

Subject:	Hidden Children Update		
Date of Meeting:	11 January 2021		
Report of:	Interim Executive Director for Families, Children & Learning		
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Ward(s) affected:	All		

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1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The report provides an update on the Hidden Children Strategy that was brought to the Children Young People & Skills (CYP&S) committee on 17 September 2018.
- 1.2 The report details work that is being undertaken to develop the strategy considering recent events and the recruitment to a new post in the council.

2. RECOMMENDATIONS:

- 2.1 That the committee note the progress on the original hidden children strategy as detailed in the report below and in Appendix 1.
- 2.2 That the committee note the actions being taken to recruit to a the new post of hidden children officer and the future focus on early identification and support, preventative and restorative action, re-engaging pupils who have been out of education and the monitoring and tracking of children and young people at risk of becoming hidden.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The CYP&S committee in September 2018 noted the report outlining the introduction of a Hidden Children Strategy and requested a follow up report in June 2019.
- 3.2 The committee were advised that the council were at the beginning of a journey to assess the issues that meant children were being hidden and therefore what actions were needed to address this.
- 3.3 The strategy document included an action plan which covered areas of development: better understanding, better assessment and tracking, better communication and better provision.
- 3.4 A review of the action plan created in 2018 is provided in Appendix 1.

- 3.5 The strategy document that accompanied the report in 2018 described hidden children as those who ‘may be in full sight but their lack of educational opportunity may not be noticeable or regularly reviewed. It is possible that the following circumstances will mean children are hidden and questions should be asked. This is not to say all the children in these circumstances are at risk, it’s about identifying and being aware of the potential and take action where needed’. There followed a list of possible criteria but as an overview we are considering those with medical needs, at risk of exclusion and awaiting an alternative school placement including specialist provision as likely to be not in receipt of full-time education.
- 3.6 The response to the Covid pandemic has brought the issue of full-time education provision as a protective factor to the front of many more minds than before. Although whilst Covid has added strain, all of the issues that mean children become hidden within the system were very much prevalent before the pandemic.
- 3.7 The council’s necessary response to the pandemic has delayed progress, with resources being prioritised into other areas including causing delays in the process of developing a job description and getting to the point of recruiting to the new post. It is an example of the council undertaking its statutory duties and yet not being able to affect a change for those who are not in full-time education.
- 3.8 Recent reports from Ofsted, the Association of Directors of Children’s Services (ADCS), Children’s Commissioner and the Local Government Association highlight that, as an impact of the pandemic, more children are at risk of not receiving their full-time entitlement.
- 3.9 Amanda Spielman referenced [‘out of sight children’](#) in her introduction to Ofsted’s annual report. She outlined that a significant proportion of the children who have come off school rolls are already known to one or more external children’s services because they have special educational needs, previous attendance issues or other interventions in their lives. She also observed that ‘almost all children, vulnerable or otherwise, are missing out on a lot when they aren’t at school.’ Her comment that ‘We must be alive to these risks, and we must also watch out for bad practices creeping back in that could compound risk. We don’t want to see any schools off-rolling children; and we need all schools to make the effort to help children with SEND to attend.’ This is a useful reminder of what the strategy is seeking to achieve.
- 3.10 In recent weeks, the ADCS published the [summary analysis](#) of the elective home education (EHE) survey 2020.
- 3.11 The analysis suggests that on school census day, 1 October 2020, 75,668 children and young people were known to be EHE. This marks a 38% increase from the same school census day in 2019. Further analysis suggests that 25% of those children and young people have become EHE since 1 September 2020.
- 3.12 The survey also gathered data on the cumulative total number of EHE children and young people across the 2019/20 academic year. This showed that an estimated 86,335 children and young people were known to be EHE at any point

during the previous academic year, a 10% increase from the 2018/19 academic year.

- 3.13 The most common reason cited by parents or carers for electing to home educate their child(ren) was due to health concerns related directly to Covid-19.
- 3.14 In Brighton and Hove there were 392 pupils known to be electively home educated. 115 more than in 2019, a 38% increase with a 138% increase in referrals for EHE for the half term to 24th November 2020 year compared to last year.
- 3.15 The [Children's Commissioner's report](#) addresses how children disappear from England's schools and references the under-identification of children's needs and the fact that teachers say they do not have the training or support to diagnose these problems accurately and have limited capacity to do so given the pressures on the school system. In response the council will need to ensure work with other diagnostic services to ensure early identification of need.
- 3.16 The report called for: a home education register, strengthened measures to tackle off-rolling, advice and support for children and families and greater oversight of children.
- 3.17 The LGA report, [children missing education](#), covers much of the policy area that the council sought to address with its original Hidden Children strategy. It states that children missing education do not form a homogenous group and are not always easy to identify. The research has suggested that there are multiple routes whereby children may end up missing out on a formal full-time education, and eight main 'destinations' where these children may be found.
- 3.18 Some of the characteristics that were common to the cohort of children missing education included those with social and behavioural needs; those with complex needs and no suitable school place available; those with medical or mental health needs; and of those with mental health needs, those accessing CAMHS either as an inpatient or through services in the community.
- 3.19 The report suggests that it is a combination of three sets of factors that, taken together, have given rise to this trend. These are: the changing nature of the needs and experiences that children are bringing into school; pressures and incentives on schools' capacity to meet those needs; and the capacity of the system to ensure appropriate oversight of decisions taken regarding children's entry to and exit from schools..
- 3.20 While Local Authorities have the responsibility to maintain oversight of the suitability of the education received by school-age children, there is a mismatch between the scope of these responsibilities and the capacity and means to carry them out at a detailed, case-by-case level such that there can be assurance that all children missing from formal, full-time education are receiving a suitable education. Careful consideration is needed to also determine that the council is acting to fulfil all its duties under the Equality Act.

- 3.21 The council has identified funding and is currently embarking on the recruitment of a Hidden Children officer to undertake this work. It is expected that the role will be filled by the end March 2021.
- 3.22 In line with the LGA report the council is seeking to focus their work on the following strategic and proactive priorities: early identification and support (including timescales around waiting lists for assessments), preventative and restorative action, re-engaging pupils who have been out of education and monitoring and tracking.
- 3.23 In following this approach the council is also addressing the report's recommendations to the DfE to: raise the profile of children missing formal full time education, resource local authorities adequately to fulfil their responsibilities in relation to ensuring all children receive a suitable education and create a learning environment in which more children can succeed by maintaining a focus on inclusion and early identification and intervention.
- 3.24 The postholder will be supporting schools to respond flexibly and creatively to some of the challenges faced by children in their educational setting, which when combined with their complex needs, can lead to emotional based school avoidance, school anxiety or distressed behaviour. As well as challenging what the HM Chief Inspector refers to as schools 'gaming the system'.
- 3.25 Advocacy in a language and culture shift in the city is important. A shift to an approach that prioritises identifying and mitigating against the sources of distress and anxiety rather than one that seeks to address behaviour itself is a key factor.
- 3.26 Other reasons that have been cited in the city include: disparity in training and understanding across school staff, lack of communication between paid professionals, lack of reasonable adjustments, inflexibility when it comes to curriculum and timetable, plus breakdowns in the relationship between school and family.
- 3.27 Working with families as professional partners will be crucial and as this work has developed mASCot has highlighted some of the challenges its members are currently facing, such as EHCP provision not in place consistently, schools not having enough resource within schools, work on re-integration and transition lacking, the ways schools approach situations as well as the need for individual Child and young person centred approaches.
- 3.28 In January 2020 the committee received a report on the Development of ASC services and it is hoped that the post holder will liaise with stakeholders in the development of co-produced primary and secondary project for ASC children and young people who are not attending school and the process of developing a flexible model of educational provision that would meet this particular profile of need.
- 3.29 All of the children supported by mASCot who have fallen out of school have anxiety/deterioration in their mental health due to their school experience rather than them already having mental health issues.

- 3.30 To ensure that the recruitment process adequately reflects the need for the postholder to work with parents and other groups it is expected that the interview panel will contain representatives of mASCot, SENDIASS and PaCC. It is also proposed that the role will be overseen by a stakeholder committee which captures the city's participants in addressing the phenomena of 'hidden children'.
- 3.31 Part time timetables are not the only identifier of children and young people we consider hidden, they are an indication of the prevalence of a group of pupils who, by their definition, are hard to quantify.
- 3.32 Alongside the October 2020 census, schools in the city completed a return on part time timetables from which the council is aware there are currently 155 pupils on part timetables in 39 schools. 27 primary schools and 9 in secondary schools. The remainder in alternative provision.
- 3.33 This is a rise of 62 pupils on the first return that schools completed in January 2020. The main reasons are mental health issues, behaviour and 'other'.
- 3.34 Therefore, the role of Hidden Children officer will support the work to consider the impact of this rise, develop plans to expediate pupils return to full time provision and seek to address the factors meaning so many pupils and their families find themselves in this situation.
- 3.35 In addition, as the data below shows there has not appeared to be a corresponding rise in Children Missing Education (CME) which may be a result of less mobility and off-rolling taking place within the population. This number of children does fluctuate weekly as the situation regarding education is confirmed and all data regarding CME is stored on the Carefirst database.

Year	Children Missing Education (CME) 31/10/20	Children in Need (CIN)	Child Protection Plan (CP)	Looked after Children (LAC)
2019/20	100	17	5	2
2020/21	70	8	1	2

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The council continues to develop its Hidden Children Strategy. The impact of the Covid pandemic and the available resource has limited the progress that has been made since September 2018.
- 4.2 It is not considered appropriate to continue to progress this work at the slower pace that has been the case in recent months. It would be possible to continue to divert resources elsewhere and not recruit to a new post. However, it is felt this would not help to address the issue that the council are seeking to address.
- 4.3 It would be possible to continue the work without continuing with the active involvement of other groups such as mASCot, PaCC, SENDIASS and Amaze but this could hinder the council in identifying and addressing factors that create hidden children in the city. A proactive commitment to co-production with PaCC

and mASCot is essential especially as the council reflects on lessons learnt around co-production from the review of home to school transport.

- 4.4 The previous report stated that there would be a remodelling of the Access to Education team. Instead we are recruiting to a post that reports directly to the Head of School Organisation. With the significant pressures of Covid 19 and other factors having an impact on elective home education it is not considered appropriate to reorganise this team.
- 4.5 Keeping the post outside of the Access to Education team structure will allow the new role to identify their own focus without being considered part of an existing team's role and responsibilities.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 We have received contributions to this committee report from mASCot, PaCC and Amaze and are committed to more and better coproduction. To start with this will include the selection process and recruitment to the post.

6. CONCLUSION

- 6.1 The council is seeking to develop its Hidden Children strategy from its origins as detailed in a report to the CYP&S committee in September 2018.
- 6.2 The impact of Covid has increased the numbers of children in elective home education and there are more children known by the council to be on part time timetables than in January 2020.
- 6.3 A Hidden Children officer is currently being recruited and is expected to be in post by March 2021.
- 6.4 The council's approach appears to be endorsed by the findings in an LGA report entitled children missing education. The focus will be on early identification and support, preventative and restorative action, re-engaging pupils who have been out of education and monitoring and tracking.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Funding provision for the Hidden Children officer post has been identified from within the 2020/21 High Needs Block which forms part of the Dedicated Schools Grant.

Finance Officer Consulted: Steve Williams

Date: 07/12/20

Legal Implications:

- 7.2.1 The Council has a duty under section 436A of the Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise.

The Hidden Children strategy seeks to identify and support any child/young person who might be at risk of harm due to not being in receipt of full-time education. The recruitment of a Hidden Children Officer will further assist the Council in fulfilling this objective.

Lawyer Consulted:

Serena Kynaston

Date: 10.12.2020

Equalities Implications:

- 7.2 An equalities impact assessment has not been undertaken. The report asks the committee to note the developments in addressing the council's hidden children strategy which is seeking to support the provision of full time education as a protective factor for children and young people.
- 7.3 It is considered likely that pupils with disabilities or from other racial or ethnic backgrounds find themselves to be disproportionately represented in the group of pupils not in receipt of full-time education. Additional work on the hidden children strategy will allow this to be further examined and to address any disproportionate representation in these figures.

Sustainability Implications:

- 7.4 There are no sustainability implications as a result of this report.

Brexit Implications:

- 7.5 The UK's exit from the EU could have an impact on the school admission process which will have a bearing on the experience of children and young people requiring a new school place.

Any Other Significant Implications:

Crime & Disorder Implications:

- 7.5 Missing out on formal full-time education might impact on an individual child or young person. There is evidence of children and young people experiencing negative impacts such as negative impacts on: educational attainment and employability, mental health and wellbeing social and emotional development, crime and exploitation.

Public Health Implications:

- 7.7 Children who are not in receipt of full-time education may be more susceptible to less positive health outcomes.

Corporate / Citywide Implications:

- 7.8 The 2016 statutory guidance for local authorities on Children Missing Education, published by the Department for Education, states:
"All children, regardless of their circumstances, are entitled to an efficient, full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Children missing education are children of

compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school.” This statutory definition of children missing education therefore comprises a relatively small cohort of children. Critically, if children are deemed to be receiving an education “otherwise than at school” then they will not be counted as children missing education. Similarly, if children are on a school roll but are not attending or not attending full-time, they will also not be counted as children missing education. This definition risks establishing some significant blind-spots in our collective understanding of the cohort of children missing education. It does not, for example, acknowledge that there will be children and young people amongst those who are being educated other than at school whose education is neither efficient, full-time or suitable to their age, ability and aptitude. Nor does it highlight the children who may remain on a school-roll but only be subject to limited part-time timetables or may be otherwise unwilling or unable to attend school routinely. These children are missing out on their entitlement to a full-time education but are not captured with the legal definition.

SUPPORTING DOCUMENTATION

Appendices:

1. Review of Hidden Children strategy action plan 2018-19