

Children and Young People's Services Select Committee

4 February 2015 – At a meeting of the Committee held at 10.30am at County Hall, Chichester.

Present: Mr Burrett (Chairman)

Mrs Arculus	Mr High	Mr Parsons
Mrs Bennett	Mrs Le Rossignol	Mr Smith
Mr Blunden*	Mrs Mullins	Mr Wickremaratchi

In attendance by invitation: Mr Evans (Cabinet Member for Children – Start of Life) and Mr Hunt (Cabinet Member for Education and Skills).

Apologies for absence were received from, Mr Cloake, Mrs Duncton, Dr Holt, Mr Oppler and Mrs Ryan.

*Mr Blunden arrived at 11.15am.

Declaration of Interests

111. No interests were declared.

Minutes

112. Resolved - That the minutes of the meeting held on 15 January 2015 be approved as a correct record and that they be signed by the Chairman.

Cabinet Member Response

113. The Committee considered a response by the Cabinet Member for Education and Skills to the recommendations made at the meeting on 26 November 2014 in relation to the West Sussex Safeguarding Children Board Annual Report 2013-14 (copy appended to the signed minutes).

114. The following points were raised in discussion. Members:-

- Learnt that the Elective Home Education and Children Missing Education teams had now combined and this shared knowledge would assist with improving identification of children across the county who appeared to be either home educated or missing from education.
- Were advised that the service encouraged school staff to make them aware if they had concerns about possible untoward reasons for a pupil being taken on holiday or if a child did not return to school after a holiday.
- Heard that parents were not required to seek the approval of the County Council in deciding to home educate their child and that they were not required to follow a particular educational curriculum. Ofsted did not have any role in assessing educational provision for home educated pupils.
- Were advised that, at present, the authority was aware of 506 children being home educated across the county. The service was bound by government guidance with regard to the level of intervention allowed. This indicated that

the service could make one statutory visit a year to the home and there was no automatic right to see the child.

- Requested that, to assist the Committee to understand the statutory requirements of the local authority and issues the service faced in relation to the issue of home educated children, a briefing note be prepared and circulated to all members of the Committee.

115. Resolved that: the Committee notes the response from the Cabinet Member and requests that a more detailed briefing about the issues surrounding home education be circulated to all members of the Committee.

Penalty Notices to address absences and poor attendance at School or Alternative Provision

116. The Committee considered a report by the Executive Director Care, Wellbeing and Education and Strategic Commissioner for Learning (copy appended to the signed minutes).

117. The Cabinet Member for Education and Skills addressed the Committee explaining that it was clear pupils who missed lessons achieved less. In this respect the intention of the government legislation that covered school absence was to drive up attendance and ensure parents were carrying out their legal duty of making sure their child was receiving suitable full time education.

118. The Committee made comments and asked questions, including those that follow. Members:

- Welcomed the proposed changes to the Code of Conduct, the improved clarity this would provide and the fairer system which would be implemented as a result.
- Queried who made the decision to issue a Fixed Penalty Notice (FPN) in relation to pupil absence. *Richard Barker, Senior Manager, Pupil Compliance, explained that the request to the Local Authority to issue a notice would come from the headteacher. The school would be expected to have worked with the family to try and address the reasons for the absence before asking for a notice to be issued. If the County Council felt issuing a FPN was inappropriate action in a particular case an alternative approach would be discussed with the headteacher.*
- Were concerned that, due to the considerably cheaper tariffs charged for holidays during term time, some parents appeared not to consider the £60 fine associated with the FPN as a deterrent so would repeatedly take their child on holiday during the school term. *Ellie Evans, Elective Home Education/Children Missing Education Service Manager, explained that no more than 2 FPNs could be issued to parents within one year so court action would be taken against those parents who persistently took their child out of school during term time. In these particular circumstances, where it was obvious a parent had full knowledge their child was not in school, court action could result in the parent receiving a criminal record.*
- Wondered what happened to the monies received by the County Council in relation to the penalty notices. *Brin Martin, Strategic Commissioner for Learning, explained that any funds in excess of those needed to administer the scheme were liable to be reclaimed by government. Should government not*

reclaim this money the service hoped it could be ring-fenced for use in funding assistance for vulnerable learners.

- Were pleased to learn that initial views obtained from schools appeared to indicate that they wanted to retain standardised term dates and lengths consistent with the current structure rather than alter them or introduce flexibility, which legislative change now allowed.
- Welcomed the suggestion that a communication update should be sent out in the run-up to the key holiday periods to raise public awareness about the implications of taking children out of school during term time and to highlight that if children were not in school they were not learning.
- Queried what happened to address unauthorised absence by Children Looked After. *Ms Evans indicated that a FPN would not be issued in relation to a child looked after by the County Council but that officers from the Virtual School would work with the child, and their foster carer where appropriate, to address the issues around the child's absence.*
- Requested clarification regarding how the service would manage the case of a difficult teenager who refused to go to school despite the parents' efforts. *Ms Evans explained that the school would have a range of options available to address this and encourage a change in behaviour of the child. If this was not successful the option was available for the school to refer the family to the Think Family service for assistance.*

119. Resolved that the Committee:

- (1) Requests that the Cabinet Member further investigates the option to ring-fence any funds in excess of those required to administer the FPN scheme for use to support vulnerable learners.
- (2) Requests that the Cabinet Member explores the potential for issuing a communication update in the run-up to key holiday periods to raise public awareness of the implications of taking children out of school during term time.
- (3) Endorses the revised Code of Conduct for approval by the Cabinet Member for Education and Skills for implementation by 1st March 2015.

Forward Plan

120. The Forward Plan of Key Decisions March– June 2014 was tabled at the meeting, as it had been published following the dispatch of the agenda (copy appended to the signed minutes).

121. Resolved – That the Committee notes the Forward Plan.

Possible Items for Future Scrutiny

122. Mrs Mullins highlighted the reassessment process required for those with Special Educational Needs and Disabilities in relation to the reform programme and the potential impacts of this large piece of work. *Mrs Shipley, Senior Advisor, Democratic Services, suggested that members of the Business Planning Group could consider this issue at their meeting later that day and assess whether the subject would be suitable for a Task and Finish Group to examine.*

Date of next meeting

123. The Committee noted that the next scheduled meeting will be held on 11 March 2015 at 10.30am at County Hall, Chichester.

The meeting ended at 12.25pm.

Chairman