

Minutes

EDUCATION & CHILDREN'S SERVICES POLICY OVERVIEW COMMITTEE

19 October 2011

Meeting held at Committee Room 5 - Civic Centre,
High Street, Uxbridge UB8 1UW



	Committee Members Present: Councillors Catherine Dann (Chairman) Judith Cooper (Vice-Chairman) Lindsay Bliss Peter Curling John Hensley Susan O'Brien John Riley Wayne Bridges Representative Tony Little - Roman Catholic Diocese Witnesses Present: Jane Lowe - Home Education Advisory Service Michelle Connolly, Theresa Deng, Zoe Harland & Patrick Ansah – Parents LBH Officers Present: Anna Crispin - Chief Education Officer, Merlin Joseph – Deputy Director, Children & Families, Deborah Bell – Service Manager, Special Educational Needs, Behaviour & Attendance & Pupil Support Teachers, Pauline Nixon – Head of Access and Inclusion and Nadia Williams – Democratic Services Officer	
32.	APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)	
	Apologies had been received from Councillor David Benson. Councillor Wayne Bridges attended in his place.	
33.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING. (<i>Agenda Item 2</i>)	
	Councillor Catherine Dann declared a general Personal Interest as she was a Governor of Newham Junior School and Bishop Ramsay C of E School. She remained in the room during the meeting and took part in the discussion. Councillor Judith Cooper declared a general Personal Interest as she was a Governor of Charville & St Andrews Schools. She remained in the room during the meeting and took part in the discussion. Councillor Susan O'Brien declared a general Personal Interest as she was a Governor at Sacred Heart Roman Catholic School. She remained in the room during the meeting and took part in the	

	discussion. Councillor Wayne Bridges declared general Personal Interest as he was a Governor of Uxbridge High School. He remained in the room during the meeting and took part in the discussion. Councillor John Riley declared a general Personal Interest as he was a Governor of Field End Infant School. He remained in the room during the meeting and took part in the discussion. Councillor Peter Curling declared a general Personal Interest as he was a Governor of Mellow Lane School and Harefield Academy. He remained in the room during the meeting and took part in the discussion. Councillor Lindsay Bliss declared a general Personal Interest as she was a Governor of Brookside Primary School. She remained in the room during the meeting and took part in the discussion. Tony Little declared a general Personal Interest as he was a Governor at Pinkwell & Harlington School. He remained in the room during the meeting and took part in the discussion.	
34.	TO CONFIRM THAT ALL ITEMS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND ALL PART 2 ITEMS WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 3</i>) It was confirmed that all items would be considered in public.	
35.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>) There had been no matters notified as urgent.	
36.	TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING. (<i>Agenda Item 5</i>) The minutes of the meeting held on 7 September 2011 were agreed as a correct record and signed by the Chairmen, subject to Minute 29 First Major Witness Session 1 (first bullet point) being amended to note “the Education Act 1996” and not 1966 as stated.	Action by Nadia Williams
37.	REVIEW RECOMMENDATION UPDATE - INCLUSION STRATEGY (<i>Agenda Item 6</i>) Officers gave an update on the Inclusion Strategy which had been marked as ‘to follow’ on the agenda and had been circulated to Members prior to the meeting. Officers drew the Committee’s attention to note that there had been many changes to schools since the recommendations on the Strategy following the Committee’s Review in 2009. There had also been a requirement to change the format over the last few years, as the targets set in 2009 were to have been delivered by the schools and could not be achieved by officers.	Action by

It was explained that strategic action groups had been set up to look at the new format of the Strategy, which had been linked together with the primary Schools Inclusion Strategy. The focus now had shifted to what was a priority for the Local Authority (LA) rather than the work in schools, particularly as the LA now had less influence in schools.

The Committee heard that the Progress Update on Inclusion Strategy, as at October 2011 had been best fitted to the recommendations as far as possible. It was highlighted that as the Academy programme was continuing to progress as schools became autonomous, many targets in the Inclusion Strategy would be based on the ability of the LA to influence practices in schools.

During discussion, the following points were noted:

- The schools were responsible for SEN - the LA became responsible once there was a requirement for a Statutory Assessment (where a child was "Statemended").
- The LA had a responsibility to provide "Parent Partnership" to give advice to parents in respect of SEN and the LA also had a responsibility to provide Education Psychology Services to support the identification of SEN.
- Schools were very secure in their knowledge of SEN and valued the support from the Council's School Improvement Officer. This process had proved very successful prior to schools opting for academy status.
- That it was possible for schools with an academy status to not communicate with the LA if they so wished.
- Ultimately, there was a responsibility placed on schools and would be judged through their regulatory bodies which examined processes (The Office for Standard in Education, Children's Services & Skills (Ofsted)).
- The LA's views would be taken into account in respect of schools in "special measures"
- The Admissions process remained the same for children with SEN (Statemended).
- Although no outcomes had been set out in the Inclusion Strategy update, it was noted that outcomes for SEN in Hillingdon remained higher than for children in other local authorities. This data had been circulated as part of the Annual Standard Quality in Education report, which was reported at the meeting in February 2011.
- That there had recently been a significant increase in the number of children coming into the Borough, which had resulted in all special schools taking well over their required numbers.
- Children were still being sent out of the Borough and there was no option but to use non-maintained schools.
- The increase had come about as a result of high numbers of children coming from abroad, as well as from across London (which may have been influenced by the cap on housing). This increase did not include the young children coming through the system (which the LA was aware of and had planned for) and were different to the 'in year' mobility group as described above.

Anna Crispin

	It was stated that the LA had a duty to provide places for SEN children either within the Borough or outside the Borough. Resolved – That the report be noted.	
38.	SECOND WITNESS SESSION - ELECTIVE HOME EDUCATION (Agenda Item 7) The Chairman welcomed the witnesses for attending the meeting to give their views and experiences of Elective Home Education. Michelle Connolly, Theresa Deng, Zoe Harland and Patrick Ansah who were parents and Jane Lowe from the Home Education Advisory Service (HEAS) provided the review with the following information: - Educating the children at home had led to a positive experience for the children and positive development of the children. It had also enabled parents to impress their ethos and morals on their children. - Preferred this way of educating their children as they saw how the children thrived and developed a thirst for learning. - Suggested that there was no official line of informing the LA on issues. - Staff in Education had little knowledge of Home Education. - The only available support was through a Home Education Network Group, where parents met to do different activities together such as swimming and craft. - Experienced negativity by unannounced visits from the LA. Considered that such visits appeared to cast a feeling of suspicion over families who chose to educate their children at home. - Felt strongly that if a parent decided to home educate, this should not automatically present safeguarding issues in terms of the need for the involvement of Social Services. - Did not consider that by allowing home visits, this would necessarily safeguard children. - Strongly believed that according to the law relating to EHE, families were not legally obliged to engage with the LA. - Considered that the Local Authority's Policy had been tweaked to suit the Council's position, as oppose to that stated in law. - Perturbed by letters received threatening that if parents did not respond to the letters, the children would be taken and placed into schools. - Had even received a call at work to be informed that the LA wanted to make a home visit. - Had been asked to put children's names on the Local Authority's register of children whose parents had elected to educate them at home. - Suggested that an antagonistic approach would not promote a positive relationship between the LA and parents. - Stated that the LA did not appear to appreciate that a great deal of effort went into preparing the children for the Curriculum. - Suggested that there was a need for roles to be clearly set out	Action by

	to enable open relationship between EHE parents and the LA. • Announced that the HEAS, a National Registered Charity provided practical and legal support to HE parents and were aware that there were families who caused concerns. Suggested that families who gave cause for concern were usually well known from the earliest position. • Suggested that the LA had the tools to intervene when there were problems in the care of children, as families were in receipt of services from different areas. • Felt that all EHE families should not be viewed with suspicion. • Indicated that there were a number of families home educating their children who did not want to be told what they should or should not teach. • A parent suggested that they had had four visits in the four years of home educating their children and found the officers to be very polite but felt that the officers were not interested in what they taught but were more interested as to whether the children were healthy. • Advised that parents were not being given practical support or advice and felt that instead, officers were checking up on them. This approach did not give parents any incentive to come forward. • Suggested that support like providing a list of schools where children were able to take exams would be helpful and would lead to better rapport with the LA. • Felt that more parents would be interested in working with the LA if they were provided with useful information. • A parent mentioned that they had had a positive relationship with the EHE Adviser and had never refused a request for an inspection, due to the approach and helpfulness of the adviser that had visited them. This positive experience had led her to encourage another EHE parent who was not known to the Authority to register, so that she too could be visited. • Advised that since the officer retired, the helpful advice and report on the progress of the children had ended. She then received a threatening letter after a number of years, and suggested that had the family's files been examined, it would have been seen that she had complied with the visits in past years. • Advised that EHE parents were not obliged to register with the LA and the law did not imply that the LA must ensure education was taking place, nor did it mean that the LA could intervene in the lives of every individual child. • Suggested that Section 9 of Education Act 1996 (page 13) of the agenda was irrelevant as, there was no situation any where in the law which justified intervention with every family. Felt that the paraphrase obscured and added to the confusion. • Advised that some local authorities where parents' views were respected, had an informal get together which did build relationships. • That parents who elected to home educate, retained the duty to educate their children and did not receive public money.	
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During discussion, the following points were raised by Members:

- The role of the LA was needed to be clearly stated, so that parents knew what their expectations were.
- The receipt of threatening letters would create barriers between the LA and parents.
- The LA needed to make it clear as to what home educating parents should expect and not make the parents feel that if they did not comply with what was required, they would be legally forced to do so.
- Asked officers what systems and processes had been in place prior to 2009?
- Stated the LA would wish to maintain the National ruling relating to unannounced visits.
- Noted that the feelings of parents were that the LA was not taking a risk management approach to safeguarding issues.
- Pointed out that the tone of follow-up correspondences to parents needed some attention.
- Highlighted that offering help and practical solutions was more likely to encourage parents to contact the LA.
- Having ascertained that EHE parents would welcome a degree of relationship with the LA, noted the Policy offered the prospects of developing that relationship, as well as the potential for any family to let the LA know what support they would like to receive.
- Encouraged by parents present that they would welcome the proposed annual get together for EHE parents to meet with the LA and raise any issues they may have. It was considered that this may even encourage those families who did not want to be known to become interested.
- Noted that schools had unannounced visits by OFSTED and parents who elected to home educate retained that responsibility.
- Noted that the LA should endeavour to work in partnership with EHE parents by developing good relationship with families and strive to change the perception of being suspicious.

Officers responded to points raised as follows:

- That systems and processes had not changed since 2009 when Legal Services and Local Safeguarding Children's Board approved them.
- A letter was sent by the LA annually to parents instructing them to take up the offer of (registering their children) if they so wished.
- Acknowledged that the parents present represented those parents who educated their children with care and concern. It was pointed out however; that there were families who home educated their children who did not have the same care and concern.
- Indicated that there needed to be some clarity between the Children's Act 2004 and the Education Act 1996.
- Advised that the current position was that of the 91 known

	children that were Home Educated, 8 had not been seen in the community in any situation including by General Practitioners (GP) for over 12 months. • Stated that it was regrettable that some parents had felt the LA's approach had been threatening, and emphasised that it was the minority of parents in the Borough that were of the concern to the Council. • Advised that systems and processes had been in place since 2001 and that the LA's Policy came into effect in 2009. • Pointed out that the Education Department was separate from Social Care, and from the Education Law perspective, officers were charged to take reasonable steps to ensure the safety of a child. The systems and processes currently in place was considered to be a reasonable step in trying to move towards ensuring a child's safety. • Letters to parents would be reviewed by the Parent Partnership Service to ensure that they were appropriately phrased. • The Pupil Referral Unit had taken candidates for GCSEs in the past and there were plans to offer this service to EHE families in Hillingdon, as well as other boroughs. • Instructed officers to approach Legal Services to clarify the conflict between the Children's Act 2004 and the Education Act 1996 (see page 12 (2.2) in the agenda). The Chairman thanked the witnesses for attending the meeting and informed them that their views would be taken into account when writing the Review report on Elective Home Education in Hillingdon.	Pauline Nixon Anna Crispin
39.	CONSULTATION ON ELECTIVE HOME EDUCATION DRAFT POLICY (<i>Agenda Item 8</i>) In introducing the report, officers advised that the Education Maintenance allowance (page 34 (5.10) mentioned in the report had now ended and had been replaced by the 16 – 19 Bursary Fund. Given the issues raised during the witness session discussions, the Committee indicated that the Policy should be amended and reported back to a future meeting. Officers advised that the amended Policy would be reported to the Committee once it had been reviewed by the Sub-Group of the Local Safeguarding Children's Board at its meeting on 4 November 2011. It would then be reported to Cabinet for Approval. Members were invited to submit written comments to Deborah Bell - Service Manager, Special Needs Behaviour by the 3 November 2011.	Action by
40.	FORWARD PLAN 2010/2011 (<i>Agenda Item 9</i>) The Committee received a report setting out the Education items on the Forward Plan listing forthcoming reports and decision to be made by Cabinet and individual Cabinet Members from October 2011 onwards.	Action by

	Resolved – That the information in the report be noted.	
41.	WORK PROGRAMME 2010/2011 (<i>Agenda Item 10</i>) The Committee indicated that a further witness session inviting young people who had been home educated and had progressed to college or university (or currently studying) would be valuable to the Review. This witness session would enable the Committee to gain an insight into the personal experiences of how the young people had benefited from having been home educated. Written submission would be welcomed also, as it was acknowledged that some young people may not wish to attend a meeting to relay their experience. Resolved – That the work programme be noted and that it be updated as necessary.	Action by Deborah Bell
	The meeting, which commenced at 7.00 pm, closed at 9.50 pm.	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nadia Williams on 01895 250693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.