

EDUCATION & CHILDREN'S SERVICES POLICY OVERVIEW COMMITTEE: ACCESS TO EDUCATION FOR HILLINGDON'S VULNERABLE CHILDREN AND YOUNG PEOPLE

Cabinet Member	Councillor David Simmonds
Cabinet Portfolio	Education & Children's Services
Officer Contact	Steven Maiden, Administration Directorate
Papers with report	Education & Children's Services Policy Overview Committee review into Access to Education for Hillingdon's Vulnerable Children and Young People.

HEADLINE INFORMATION

Purpose of report	To receive the Education & Children's Services Policy Overview Committee's review into Access to Education for Hillingdon's Vulnerable Children and Young People.
Contribution to our plans and strategies	Improving aspiration through education and learning; Promoting social inclusion through equality of opportunity and equality of access to educational facilities; and Improving access to educational services for all vulnerable children and young people in the Borough.
Financial Cost	There are no direct financial costs associated with the recommendations made by the Education & Children's Services Policy Overview Committee. Any alternative education provision delivered would be funded from the Dedicated Schools Grant (DSG).
Relevant Policy Overview Committee	Education & Children's Services – to 2012/13 Children, Young People's & Learning – from 2013/14
Ward(s) affected	N/A

RECOMMENDATIONS

That Cabinet:

1. Welcomes the report from the Education & Children's Services Policy Overview Committee (as in Appendix 1) on the review into the Access to Education for Vulnerable Children and Young People.

2. Endorses the recommendations of the Policy Overview Committee as set out below.

Policy Overview Committee Recommendations

Recommendation 1: Support the Council's ongoing commitment to addressing future pressures on the education system through the Schools Expansion Programme.

Recommendation 2: Request Cabinet to investigate as part of the service and budget planning process the viability of providing alternative spaces for the interim education of pupils seeking an alternative school place currently being provided at Brookfield Adult Learning Centre.

Recommendation 3: Support the work of officers in renegotiating relationships between schools and the Council in this changing educational environment and endorse ongoing efforts to establish best practice, if possible, through the proposed Education Partnership.

Recommendation 4: Request officers to investigate the viability of using the School Forum, and the proposed new Education Partnership of schools with the local authority to foster new communication channels with Academies and Free Schools in the Borough with a view to monitoring the off-rolling of any pupils.

Recommendation 5: Request officers to investigate the viability of introducing 'parent champions' to offer expert advice and assistance to parents, particularly those seeking to find their child a school place.

Recommendation 6: Request officers to review and refresh the Council's website with up-to-date information for parents on admissions procedures, ensuring that the advice was relevant and accessible for parents not familiar with the British education system.

Reasons for recommendations

The Committee heard that the provision of education in the Borough was in the process of changing dramatically due to major reforms to the national education system. These reforms have already begun to impact upon access to education in the Borough in the form of the Council no longer receiving data from academy schools on a number of areas, including:

- Fixed Term exclusions
- Attendance figures (except primary non-Academy schools)
- Racist incidents
- GCSE results

This lack of oversight has led to some schools illegally off rolling children without the Council becoming aware until much later. When the Council does become aware of these cases and tries to re-place pupils, schools are now also more able to refuse in-year admissions. Consequently, there has been a growth in the likelihood that some of the most vulnerable children in the Borough may be left without education for far longer than the 20 school days set down by the Schools Admissions Code.

The expected 'bulge' in primary school aged children in the Borough is also increasing the pressure on school places and making it more difficult for the Council to place pupils in alternative schools in-year.

It is in the context of these sea changes to the provision of education that the Committee undertook its review into access to education with a particular focus on those children seeking a school place in year. The Committee sought to make recommendations that, if implemented, would help to forge a new relationship between schools and the local authority and would ensure that vulnerable children were provided with an alternative school place as quickly and efficiently as possible.

Alternative options considered / risk management

The Cabinet could decide to reject some or all of the Committee's recommendations.

Supporting Information

1. The Terms of Reference of the review were as follows:

- To review the process for in-year admissions to schools and learn about the In-Year Fair Access Protocol (IYFAP) and the Managed Move and Inclusion Panel (MMIP).
- To review local arrangements for pupils without a school place.
- To understand the local implications of statutory guidance relating to children's access to education.
- To understand pupil place planning in Hillingdon.
- To review the practice around pupils who are not admitted to a school within 20 school days.
- After due consideration of the above, to bring forward positive and practical policy recommendations (if needed), in relation to the Council's in-year admissions processes for vulnerable children.

2. The review took place between January and April 2013 and received evidence from:

- The Council's Senior Manager for Access and Inclusion
- The Council's Service Manager for Behaviour, Attendance and SEN
- The Council's Performance and Intelligence Manager
- The Chairman of the Hillingdon In-Year Fair Access Panel who also presented evidence as the Head Teacher of Douay Martyrs Roman Catholic School (Academy)
- The Chairman of the Managed Move and Inclusion Panel who also presented evidence as the Head Teacher of Harlington Community School

3. Much of the Committee's time was spent reviewing the interim education provided to pupils nearing the 20 school days without a place at the Brookfield Adult Learning Centre. The Committee found that this unit was essential to ensuring that the Council met its duty to provide children in the Borough with education within 20 school days but noted that the current site was not ideal for such provision. It was acknowledged that providing an alternative space or alternative spaces for this purpose would have significant financial implications and so the Committee recommended that, with Cabinet approval, further feasibility work be undertaken to assess the use of the Borough's youth centres for this purpose.

4. It is intended that the recommendations on forging a new relationship with Academy and Free schools will feed into work currently being undertaken on developing an Education Partnership for Hillingdon which will be considered by the Cabinet in June 2013.

Financial Implications

There are no direct financial costs associated with the recommendations made by the Education & Children's Services Policy Overview Committee. However, it should be noted that for Recommendation 2; "Request Cabinet to investigate as part of the service and budget planning process the viability of providing alternative spaces for the interim education of pupils seeking an alternative school place currently being provided at Brookfield Adult Learning Centre.", any alternative education provision delivered would be funded from the Dedicated Schools Grant (DSG).

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendations?

The implementation of the recommendations set out in this report will help to ensure that some of the most vulnerable children and young people in the Borough are provided with an alternative school place quickly and efficiently. It will also ensure that those children who it is not possible to place within the 20 school days required are provided for in the best way possible.

Consultation Carried Out or Required

The Committee heard evidence from the witnesses listed above and undertook site visits to the unit based at Brookfield Adult Education Centre at which Members talked to children and staff.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications set out above, noting that there are no direct financial implications arising from recommendations 1 and 2.

Legal

The School Admissions Code (2012) requires all Local Authorities and Councils to operate a Fair Access Protocol in their area to ensure children considered hard to place and/or vulnerable are secured a school place and that no school is asked to take an excess or unreasonable number of children who have been excluded from other schools. The protocol exists for those who cannot obtain a place through normal admissions procedures.

The Hillingdon In-Year Fair Access Protocol needs to ensure that children without a school place, particularly those deemed vulnerable, are found a place as soon as possible and that all applications outside the normal admissions round must be considered as a matter of urgency.

Pursuant to Section 19(1) of the Education Act 1996 (as amended by section 3 of the Children, Schools and Families Act 2010) and Statutory Guidance updated on 10th January 2013 which is entitled :- the provision of suitable education to those who would not otherwise receive it - Local

Authorities are responsible for arranging suitable full-time education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such provision (unless the pupil's health means that full-time education would not be in his or her best interests).

While 'full-time' is not defined in law, pupils in alternative provision should receive the same amount of education as they would receive in a maintained school. Full-time can be made up of two or more part-time provisions.

This applies to all children of compulsory school-age resident in the local authority area, whether or not they are on the roll of a school, and whatever type of school they attend. Full-time education for excluded pupils must begin no later than the sixth day of the exclusion.

While there is no statutory requirement as to when suitable full-time education should begin for pupils placed in alternative provision for reasons other than exclusion, local authorities should ensure that such pupils are placed as quickly as possible.

Any school that is established and maintained by a local authority to enable it to discharge the above duty is known as a pupil referral unit – Section 19(2) of the Education Act 1996- but there is no requirement on local authorities to have or to establish a pupil referral unit, and they may discharge their duties by other means, as is being proposed in relation to the use of the Borough's youth centres.

Under the Council's Constitution Cabinet has the appropriate power to agree recommendations proposed at the outset of this report. Further, by virtue of Section 1 of the Localism Act 2011 which makes provision for 'a general power of competence' for local authorities in England. The 'power' gives local authorities the power to do anything an individual can do unless specifically prohibited by law. This includes the power to act in the interest of their communities.

BACKGROUND PAPERS

NIL