive language and gains in vocabulary size. This is also true of children

at home who spent more time with caregivers, had less passive screen time and when caregivers read to them during lockdown.

20. In KS1, there has been an emphasis on maintaining an effective transition for children in Year 1, following the EYFS. Aspects of child development, delayed through a lack of sufficient exposure to educational experiences, cannot simply be added in through “catch up” without the supporting environment of the right physical resources and activities. This has challenged Year 1 professionals who are also mindful of the end of year standards that provide a firm foundation for Year 2.
21. At the moment, the DfE is planning the re-instatement of statutory assessments at the end of KS1 and KS2 in the summer of 2022. This is a significant challenge for the current Year 2 (Y2) and Year 6 (Y6) cohorts, children and professionals. In part, the challenge is the same as for other age groups; to assessing the impact on individual children and make appropriate and ongoing provision in relation to curriculum strengths and gaps; drawing upon or working on important academic and personal skills and resilience and building back (over time) if there are deficits/gaps.
22. However, the additional pressure is that, in Y2 and Y6, the curriculum road has a finite end and is followed by a series of assessments and tests that will seek to measure performance against a determined national standard. The temptation to speed up coverage of the curriculum to make sure everything has been covered will be difficult to resist but ultimately counterproductive to ensuring sustainable progress that lasts across transition to the next Key Stage.
23. There is some disquiet in the profession that the reinstatement will lead to undue pressure on children, teachers and leaders in the year ahead. It is unclear how this will translate into school standards when these are revealed in late summer 2022. There will be no published national standards, but the assessment information will be made available to Local Authorities, the DfE and Ofsted for use in their statutory roles. Some schools have been harder hit by the pandemic than others and so any comparisons may well be flawed and misleading in relation to the quality of provision implied by standards achieved.
24. The Early Years and HIAS teams are providing high quality guidance to all settings and primary schools in relation to the challenges of curriculum re-design and assessment of children’s needs. This includes specific support materials for end of Key Stage assessments and tests that make clear how best use can be made of the remaining curriculum time.

25. However, schools' capacity to make full use of these resources and the timetabled curriculum is already under pressure as a result of the resurgence of the COVID-19 virus during the autumn term 2021 and spring term 2022. This throws more doubt onto the likely readiness of current cohorts for end of Key Stage assessments in 2022.
26. It is also helpful to review the experience for students and schools over the last two years 2020 and 2021 in Key stage 4 (KS4). The Department for Education (DfE) announced that there would be no national reporting of finalised Key Stage 4 (KS4) results at a school or local authority level in 2020 and in 2021. Ofqual was tasked with developing a process that would enable individual pupils to receive grades for the subjects that they had studied. The 2020 process was reviewed and revised in 2021 and will be again changed in 2022 and 2023. This makes year on year comparisons of school or system performance very challenging.
27. In 2020, schools were required to produce Centre Assessed Grades (CAGs) for pupils at the end of year 11. The purpose of these was to gain entry into the next stage of education or training for pupils and to provide them with a record of their end of Key Stage attainment. These were not collected or published nationally. As schools had been closed to pupils since March 2020, and there was no time or provision for pupils to sit tests or complete extra work, these were based on the work that pupils had completed up to that point in time.
28. As was seen in primary schools, the experience of children in secondary schools varied widely over the pandemic. They too were influenced by the attention that parents and carers were able to give them, and their access to and engagement with high quality resources. It has also been widely reported that, perhaps inevitably, the negative impact on progress and mental health has been felt more by disadvantaged children and children with Special Educational Needs and Disabilities (SEND), as well as other children experiencing vulnerability, such as those open to social care or those in receipt of pupil premium. Schools remained open to these children through the lockdowns and encouraged attendance, in the main, with rigour. For those children that did attend, the benefits to their learning were reported to be significant. Some reported that children thrived in the smaller groups and calmer environment of lock down schools, and, in a few cases, this has led to challenges for these children when dealing with the return of their peers and the bustle of usual school life.
29. For the 2021 results at KS4, the DfE announced that there would again be no national reporting of finalised KS4 results at a school or local authority level. Ofqual was asked to develop a different process that would enable individual pupils to receive grades for the subjects that they had studied, and this resulted in Teacher Assessed Grades (TAGs).

30. TAGs were produced for each child in each subject through a rigorous process of assessment over time. Ofqual asked exam boards to ask schools to generate, for each subject, TAGs for each student based on a range of evidence completed as part of the course, which demonstrated the student's performance on the subject content they had been taught.
31. Every school was asked to provide evidence of student work to exam boards, and schools were also asked to provide the evidence that they had used to determine the grades for a specified range of students in a range of subjects.
32. Schools were vocal about how much the continuous assessment system had advantaged a number of their children, including PP children, and how hard so many children had worked over an extended period of time to secure the good outcomes that they were aiming for.
33. The DfE has stated that the 2022 outcomes will be reported at school and national level and published in performance tables as they were in 2019. This remains a challenge for the current year 11 cohort and there is concern within the profession regarding the significant additional pressures that this is placing on children, their teachers and school leaders. In particular, as some schools have been, and will continue to be, harder hit by the pandemic than others, there is concern that published data will be misleading in relation to the quality of provision and outcomes for the young people and schools involved.
34. Some concessions to the circumstances have been made by Ofqual. A choice of topics or content on which students will be assessed in GCSE English literature, history, ancient history and geography has been shared with schools, and Ofqual have on 7 February provided advance information on the focus of exams to support students' revision in subjects where there is not a choice of topics. Students will be given formulae sheets in GCSE maths and revised equation sheets in GCSE combined science and physics. Requirements for practical science work and practical art and design assessments have also been adapted.
35. Ofqual also confirmed in November that, in the unlikely event that exams cannot go ahead, students will receive teacher-assessed grades instead. These grades would be based on a range of work, similar to 2021. It is important to note that Ofqual have shared that they are determined that the rises in grades seen in the last two years of TAGs and CAGs, driven by the difference in approach to assessment, will be manipulated to return attainment to 2019 levels over the next two years. This means that 2022 will be a transition year in which grading is moved to a point closer to midway between 2021 and 2019. Ofqual aims to return to results that are in line with pre-pandemic years in 2023.

36. So, in 2022, it seems likely that results will be controlled so that they are higher than in 2019, but not as high as reported in 2021.
37. HIAS teams are providing high quality guidance, including the provision of seminars for all schools particularly in relation to the challenges of curriculum re-design, assessment of children's needs and exam preparation.
38. However, schools' capacity to make full use of these resources is under increasing pressure as a result of the resurgence of the COVID-19 virus during this academic year. As with primary schools, this throws more doubt onto the likely readiness of the year 11 cohort for end of KS4 assessment in 2022.

Finance

39. None

Performance

40. There is no national data that can be used to judge GCSE performance this year. The process used to derive grades means that comparisons with previous years are not valid.

Consultation and Equalities

41. None

Climate Change Impact Assessment

42. None

Climate Change Adaptation and Mitigation

43. None

Carbon Mitigation

44. None

Other Key Issues

45. None

Conclusions

46. In conclusion, the variable experiences of children, teachers, schools in the context of the challenges of COVID are likely to be reflected in the achievements and progress of pupils since 2019. This is not to say that we shouldn't be ambitious for what our children and young people can achieve with excellent provision. Nor is it the case that we need be pessimistic about the long term impact on children's lives as there is evidence of significant resilience and positive responses to the challenges faced.

47. Nonetheless, there is significant doubt over the reliability and fairness of using performance information to compare the relative achievement of individuals and education settings subject to such variable factors. Also, comparisons with previous performance, for example pre-COVID 19 will be inappropriate and unhelpful moving forward.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Isle of Wight maintains strong and sustainable economic growth and prosperity:	Yes
People in Isle of Wight live safe, healthy and independent lives:	Yes
People in Isle of Wight enjoy a rich and diverse environment:	No
People in Isle of Wight enjoy being part of strong, inclusive communities:	Yes

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

EQUALITIES IMPACT ASSESSMENT:

1. **Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. **Equalities Impact Assessment:**

See guidance at <https://hants.sharepoint.com/sites/ID/SitePages/Equality-Impact-Assessments.aspx?web=1>

Insert in full your **Equality Statement** which will either state:

- (a) *why you consider that the project/proposal will have a low or no impact on groups with protected characteristics or*
- (b) *will give details of the identified impacts and potential mitigating actions*

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STEVE CROCKER
Director of Children's Services

CLLR DEBBIE ANDRE
Cabinet Member for Children's Services, Education
and Skills



Purpose: For Discussion

Committee report

Committee	POLICY AND SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES, EDUCATION AND SKILLS
Date	3 MARCH 2022
Title	ELECTIVE HOME EDUCATION
Report of / to	STEVE CROCKER, DIRECTOR OF CHILDREN'S SERVICES

EXECUTIVE SUMMARY

1. The purpose of the Elective Home Education Report is to provide an update for the Policy and Scrutiny Committee.
2. This report summarises the work undertaken by the Elective Home Education (EHE) Team. The highest ever number of children and young people were recorded as being EHE on the Isle of Wight during the academic year 2020/21, which is likely to be linked to the Covid-19 pandemic. This mirrors data provided by other local authorities. Whilst the number of home educated pupils continues to rise there is also a considerable turnover of pupils being electively home educated with a significant number choosing to return to school after a limited period.
3. At the end of December 2021 there were 478 young people registered as EHE which represents 3.1 per cent of the total school aged population aged 5-16 years (School Census May 2021). This percentage is relatively high compared to other local authorities. However, EHE data collection is very reliable on the Isle of Wight and therefore is likely to be more accurate than some other local authorities. As an island, children are less likely to cross local authority borders for their education which means that fewer children are not known to the local authority. There is also a strong tradition of home education on the Isle of Wight, supported by local EHE parental groups.
4. The number of pupils being electively home educated on the Isle of Wight remained stable from 2017 to 2020 at a time when nationally numbers were increasing. However, there was a 21 per cent increase in numbers at the end of the Autumn Term 2020 compared to December 2019. The increase between December 2020 and December 2021 was 3 per cent. These overall figures mask the considerable turbulence due to a significant number of pupils moving between EHE and schools throughout the academic year. There were 669 pupils home educated at some point

during the academic year 2020/21. This compares to 557 pupils for the academic year 2019/20.

5. Covid-19 restrictions are believed to have had an impact on both the numbers of parents choosing to home educate their child and the way the EHE Team has interacted with families. Most home visits have been replaced by telephone calls, email reports from parents and virtual meetings since March 2020. Due to the high numbers of home educated pupils currently, this pattern of contact is likely to continue.
6. Engagement with EHE families within timelines outlined in the Isle of Wight EHE Policy has been over 90 per cent in previous years, but this reduced to 80 per cent during the Autumn Term 2021. This is related to Covid-19 restrictions and the increased number of EHE pupils. This level of contact compares well to other authorities.
7. The Isle of Wight shows similar patterns to the national picture in terms of distribution across year groups; percentage open to social care; gender split; percentage with special educational needs or disabilities (SEND) and reasons for parents choosing to home educate their children.
8. The strategic partnership between the Isle of Wight Council and Hampshire County Council supports the sharing of good practice and the alignment of processes and procedures.
9. During the Academic Year 2020-21, the lack of an examination centre for external GCSE candidates on the Isle of Wight caused concern for parents. Cowes Enterprise College previously provided this facility but felt unable to continue during the Covid-19 pandemic. The local authority met with parents representing the EHE community in July 2021 and liaised with local education providers. The Hospitality Training Partnership (HTP), a local Training Provider, has agreed to be an exam centre for external candidates in the Summer Term 2022.
10. There were 80 students who attended part-time courses at the Isle of Wight College, Platform One or HTP as part of their EHE provision during the Autumn Term 2021. This provides them with an opportunity to study vocational qualifications and/or several GCSEs.

BACKGROUND

11. The DfE updated guidance for local authorities was issued in April 2019: www.gov.uk/government/publications/elective-home-education and the Isle of Wight EHE guidance for schools and parents was updated in line with this: www.iwight.com/council/OtherServices/Educating-at-Home/Elective-Home-Education-EHE
12. Whilst the national guidance around EHE was updated in April 2019, the recent Judicial Review judgement in Portsmouth, which was published at the end of November 2021, has strengthened the position of local authorities in requesting evidence of the home education provided by parents and is likely to influence future changes in relation to the EHE guidance: [Goodred v Portsmouth City Council \[2021\] EWHC 3057 \(Admin\) \(16 November 2021\) \(bailii.org\)](https://www.bailii.org/uk/ew/cas/2021/3057.html)

13. The law is clear, namely that education is compulsory, but school is not. EHE is a legal option where parents take responsibility for their child's education. The DfE defines EHE as "the term to describe a choice by parents to provide education for their children at home or in some other way they desire, instead of sending them to school full time". Section 7 of the Education Act 1996 provides that:
The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable:
 - To his age, ability, and aptitude, and
 - To any special educational needs, he may have, either by regular attendance at school or otherwise.
14. EHE is a form of 'education otherwise at school' although the DfE, in its EHE Guidance for local authorities states in section 9.5 'The department does not believe that it is in the interests of home educated children, parents or local authorities for there to be detailed centralised guidance on what constitutes suitability'. Local authorities should recognise that there are many approaches to educational provision, not just a school at home model. What is suitable for one child may not be for another, but all children should be involved in a learning process.
15. Local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis. However, under Section 437(1) of the Education Act 1996, local authorities shall intervene if it appears that parents are not providing a suitable education. This section states that: "If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education." The onus is on the local authority to determine if the education is suitable or not, which means that the local authority must make arrangements to find out as far as possible whether EHE children are receiving suitable full-time education.
16. Local authorities also have a duty under Section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. However, Section 175(1) does not give local authorities powers to enter the homes of, or otherwise see, children for the purposes of monitoring the provision of elective home education.
17. New DfE guidance was issued in April 2019 replacing the 2007 guidance that was widely accepted as being not fit for purpose. However, it is anticipated that the 2019 guidance will be reviewed again following the findings of the Goodred V Portsmouth City Council Judicial Review in November 2021.
18. All arrangements are to be proportionate, sensible and allow local authorities to focus on families who are most at risk or need most support to provide a suitable education. However, for those families that do not engage, the guidance provides options, one of which includes that the local authority is entitled to conclude that education is not suitable if parents refuse to provide evidence of education. Paragraph 7.5 of the guidance makes it clear that not receiving an education can meet threshold that the child is suffering or is likely to suffer significant harm. These are major changes to the 2007 guidance.

19. The recent outcome from the Goodred V Portsmouth City Council Judicial Review is helpful as it is the first detailed consideration of the statutory regime around EHE for around 30 years and the first under Education Act 1996. In effect, as a consequence of the judgement, local authorities are entitled not to be satisfied by a report from the parent and are entitled to ask for more evidence, which may result in serving a school attendance order if nothing more is provided. The Judicial Review found that ‘The fact that a parent may, for example, not teach the National Curriculum, does not absolve the parent from the practical requirement to show that the requisite education is, in fact, being received by the child and that it is suitable to his or her needs. Nor does it mean that the local authority is necessarily compelled to accept merely assertive statements by the parent. ... what may be needed in such cases could well involve a meeting with the child and/or an examination of the child's work...’ (Goodred, [98-99]).
20. Following the 2019 Government consultation ‘Children not in school: proposed legislation’ the DfE has accepted that there should be a requirement for parents who choose to electively home educate their children to register them with the local authority: [Children not in school - GOV.UK \(www.gov.uk\)](http://www.gov.uk) This will require new legislation which is likely to be brought forward during 2022. This change in legislation would be welcomed by the majority of local authorities although it is understood that it will be controversial with some parents who choose to home educate their children.

STRATEGIC CONTEXT

21. The Isle of Wight Council Corporate Plan 2021-25 identifies the following which are relevant to Elective Home Education.

Key Activities

- Raise standards of attainment in every key stage
- Focus on raising standards of attainment for vulnerable groups such as those with special educational needs, those living in circumstances of relative poverty and those open to social care

EHE REPORT

22. The EHE Team consists of a full time Lead Officer for EHE and an EHE Administrator funded for one day per week. In response to the increasing number of EHE pupils, one agency worker has been employed for 3 days per week and an additional day funded for the EHE Administrator.
23. Over the next twelve months, work will need to be undertaken to ensure that the team is able to meet the anticipated changes in legislation/guidance and the work arising from the Goodred v Portsmouth CC Judicial Review.
24. **The Isle of Wight undertakes the following functions in relation to children who are EHE:**
 - Schools are asked to send an Exit Form to the EHE Team when a pupil becomes EHE. This provides an opportunity for any concerns to be shared.

- Checks are made when a child becomes home educated and a record made of whether they are open to Social Care or the Education & Inclusion Service. On review of the information available, decisions are made in relation to each case, e.g., visiting frequency may be increased.
- The EHE Team receive MASH referrals when they are made, respond to these, provide information to support Child and Family Assessments and attend Child Protection Conferences, Core Group Meetings, Child in Need Meetings and Early Help Meetings.
- Half-termly meetings are held between the local authority's Service Manager for Operations (Social Care), Education & Inclusion Manager (Education) and Lead Officer for EHE to discuss young people who are most vulnerable.
- The EHE Team liaises with the NHS and School Nurse Team to ensure that vaccinations and other health checks and referrals available to school pupils are also available for home educated children.
- Guidance is regularly shared with schools and other professionals.
- When a child with an Education, Health and Care Plan (EHCP) becomes EHE, contact is made with the LA's SEND Team, the EHCP is amended to reflect their EHE status and an annual EHCP Review is held.
- Any child with a special educational need or disability is given information about the Local Offer during the initial EHE Review or at the EHCP Annual Review.
- In March each year, the EHE Team writes to Year 11 EHE students with information regarding post-16 education and training options. An Intended Destination Form is included and any returned are shared with Island Futures who provide careers education and guidance to young people on the Isle of Wight. The names and contact details of Year 11 EHE students are shared, with their permission, so that Island Futures can follow up post-16.
- Families are offered an initial visit (within 3 months of becoming EHE), and then annual contact if the home education provided appears suitable. Based on all the information known, children with vulnerabilities are prioritised for initial visits and contacted more frequently.
- When a young person becomes EHE, parents are sent an introductory pack that includes links to the IoW EHE Policy, useful learning resources and information on how to access the Island Futures Team, the School Nurse Team and local EHE support groups.
- Parents are asked to return a form providing up to date contact details and an outline of how they plan to home educate their child.
- When a home education review is carried out, this is written up and a copy sent to parents along with any recommendations. If the home education provided does not appear suitable or there is insufficient evidence to show that it is suitable, parents will be informed and given advice and time to improve the

home education or provide additional evidence. If necessary, the local authority will pursue a School Attendance Order.

- The Elective Home Education Team works to support families and professionals with the process of admission to a school where families have expressed an interest and needed support or where the local authority has recommended the pupil returns to school.

Total Number of pupils registered as Electively Home Educated

Table 1

Academic Year	Number	% NOR
2019/20	374	2.9%
2020/21	471	3.1%
Autumn Term 2020	464	3.1%
Autumn Term 2021	478	3.1%

% = NOR: number of EHE children expressed as a percentage of total number of children aged 5-16 years in Isle of Wight schools or registered as EHE.

25. At the end of December 2021 there were 478 young people registered as EHE, including 80 in Years 10 or 11 attending part-time courses at the Isle of Wight College, Platform One Music College and the Hospitality Training Partnership (HTP), as part of their home education provision.
26. 478 pupils represent 3.1 per cent of the total school age population on the Isle of Wight. There was an increase of 24 per cent between the Summer Term 2020 and the end of the Autumn Term 2020, which was largely due to concerns around Covid-19. However, there was only a small increase of 1.5% between the Summer Term 2021 and the end of the Autumn Term 2021.
27. There was considerable movement in and out of schools during the Autumn Term 2021, although the pattern has changed since this time last year. During the Autumn Term 2021, 106 pupils became home educated (compared to 159 during the Autumn Term 2020) and 99 pupils left home education (compared to 38 during the Autumn Term 2020). This pattern suggests that the significant impact of Covid-19 on EHE numbers is beginning to subside, but it is too early to tell if this will continue throughout the academic year.
28. There has been a significant increase (161%) in the number of leavers compared to this time last year which may be an indication that parents are starting to return their children to school following easing of Covid-19 restrictions and the roll out of the vaccination, leading to less anxiety.

Total new EHE pupils registered during Autumn Term 2021

Table 2

Date	Number (% change)
Autumn Term 2018	94 (7% ▼)
Autumn Term 2019	93 (1% ▼)
Autumn Term 2020	159 (71% ▲)
Autumn Term 2021	106 (33% ▼)

Cases registered by year group with percentage change from Summer 2021

Table 3

Year	Autumn 2020	Summer 2021	Autumn 2021	Change % ▲/▼
R*	0	21	5	76.2% ▼
1	20	24	19	20.8% ▼
2	32	35	30	14.3% ▼
3	31	28	26	7.1% ▼
4	27	30	28	6.7% ▼
5	36	47	31	34.0% ▼
6	33	39	39	No change
7	32	40	35	12.5% ▼
8	43	48	34	29.2% ▼
9	64	77	58	24.7% ▼
10	67	82	86	4.9% ▲
11	79	86	87	1.2% ▲
Total	464	557**	478	

* Pupils are not registered as EHE until they reach statutory school age unless they have siblings who are registered as home educated or concerns are raised by other agencies.

** Includes Year 11 pupils removed from roll at the end of June 2021

NB: The relatively small numbers involved can lead to large percentage changes

EHE cases by sector including percentage of NOR

Table 4

Academic Year	Primary		Secondary	
2017/18	159	1.7%	289	3.9%
2018/19	147	1.6%	301	4.1%
2019/20	158	1.8%	298	4.7%
2020/21	224	2.3%	333	4.9%
Autumn Term 2020	179	2.1%	285	4.2%
Autumn Term 2021	178	1.9%	300	4.5%

% = NOR: number of EHE children expressed as a percentage of total number of children aged 5-16 years in Isle of Wight schools or registered as EHE.

Gender: all cases currently registered as EHE

Table 5

Gender	Summer 2021	Autumn 2021
Female	49%	49%
Male	51%	51%
Total	557	478

SEND Involvement: all cases currently registered as EHE

Table 6

SEND Involvement	Autumn 2020	Summer 2021	Autumn 2021
SEN support	82 (17.7%)	90 (16.2%)	70 (14.6%)
EHCP	27 (5.8%)	30 (5.4%)	28 (5.9%)
SEN Total	109 (23.5%)	120 (21.5%)	98 (20.5%)
No SEND	276 (59.5%)	328 (58.9%)	343 (71.8%)
Not Known	79 (17.0%)	109 (19.6%)	37 (7.7%)
Total EHE	464	557	478

29. At the end of the Autumn Term 2021, 14.6 per cent of EHE pupils were listed as SEN Support compared to 13.6 per cent of the school population (aged 5-16) on the Isle of Wight (July 2021).
30. At the end of the Autumn Term 2021, 5.9 per cent of EHE pupils had an EHCP compared to 4.9 percent of the school population (aged 5-16) on the Isle of Wight (July 2021).
31. Parents of EHE children can make an application for an EHCP and information and support are provided by the EHE Team during this process.

Social Care involvement - current cases registered EHE

Table 7

Known to Social Care	Autumn 2020	Summer 2021	Autumn 2021
Prior 12 months (excluding numbers below)	15 (3.2%)	43 (7.7%)	27 (5.6%)
Social Care Involvement	Autumn 2020	Summer 2021	Autumn 2021
Total Social Care (Child Protection, Child in Need & Early Help Plans)	20 (4.3%)	15 (2.7%)	19 (4.0%)
Total EHE cohort	464	557	478

32. 4.0% of EHE pupils were open to Social Care at the end of the Autumn Term 2021 compared to 4.8% of the school population (aged 5-16) on the Isle of Wight (July 2020).

Engagement with families

Table 8

Type of contact	Autumn Term 2020	Autumn Term 2021
Advisory visits or online meetings	0	4
Visits by EHE Officer which are written up as reports	9	33
Written/e-mail EHE reports received	33	53
Telephone reports recorded	73	38
Virtual meetings by EHE Officer which are written up as reports	5	4
Annual EHCP reviews/ SEND meetings/ admissions meetings attended by EHE Officer (online)	3	4
CIN/ EH/ CPCs/ CG meetings attended by EHE Officer (online)	5	19
Joint visits with Social Worker or Education & Inclusion Officer	0	8
Total	128	163

33. As a result of the Covid-19 restrictions, most home visits have been replaced by telephone calls, e-mail reports from parents and virtual meetings. This has significantly changed the nature of the interaction with families, but overall, parents have engaged well with this.
34. In addition to the contacts recorded above, there continues to be a large number of telephone calls and email exchanges with families which are not included in the figures as they do not immediately lead to an EHE report. New families generally require an additional level of support. There has also been an increasing number of telephone calls and email enquiries from parents considering EHE, which require an immediate response.

Reasons for EHE decision - new cases in Autumn 2021

Table 9

	Autumn 2020	Autumn 2021
Reason	Number	Number
Attendance	2	6
Behaviour/exclusion risk	8	5
Bullying	4	0
Covid-19 concerns	38	9
Cultural / Philosophical / Religious	20	8
Emotional/physical health	31	39
Not yet identified	30	24
Other	13	2
Preferred school not available	9	10
SEND	4	3
Total	159	106

35. In 2020, Covid-19 was added as a reason for choosing EHE. Parents refer to their decision in a variety of ways: shielding family members; anxiety re catching the virus; feeling that home schooling during Lockdown was a positive experience for the family (including benefiting children with high levels of anxiety/SEND); not being confident how schools manage Covid-19 restrictions.
36. Post-lockdown, some parents have reported that their child/ren have increased levels of anxiety which has made the return to school challenging. Where Covid-19 has not been identified as the primary reason for choosing home education, it is likely to be a complicating factor.
37. Currently, for more than half of all pupils registered as EHE, where a reason has been identified, the decision was a reaction to a problem, not an active lifestyle choice.

CONSULTATION

38. The purpose of this paper is for discussion only.

FINANCIAL / BUDGET IMPLICATIONS

39. The increase in the numbers of parents choosing to EHE has had a financial implication. To cope with the significant increase in home educated pupils last academic year, additional administration was arranged, 0.2 FTE on a temporary basis. An additional EHE officer (0.6 FTE) was also appointed to ensure all EHE students are engaged.

40. Currently, EHE numbers remain high and over the next twelve months, work will need to be undertaken to ensure that the team is able to meet the expected changes in legislation/guidance and the work arising from the Goodred v Portsmouth CC Judicial Review.

CARBON EMISSIONS

41. The team is mindful of the Council's Carbon Management Plan and the requirement to participate in the CRC Energy Efficiency Scheme. Microsoft TEAMS meetings are held, however the need for face-to-face meetings is high on the agenda, especially around vulnerable children, and families. Agile working arrangements are used by staff, including home working.

LEGAL IMPLICATIONS

42. There are no legal implications, as the processes and policies have not changed.

EQUALITY AND DIVERSITY

43. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

PROPERTY IMPLICATIONS

44. There are no property implications arising from the recommendation.

OPTIONS

45. The committee to note the contents of the report.

RISK MANAGEMENT

46. As a consequence of Covid-19 and the increasing numbers of EHE the previously identified risk that the proportion of families being contacted will reduce has happened. This risk has been minimised by the temporary employment of home visitors and additional administrative support. This decision will continue to be reviewed once we know whether the increase in EHE numbers is sustained or whether significant numbers of children return to school. The EHE team prioritises all children known to social services, SEN or generally considered vulnerable to minimise safeguarding risks.

RECOMMENDATION

47. The committee to note the contents of the report.

BACKGROUND PAPERS

48. The DfE updated guidance for local authorities April 2019:
www.gov.uk/government/publications/elective-home-education

The Isle of Wight EHE website:

www.iwight.com/council/OtherServices/Educating-at-Home/Elective-Home-Education-EHE

Judicial Review re Portsmouth Council:

[Goodred v Portsmouth City Council \[2021\] EWHC 3057 \(Admin\) \(16 November 2021\)](http://www.bailii.org/uk/ew/cases/ewhc/2021/3057.html)
([bailii.org](http://www.bailii.org))

Children not in school: proposed legislation:

[Children not in school - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/consultations/children-not-in-school) It is anticipated that this will require new legislation which is likely to be brought forward during

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STEVE CROCKER
Director of Children's Services

CLLR DEBBIE ANDRE
*Cabinet Member for Children's Services,
Education and Lifelong Skills*



Purpose: For Discussion

Committee report

Committee	POLICY AND SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES, EDUCATION AND SKILLS
Date	3 March 2022
Title	SCHOOL EXCLUSIONS
Report of / to	STEVE CROCKER, DIRECTOR OF CHILDREN'S SERVICES

EXECUTIVE SUMMARY

1. The purpose of the report is to provide an update for the Policy and Scrutiny Committee.
2. The recommendation of this report is that the Policy and Scrutiny Committee considers the contents and notes the actions that have been taken by the department.
3. Use of Permanent Exclusion on the Isle of Wight has consistently been similar to national averages. Suspension from schools on the Isle of Wight is higher than the national average.
4. Exclusion from school may have a detrimental impact on a child and therefore it is a national, and local, aim to reduce school exclusions. Children's Services support IoW schools to reduce their use of exclusion as a sanction using a range of strategies.

BACKGROUND

5. There are two types of school exclusion which can be used by a headteacher when it is determined that a behaviour warrants this sanction. The first is a Suspension which is for a fixed period of time, after which the child returns to the school. If a school issues a Suspension for longer than 5 school days, the governing body has a duty to arrange suitable education for the remainder of the Suspension, until the child returns to school. The school should undertake a re-integration meeting at the point when a child returns to school.
6. A permanent exclusion (PEX) is a sanction which terminates the child's attendance at that school. A PEX can be used *'in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school'*. There are rare occasions when a standalone single incident is so serious

that a PEX is issued. If a headteacher issues a PEX for a child, a process begins whereby the governing body is required to validate (or otherwise) this decision. Parents also have the opportunity to appeal the governors' decision, if governors have upheld the headteacher's decision. This is called an Independent Review. The LA has a responsibility to attend these reviews in maintained schools and can attend, at the parents request, reviews in academies.

7. If a child has received a PEX, there is a duty on the local authority to ensure suitable full-time education no later than the sixth school day following the PEX. For a PEX in respect of both primary and secondary aged pupils, this provision would initially be placement at the Island Learning Centre (ILC), although on some occasions in discussion with headteachers a pupil may be directed into another mainstream school with ILC support. The Inclusion Manager works with the headteacher of the ILC to identify an alternative mainstream setting for individual pupils when it is deemed appropriate to re-integrate. For a pupil in Key Stage 1 - 3 (5 to 14 years old), the ILC placement would normally be for a short-term period, with a view to returning the pupil to mainstream education in a different school within approximately two terms. For a Key Stage 4 (15 to 16 years old) pupil, the education normally is completed at the ILC with a focus on ensuring a successful transition to employment, education or training Post 16.
8. The importance of good discipline in schools is recognised by the Department for Education (DfE) and the use of exclusion as a sanction, when warranted, is supported by the Government. It is also widely recognised in research that the impact of exclusion may be detrimental to a child and there are links between a range of negative outcomes including low academic attainment, poor mental health and involvement in criminal activity. It is therefore both a national and local aim to reduce the use of exclusions in schools, particularly for the most vulnerable children.

STRATEGIC CONTEXT

9. The Isle of Wight Council Corporate Plan 2021-25 identifies the following which are relevant to Exclusion:

Key Activities

- Raise standards of attainment at every key stage.
- Focus on raising standards of attainment for vulnerable groups such as those with special educational needs, those living in circumstances of relative poverty and those open to social care.

EXCLUSION DATA

10. N.B. Changes in data with low numbers can lead to significant percentage changes and should be considered with awareness to this.
11. The table below shows Suspension and PEX data for Isle of Wight compared to nationally for the last four academic years. School closures related to COVID-19 in the academic year 2019/20 mean that this data is representative of approximately

one full term only. National data has yet to be released for 2020/21, the table below showing N/A for the last academic year.

- The percentage NOR (Number On Roll) figure relates to the number of exclusions issued as a percentage of the total school population (Number On Roll) on the Isle of Wight and nationally. This is the official measure used.

Suspension and PEX in all phases

IoW	Suspension	NOR %	PEX	NOR%
2020 - 21	1109	6.64%	18	0.1%
2019 - 20	855	5.07%	10	0.06%
2018 - 19	1446	9.71%	14	0.09%
2017 - 18	1281	8.63%	18	0.12%

National	Suspension	NOR %	PEX	NOR%
2020 - 21	N/A	N/A	N/A	N/A
2019 - 20	310733	3.76%	5057	0.06%
2018 - 19	438265	5.36%	7894	0.1%
2017 - 18	410800	5.1%	7900	0.1%

- The data shows that PEX rate on the Isle of Wight, when expressed as a percentage of the school population, is reflective of the national comparator; it has been so since 2016 and is anticipated to be so for 2020-21, when national data is released. It shows some level of stability in the use of PEX on the Isle of Wight over the last 5 years. The Isle of Wight's rate of suspension continues to remain above national comparators.
- The data below shows a comparison of IoW suspensions to national suspensions, for the last three years that comparable data is available for, by phases.

Suspensions

Academic Year/Phase	Primary				Secondary				Special			
	IoW		National		IoW		National		IoW		National	
	Number	%NOR	Number	%NOR	Number	%NOR	Number	%NOR	Number	%NOR	Number	%NOR
2019/20	140	1.56%	47261	1%	709	9.37%	253307	7.43%	6	1.77%	10165	7.76%
2018/19	134	1.52%	66463	1.41%	1019	13.41%	357715	10.75%	3	0.9%	14087	11.32%
2017/18	138	1.49%	66105	1.40%	853	11.92%	330085	10.13%	21	6.65%	14563	12.34%

- In Primary, the IoW was above national average for the last three years but this was not by a considerable number. In Secondary, IoW were above national average. In Special schools the IoW have been consistently, considerably below national average.

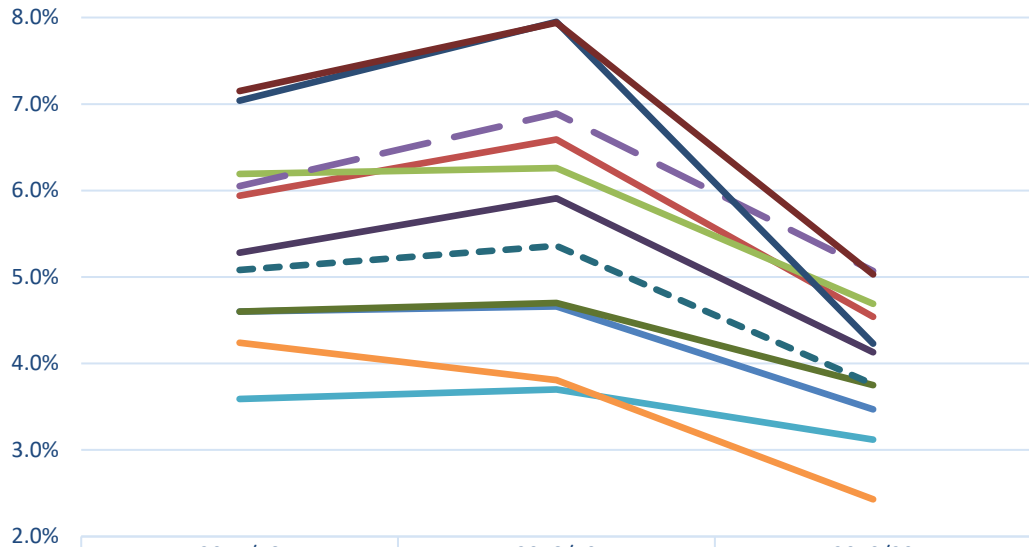
16. The data below shows the same data for PEX. At all phases IoW were below, or in line with, national average. There have been no PEX from Special schools in this time period.

PEX

Academic Year/Phase	Primary				Secondary			
	IOW		National		IOW		National	
	Number	%NOR	Number	%NOR	Number	%NOR	Number	%NOR
2019/20	1	0.01%	739	0.02%	9	0.12%	4269	0.13%
2018/19	2	0.02%	1067	0.02%	11	0.14%	6753	0.20%
2017/18	2	0.02%	1210	0.03%	11	0.15%	6612	0.20%

17. In addition to looking at use of suspension on the Isle of Wight compared to National levels, comparisons are also made against statistical neighbours. The Isle of Wight's Statistical neighbour group is based on the same Income Deprivation Affecting Children Index (IDACI) which provides the set in use by Children's Services

Statistical Neighbours Suspension Rates



	2017/18	2018/19	2019/20
Lincolnshire	4.6%	4.66%	3.47%
Norfolk	5.94%	6.59%	4.54%
East Sussex	6.19%	6.26%	4.69%
Isle of Wight	6.05%	6.89%	5.07%
Cornwall	3.59%	3.70%	3.12%
Southend-on-Sea	4.24%	3.81%	2.43%
Plymouth	7.04%	7.95%	4.23%
Torbay	7.15%	7.94%	5.03%
Derbyshire	4.60%	4.70%	3.75%
Suffolk	5.28%	5.91%	4.13%
England	5.08%	5.36%	3.76%



18. The data shows that whilst the Isle of Wight has followed the same trends as the other statistical neighbours, and England, whilst not the highest over the three years it has remained consistently higher than many other areas.
19. It is recognised by the Department for Education that nationally there is disproportionate exclusion of pupils with particular characteristics including social economic deprivation and Special Education Needs (SEN). The LA analyses the use of exclusions on the IoW for these groups. This includes comparison with national data, to ensure that vulnerable children and young people are not disproportionately represented in the exclusion data. Vulnerable groups are prioritised to appropriately address their needs.
20. The table below compares IoW data on exclusions for children eligible for Free School Meals (FSM) with National Data. Verified data for the academic year 2020/21 is not yet available for comparison.

Eligible Free School Meals (FSM)

IoW	Suspension	NOR %	PEX	NOR%
2019/20	303	10.34%	4	0.07%
2018/19	405	15.56%	4	0.15%
2017/18	295	13.59%	7	0.32%

National	Suspension	NOR %	PEX	NOR%
2019/20	133977	9.37%	2351	0.16%
2018/19	173554	13.76%	3396	0.27%
2017/18	149760	13.65%	3051	0.28%

21. The data shows that the rate of suspension for IOW children eligible for FSM has been consistently higher than the national average. National trends in exclusion data are mirrored locally.
22. The tables below compare IOW data on exclusions for children with SEN to National Data. This is separated into children that have an Education Health Care Plan (EHCP) and those without; children with an EHCP require a higher level of support to access education.

SEN with EHCP (or Statement)

IoW	Suspension	NOR %	PEX	NOR%
2019/20	87	10.07%	1	0.12%
2018/19	119	15.64%	0	0
2017/18	145	20.45%	2	0.28%

National	Suspension	NOR %	PEX	NOR%
2019/20	31938	11.71%	276	0.10%
2018/19	40580	16.11%	390	0.15%
2017/18	37540	15.95%	376	0.16%

SEN without EHCP

IoW	Suspension	NOR %	PEX	NOR%
2019/20	308	13.87%	1	0.05%
2018/19	371	17.2%	7	0.32%
2017/18	352	15.6%	8	0.35%

National	Suspension	NOR %	PEX	NOR%
2019/20	108328	11.01%	2008	0.20%
2018/19	149107	15.59%	3056	0.32%
2017/18	140806	15.10%	3174	0.34%

23. The data shows that the use of Suspension for children with an EHCP was lower than the National data. For children with SEN, but no EHCP, IOW rates were higher.
24. The importance of early intervention is recognised in reducing school exclusion. To support this the method for the collation of data was changed from September 2021. Now data is received in a quicker time frame than previously and information

particularly in regard to vulnerable children can be analysed as the data is received. This data is not verified and may be subject to change but can be used to help identify trends, areas of strength and areas for improvement.

25. In the Autumn Term of 2021/2022 internal data suggests that the use of exclusion, both suspension and PEX was lower than in the same time period in 2020/2021. The table below shows data regarding different groups of children with vulnerabilities. The data related to CSC status (Child in Need CIN, Child Protection CP and LAC Looked After Child) refers to the child's status at the time of suspension. This has been an area of vulnerability that as previously been difficult to analyse as it can be changeable however the new data collection methods enable us to do so.

Vulnerable Group	No of Suspensions	% of total Suspensions	No of IOW Children	% of IOW Children
CiN	16	3.7%	1168	7.0%
CP	11	2.5%	219	1.3%
LAC	20	4.8%	176	1.1%
EHCP	71	16.0%	868	5.2%

26. The DfE has currently set 16 categories for why a child can be excluded. There can be no deviation from these defined categories. A school can only choose one category for exclusion, selecting that which is a 'best fit'. Additionally, IoW also enables schools to input data on secondary reasons for exclusion. This is useful in understanding the context and complexity of a suspension, also informing practice and strategies to address suspension.
27. The tables below show the three most frequently used reason for suspension for the IoW and Nationally. From the academic year 2020/21 DfE removed 'Other' as a reason for suspension and this will not feature in further data when it is released.

Reasons for Suspensions

IoW	Reason	Suspension	NOR %
2019/20	Verbal abuse against an adult	203	23.74%
	Persistent Disruptive Behaviour	201	23.51%
	Other	147	17.91%
2018/19	Persistent Disruptive Behaviour	372	32.18%
	Verbal abuse against an adult	297	25.69%
	Physical Assault against a pupil	161	13.93%
2017/18	Persistent Disruptive Behaviour (PDB)	256	25.3%
	Verbal abuse against an adult	234	23.12%
	Physical Assault against pupil	186	18.38%

National	Reason	Suspension	NOR %
2019/20	Persistent Disruptive Behaviour	123055	29.96%
	Other	82668	20.13%
	Physical Assault against pupil	67227	16.37%
2018/19	Persistent Disruptive Behaviour	137881	31.46%
	Other	82140	18.74%
	Physical Assault against pupil	71409	16.29%
2017/18	Persistent Disruptive Behaviour	104237	33.55%
	Other	51177	16.47%

	Verbal abuse against or threatening behaviour against adult	49186	15.83%
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28. 'Verbal abuse against or threatening behaviour against adult' has consistently been one of the main reasons for suspension on the IOW however this is not replicated Nationally. Persistent Disruptive Behaviour (PDB) is consistently one of the more frequently used reasons both on the IOW and Nationally and it is anticipated that the removal of 'Other' as an option will lead to an increase of PDB as a reason for suspension locally and Nationally.
29. The reasons for exclusions both on the IOW and nationally are many and complex. Contributing factors can include levels of deprivation and the subsequent impact; levels of emotional health and well-being; and the impact of adverse childhood experiences (ACEs). The positive culture of inclusivity in schools, the high quality of teaching and learning, the high quality of school leadership and the stability of school staff can all also play a key part.
30. The Department for Education has launched a consultation in response to the 'Timpson Review of School Exclusion', the government committed to working with sector experts to publish clearer, more consistent guidance to support schools to create positive behaviour cultures and ensure suspensions and permanent exclusions are conducted in a lawful, reasonable and procedurally fair way. This consultation commenced on 03 February 2022 and runs until 31 March 2022.

STRATEGIES TO INCREASE INCLUSION

31. The Isle of Wight principles of inclusion promulgated by Children's Services are:
- The entitlement of every Child and Young Person (CYP) to receive a good education that enables them to maximise opportunity and success in learning and life, irrespective of need, prior attainment, background or circumstance
 - Strong pathways for every CYP into further education, training, employment and independent living
 - Successful and fulfilling participation in society, economic prosperity, good physical and mental health
 - Access for every CYP to suitable, high-quality provision, which meets diverse need and diminishes barriers to participation and engagement
 - Equity of access and onward life chances; those who need something more or something different in order to realise this ambition do receive something more or something different
 - A rounded education for every CYP; each having access to and benefiting from a breadth of experience and cultural capital
 - A strong commitment to early intervention and prevention to tackle, diminish or avert potential barriers to success
 - A strong commitment to partnership working which actively seeks and values the contributions of parents/carers and CYP
 - A happy and memorable childhood for all
32. Strategies to increase inclusion used by Children's Services:
- Across the Isle of Wight, Children's Services endeavours to keep exclusion rates low by putting strong emphasis on early intervention and prevention; helping

schools to identify and address at an early stage the social, emotional and mental health needs which often manifest themselves in unproductive behaviours.

- A Service Level Agreement (SLA) with the Education and Inclusion Team for schools allows them to receive an enhanced service to support inclusive practice as well as access to assessment and targeted intervention for individual students. This is underpinned by a focus on prevention and early intervention.
- Schools with a SLA are offered support for the re-integration process for children that have been suspended to increase the likelihood of successful re-integration. This is done using principles of trauma informed practice and Restorative Justice within the 'Reintegration Meetings'.
- Schools are supported and constructively challenged about their use of suspension and PEX through the Isle of Wight Inclusion Manager and Team Leader (to which every exclusion is reported). Targeted visits are made to schools where inclusion data is a concern by the Isle of Wight Inclusion Manager and / or the School Improvement Manager.
- Close multi-agency links with other agencies have been established including Children' Social Care, SEN Team, Youth Offending Team and Health representatives to contribute to multi-agency planning and joint working. Packages of support to increase inclusion can be offered to schools which involves linking together different agencies to provide a holistic support plan.
- The School Improvement Manager sits on boards such as the school MHST (mental health support teams) and works alongside colleagues from the NHS, police and trusts to support multi-agency working and promote with schools through the Headteacher Forum or through emails. For example, the St Giles Trust offer Mentors in Violence Prevention training for schools; Public Health PEACH, an RSHE (Relationships and Sex Education (RSE) and Health Education) project funded by Educational Recovery money, offer networks themed around emotional wellbeing, RSHE, healthy eating, physical activity working with HIAS and primary and secondary colleagues who plan the PSHE curriculum; Autism in Schools Project (Clinical Commissioning Group) looking at raising awareness of the needs of young people with autism and to model and implement practical ways schools could improve the experience for young people with autism. This involves bringing together health and education expertise to take steps to support children who are finding school a challenge due to their disability.
- Inclusion data is shared termly between all secondary schools to promote positive working relationships between these settings. There is a proactive Inclusion Partnership group for Secondary Schools which allows for the sharing of good practice and strategies to increase inclusion
- Outreach support is provided to schools by the ILC and Special Schools where a child or young person's behaviour is of concern. The ILC takes young people who are at risk of exclusion (beyond the statutory requirement) in order to provide short-term intervention prior to returning to a mainstream school setting

- Schools receive offers of training for meeting the Social Emotional Mental Health needs of children and young people. This includes specifically focussed on ACE and attachment / trauma informed practice. Training is offered for Governors on inclusive practice and to support their role in the exclusion process.

CONSULTATION

33. The purpose of this paper is for discussion only.

FINANCIAL / BUDGET IMPLICATIONS

34. There are no financial implications arising from the recommendation.

CARBON EMISSIONS

35. The team is mindful of the Council's Carbon Management Plan and the requirement to participate in the CRC Energy Efficiency Scheme. Microsoft TEAMS meetings are held, however the need for face-to-face meetings is high on the agenda, especially around vulnerable children, and families. Agile working arrangements are used by staff, including home working.

LEGAL IMPLICATIONS

36. DfE provides statutory guidance for those with legal responsibilities in relation to exclusions. This provides a guide to the legislation that governs the exclusion of pupils from maintained schools, pupil referral units (PRUs), academy schools (including free schools, studio schools and university technology colleges) and alternative provision academies (including alternative provision free schools) in England.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/20170831_Exclusion_Stat_guidance_Web_version.pdf

EQUALITY AND DIVERSITY

37. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

PROPERTY IMPLICATIONS

38. There are no property implications arising from the recommendation.

OPTIONS

39. The committee to note the contents of the report.

RISK MANAGEMENT

40. Local Authorities follow statutory DfE guidance regarding school exclusions.

RECOMMENDATION

41. The committee to note the contents of the report.

42. BACKGROUND PAPERS

Statutory guidance for those with legal responsibilities in relation to exclusions:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/20170831_Exclusion_Stat_guidance_Web_version.pdf

Consultation on Revised Behaviour in Schools Guidance and Suspension and Permanent Exclusion Guidance:

<https://consult.education.gov.uk/school-absence-and-exclusions-team/revised-school-behaviour-and-exclusion-guidance/consultation/>

Contact Point: Jonathan Willcocks, Inclusion Support Service Manager,
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Agenda Item 8

Policy and Scrutiny Committee for Children's Services, Education and Skills Workplan 2022 – 2023

Date of meeting	Item	Background
3 March 2022		
	School attainment	To consider the annual report on attainment
	School exclusions	To consider the process in relation to school exclusions, the current figures for the Island and trends.
	Elective home education	To consider the latest figures for the Island and processes in place to support parents and children.
9 June 2022		
	School governor recruitment and retention	To consider the current situation regarding school governor recruitment and retention.
	Performance and budget	Current performance trends and budget 2022/23
	Fostering and Adoption Annual Reports	To consider the annual reports.
	Youth Offending	To consider a report on the work of the youth offending team.
1 September 2022		
	Annual complaints report – Children's Social Work	To consider the annual report in accordance with best practice advice from the Local Government and Social Care Ombudsman to ensure that lessons learnt are being implemented.
	Children's health and wellbeing	To discuss key issues in relation to the health and wellbeing of children.
1 December 2022		
	Performance and budget	Current performance trends and budget 2022/23
	IW Safeguarding Children's Board annual report	To consider the annual report
	Pathway into further education and training	To look at how young people can access further education and training.

2 March 2023		
	School attainment	To consider the annual report on attainment