



Essex County Council

People and Families Policy and Scrutiny Committee

10:15	Thursday, 16 January 2020	Committee Room 1, County Hall, Chelmsford, CM1 1QH
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For information about the meeting please ask for:
Graham Hughes, Senior Democratic Services Officer
Telephone: 033301 34574
Email: democratic.services@essex.gov.uk

Pages

Private Pre-Meeting for PAF Members Only

Please note that there will be a private pre-meeting for committee members at 9.30am in Committee Room 6, County Hall.

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|----------|--|----------------|
| 1 | Membership, Apologies, Substitutions and Declarations of Interest | 4 - 4 |
| 2 | Minutes
To approve as a correct record the minutes of the meeting held on 14 November 2019. | 5 - 9 |
| 3 | Questions from the public
A period of up to 15 minutes will be allowed for members of the public to ask questions or make representations on any item on the agenda for this meeting.

On arrival, and before the start of the meeting, please register with the Senior Democratic Services Officer. | |
| 4 | Day Opportunities | 10 - 23 |

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| 5 | Education Portfolio Update | 24 - 28 |
| 6 | Work Programme | 29 - 32 |
| 7 | Date of Next Meeting
To note that the next meeting is schedule for Thursday 13 February 2020, which may be a private committee session, public meeting, briefing, site visit etc. - to be confirmed nearer the time. | |
| 8 | Urgent Business
To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency. | |

Exempt Items

(During consideration of these items the meeting is not likely to be open to the press and public)

The following items of business have not been published on the grounds that they involve the likely disclosure of exempt information falling within Part I of Schedule 12A of the Local Government Act 1972. Members are asked to consider whether or not the press and public should be excluded during the consideration of these items. If so it will be necessary for the meeting to pass a formal resolution:

That the press and public are excluded from the meeting during the consideration of the remaining items of business on the grounds that they involve the likely disclosure of exempt information falling within Schedule 12A to the Local Government Act 1972, the specific paragraph(s) of Schedule 12A engaged being set out in the report or appendix relating to that item of business.

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| 9 | Urgent Exempt Business
To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency. |
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Essex County Council and Committees Information

All Council and Committee Meetings are held in public unless the business is exempt in accordance with the requirements of the Local Government Act 1972. If there is exempted business, it will be clearly marked as an Exempt Item on the agenda and members of the public and any representatives of the media will be asked to leave the meeting room for that item.

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Agenda item 1

Committee: People and Families Policy and Scrutiny Committee

Enquiries to: Graham Hughes, Senior Democratic Services Officer

Membership, Apologies, Substitutions and Declarations of Interest

Recommendations:

To note

1. Membership as shown below
2. Apologies and substitutions
3. Declarations of interest to be made by Members in accordance with the Members' Code of Conduct

Membership

(Quorum: 4)

Councillor J Chandler	Chairman
Councillor J Baker	Vice-Chairman
Councillor G Butland	
Councillor J Deakin	
Councillor B Egan	
Councillor C Guglielmi	
Councillor J Henry	Vice-Chairman
Councillor J Lumley	
Councillor P May	
Councillor M McEwen	
Councillor R Pratt	
Councillor P Reid	
Councillor C Souter	
Councillor C Weston	

Non-elected Members

Richard Carson
Lee Cromwell
Marian Uzzell

Minutes of the meeting of the People and Families Policy and Scrutiny Committee, held at 10.15am in Committee Room 1 County Hall, Chelmsford, CM1 1QH on Thursday, 14 November 2019

Present:

County Councillors:

J Chandler (Chairman)
J Baker (Vice Chairman)
J Deakin
B Egan
C Guglielmi
J Henry (Vice Chairman)
J Lumley
M McEwan
R Pratt
P Reid
C Souter

Graham Hughes, Senior Democratic Services Officer, and Sharon Westfield de Cortez from Healthwatch Essex were also present throughout.

1 Membership, Apologies, Substitutions and Declarations of Interest

The report on Membership, Apologies, Substitutions and Declarations was received and noted.

Apologies for absence had been received from Councillors May, Reid and Weston.

2. Minutes

The draft minutes of the meeting held on 10 October 2019 were approved as a true record and signed by the Chairman.

3. Questions from the public

There were no questions from the public.

4. Special Education Needs update

The Committee considered report PAF/26/19 providing an update on a review undertaken of SEN provision in Essex and specifically public engagement on a SEND Strategy and Redesign. Ralph Holloway, Head of SEND Strategy and Innovation, Essex County Council joined the meeting to introduce the update and answer questions.

During discussion the following was highlighted and/or noted:

- A public engagement survey had been run between 22 March and 31 May 2019 seeking views on a proposed vision and principles for SEND and ways of working. It was proposed to enable and support the development of a school-led SEND system, grow the specialist SEND provision in Essex and redesign and new approach for ECC SEND teams.
- Around 30,000 parents of those children with ECHP plans had been consulted together with young people, and educational, health and social care practitioners. Over 1000 responses had been received with overwhelming support for the vision aspiration for the service.
- However, there has been some concerns expressed about the changing roles of the SEN teams. Schools had also queried whether there would be a further shift of accountability to them.
- The new strategy aimed to reduce the number of professional contacts for schools and parents and reduce the multiple handovers between professionals.
- In the spring term the service would work with the Family Forum to develop an action plan. A lot of work would be done to increase parental confidence in the system and move away from a focus on crisis (statutory) services and plan earlier intervention.
- There was some anecdotal evidence that some parents felt they had no choice other than to home educate to meet all their needs. As a result, the service was looking to see if they could develop a support model located within mainstream education which further reduced some of the barriers facing SEN pupils in such an environment – e.g. difficulties in moving around between classes.
- The new service design sought to support schools strategically and encouraging the use of any pre-existing in-school specialism first. Where bespoke support was needed then the service would develop an appropriate training process and programme.
- It was highlighted that in recent years there had been a 400% increase in diagnosis of autism. The number of people with an ECHP where the main component was autism, had increased significantly. Some members queried whether mainstream schools were able to meet the diverse needs across the autism spectrum. Four autism support centres had been established within mainstream schools to provide some specialist support and the service were looking to develop an outreach model to expand the access across the mainstream sector. Similarly, the service was looking at any opportunities for existing special and enhanced provision schools to share some of their specialist knowledge and support with the mainstream where appropriate.

- The new specialist schools being built were being funded by the Department of Education in a similar way to Free Schools. The County Council had limited influence on the surrounding infrastructure (i.e. parking provision) at specialist schools. However, Mr Holloway would raise the importance of adequate car parking provision with the infrastructure team.
- It was acknowledged that current feedback suggested that signposting for parents at a time of crisis was not as good as it could be with digital online tools, in particular, hard to navigate. To assist this, there would be an engagement facilitator role in the new structure.
- Four new 'preparing for employment' officers had been created in the new structure to work with employers and develop meaningful employment opportunities.

Conclusion:

The Chairman thanked Mr Holloway for his attendance. The new SEN teams would be in place in the new year. The following actions were **agreed**:

- (i) Mr Holloway agreed to return to update the committee in summer 2020 once an implementation review with schools had been completed.
- (ii) In the meantime, further information would be provided on the final service structure and individual roles.
- (iii) A briefing and discussion session in each quadrant would be arranged specifically for school governors and feedback on this would be provided to the Committee.
- (iv) Recommendation – Mr Holloway was asked to highlight and emphasise to the infrastructure team the importance of adequate car parking provision at the new special schools being built.

The meeting adjourned at 11.05 and reconvened at 11.14am.

5. Domiciliary care

The Committee considered report PAF/27/19 which had been prompted by the Chairman and Vice Chairmen who had suggested that the Committee should consider a future review of domiciliary care.

An appendix to the report, provided by Healthwatch Essex (HWE), had been circulated to members earlier in the week. The appendix indicated that the feedback received by HWE from domiciliary care users generally showed that the service provided by Essex County Council was supportive and safe but also needed to provide substantial time to talk and provide simple company for Essex residents. It was acknowledged that this might necessitate some discussion around funding for long-term domiciliary care and sustainability of the market. There was no indication from HWE data that there was any significant geographical concentration of specific concerns or issues.

HWE advised that the nature of calls received regarding domiciliary care was consistently varied, and included accessibility, availability, quality of care and how to make complaints, choice, and cost. Some case studies summarising the lived experiences of people in Essex were included in the Appendix. Members thought that some of the case studies had flagged up issues around discharge and inappropriate care packages, wrong medication and timeliness of it.

During discussion it was highlighted:

- (i) There can sometimes be difficulty in categorising calls as they can also be about other issues such as discharge from hospital or loneliness;
- (ii) Generally, those that contact HWE already had a support network to assist them to do it - often a befriending neighbour. It was unclear how many people without such a support network would make contact to seek help. It was thought that many people receiving domiciliary care could be overly reliant on their carer or care visitor and this could prevent them wanting to complain due to fear of repercussions.
- (iii) Reference was made to a private care provider app which family members could also access. This was an example of illustrating best practice and could be a role for the PAF in any review.

Conclusion:

The County Council had commissioned a review of the hospital discharge process and the appropriateness of care packages. It was **agreed** that:

- (i) the findings of that review should be presented to the Committee early in the new year;
- (ii) thereafter, a Task and Finish Group be established to undertake a detailed review of hospital discharge and domiciliary care issues.

6. Drug gangs, knife crime and County Lines

The Committee considered report PAF/28/19 providing an update on the work of a Task and Finish Group established to look at issues around drug gangs, knife crime and county lines. The report was supplemented with an oral update from Councillor Guglielmi, the lead member for the Group. The Group had met five times and had taken evidence from a variety of witnesses including representation from the police, Police Fire and Crime Commissioner, youth offending team, Public Health, educational and voluntary sectors. The Group expected to present its report to the next meeting of the Committee on 16 January 2020.

The report was **noted**.

7. Work Programme

The Committee considered and noted report PAF/29/19 comprising the current work programme for the Committee. It was **agreed** that further items on Adult Carers Strategy, PREVENT, Deprivation of Liberty Safeguards and Meaningful Lives Matter be added to the work programme.

8. Date of Next Meeting

The next meeting would be on Thursday 16 January 2020.

There being no further business the meeting closed at 12pm.

Chairman

Day Opportunities and employment

Reference Number: PAF/01/20

Report title: Essex Community Learning – Day Opportunities and employment	
Report to: People and Families Policy and Scrutiny Committee	
Report author: Graham Hughes, Senior Democratic Services Officer	
Date: 16 January 2020	For: Discussion and identifying any follow-up scrutiny actions
Enquiries to: Graham Hughes, Senior Democratic Services Officer at graham.hughes@essex.gov.uk.	
County Divisions affected: Not applicable	

1. Introduction

- 1.1 This is a proposal for a new contract for ECL Day Opportunities and Employment. The Cabinet Member has asked to seek the views of the committee ahead of the proposal being finalised and presented to Cabinet in February 2020.

2. Action required

- 2.1 The Committee is asked to consider the proposal outlined in two Appendices (comprising a Summary Paper and a Power Point presentation) and provide feedback.

3. Background

- 3.1 The proposal is detailed in the Appendices.

- 3.2 Further background reading:

Social Care Institute for Excellence - Having a Good Day? People's Stories [a 2007 report but still insightful]

<https://www.scie.org.uk/publications/knowledgereviews/kr14-easyread.pdf>

<https://www.scie.org.uk/publications/knowledgereviews/kr14-summary.pdf>

Will evidence help close the disability employment gap? – Nuffield Trust - 2017

<https://www.nuffieldtrust.org.uk/news-item/will-evidence-help-close-the-disability-employment-gap>

Continued....

Day Opportunities and employment

4. Update and Next Steps

See Appendix.

5. List of Appendices – Summary Paper and a Power Point presentation on the proposal from Cabinet Member and Officers.

People and Families Scrutiny Committee. 16th January 2020.

Summary paper

Proposal for a new contract for ECL day opportunities and inclusive employment: 'LIVE' service: Learning, Innovation, Volunteering and Employment

1. Background and current position

In order to meet its' duties under the Care Act 2014, Essex County Council (ECC) currently commission a range of services known as 'day opportunities'. These services provide opportunities for adults with disabilities and older people to take part in activities outside their home, as well as enabling a break for family carers.

Essex Cares Ltd (trading as ECL) are the largest provider of these services in Essex. Engagement with adults with disabilities has indicated that the current services are popular with some but not all and are not what the next generation want. Alongside this, ECC's strategic direction of travel is to focus on increasing the number of adults with disabilities engaged in meaningful employment.

The current commissioned arrangements are restrictive with ECL funded per adult per attendance at a day centre.

2. Overview of national and local strategic direction

Our local strategic ambition is to increase the number of adults within meaningful paid employment which is aligned with national policy and legislation.

The British Association for Supported Employment (BASE) and the Association of Directors of Adult Social Services (ADASS) are championing employment and recognise the role that local authorities have to support this agenda. In May 2018, BASE and ADASS published Top Tips on Supported Employment which set out that:

"Councils can play an important role in helping people with a disability who are in receipt of social care to find and maintain a job if they want one, at the same time managing future demand for council-funded social care and helping employers to benefit from a more diverse workforce."

3. ECC Meaningful Lives Matter programme (MLM)

Employment is a key focus area of ECC's Meaningful Lives Matter (MLM), our four year transformation programme for people with a learning disability and/or autism. MLM is the priority programme in Adult Social Care (ASC). This is for several reasons including high financial spend, when compared to other Local Authorities, and great opportunities to improve people's life outcomes. One focus area within MLM is employment. Essex performs well compared to other local authority areas (2019/20 data return showed 16% of 18 to 64 year olds with a learning disability known to ASC in employment, compared to a national average of 6%) but this is not good enough to reach our ambitions.

Many young people and adults who currently attend day opportunities have told commissioners that they want paid jobs in a variety of industries but that support and

opportunities for them to access this employment is currently limited. This is a systemic issue covering education, adult learning, social care, local employers as well as societal expectations and understanding.

4. 100 Day Challenge

Between April and July 2019 the MLM programme ran a “100 Day Challenge” for adults with learning disabilities and autism in three of ECL’s day centres. The broad focus of the challenge was to explore more meaningful activity for those adults attending the centres, particularly to progress them into employment.

Within the 100 days, 9 adults secured paid employment, which reduced the use of commissioned services. A further 14 adults accessed volunteering as a step towards paid employment. This provided further evidence for ECC, ECL and partners that there are adults known to our services who are ‘job ready’ and opportunities for progression and employment do already exist in Essex and can be achieved when facilitated.

5. Overview of proposal to seek approval from Cabinet to award a new day opportunities and inclusive employment contract to ECL

Officers wish to go to Cabinet in February 2020, to seek approval to directly award an outcome focused contract to ECL to allow ECL the flexibility in service delivery to effectively respond to individuals’ wishes and aspirations now and in the future.

We wish to seek approval to award a new contract to ECL:

- to deliver an improved model of care for building based day opportunities for adults with disabilities and older people;
- and to deliver an inclusive employment service for adults with learning disabilities and/or autism who currently attend ECL building based day opportunities;

The new contract would require ECL to provide for adults with disabilities and/or older adults across Essex:

- meaningful activities;
- support for individuals to develop new skills;
- support for individuals to maximise their independence;
- support for individuals to travel safely and independently;
- support for individuals to access their local communities, including social, leisure and health opportunities.

6. Why ECL?

ECC have worked with ECL as a strategic partner throughout and since the 100 Day Challenge and the recommendation to Teckal award to ECL is for a number of reasons:

- 1) ECL have evidenced that their staff could work in a way that focusses on increasing people’s skills and independence to employment.
- 2) as the lead provider of day opportunities in Essex, ECL are well positioned to work with the adults who attend their centres who could be supported into employment. The wider day

ops market is fragmented and would not be able to deliver this system change at scale, for all cohorts of service users, without a long period of market shaping and procurement.

3) This would be a transformational contract reflecting our strategic intention to work with ECL on innovative and transformational projects.

4) this continues to develop the investment into the progressive and outcome focused service ECL have started to establish over the last two years.

5) this service would not be starting from scratch; ECL have already invested in training for their staff and the cultural shift to focus on employment across the organisation has already started as it's recognised that the traditional model does not fit our collective ambitions.

6) ECC can commission these changes within the existing financial envelope of the ECL contract, rather than investing new money into a new service.

Having these services within a single contract would allow for adults to seamlessly move to and from different offers depending on their needs and wishes. For example, an adult with Down's Syndrome may currently be attending a day centre three a days a week but may have the unrealised potential to be able to work. ECL could support this adult to gain the skills and confidence to obtain employment thus reducing the need to attend the day centre. The same adult may develop dementia later in their life and ECL would be able to assess and respond to their changing needs and move them to attend an appropriate older person's day centre where they could socialise and be mentally stimulated and continue to live a good life.

7. New contract duration

Officers would recommend to Cabinet in February 2020, that a five plus two year contract is awarded to ECL, giving ECL sufficient time to work with key partners, individuals and families to achieve real transformational change.

Built into the contract would be a formal review point at the end of year 2, clear outcomes measures and a payment mechanism to incentivise performance.

8. Future opportunities

ECL currently run their day opportunity services from 25 buildings across Essex, 20 of which are owned by ECC.

A new contract would potentially reduce the number of buildings needed as it would be expected that ECL would see a decrease in the number of adults accessing day centres ongoing and an increase in adults moving from day centres and into employment.

Subsequently, decisions on the future use of the building(s) would be taken by ECC on a building by building basis and could achieve future savings and/or opportunities for other community based provision and partnership work.

9. For consideration and discussion by Scrutiny Committee

Officers welcome discussion and thoughts from Scrutiny Committee in relation to the above outlined proposal to attend Cabinet in February 2020 to seek approval to directly award the contract to ECL to commence on 1st April 2020.

To summarise and conclude, our proposal is made for several reasons including that:

- the proposed service offer aligns with our vision for MLM, ASC including the Essex Business Plan for Adult Social Care and ECC's Organisation Strategy;
- a high proportion of adults with disabilities do not want building based activities ongoing and would welcome support to realise their potential and to access employment;
- ECC and ECL have worked together for several years as strategic partners, including with the 100 Day Challenge;
- The current contract pays ECL for attendance of each adult at a buildings based service and we wish to move to outcome based commissioning. ECL have been evolving their day service model for the last two years to support this. This transformation will continue for older people and adults with profound and multiple disabilities using building based centres to develop meaningful activities, new skills, maximise independence, travel training, community engagement to facilitate adults to become active members of their local community.
- the proposed new contract would be in fitting with the Prevention agenda and demand management for adult social care services. People in employment are more likely to experience positive mental, social and financial wellbeing, and to prevent, reduce or delay their need for statutory care and support. Adults not in employment are at greater risk of social isolation, financial hardship, poor mental and physical health which can result in a reliance and increase in demand for statutory care and support.

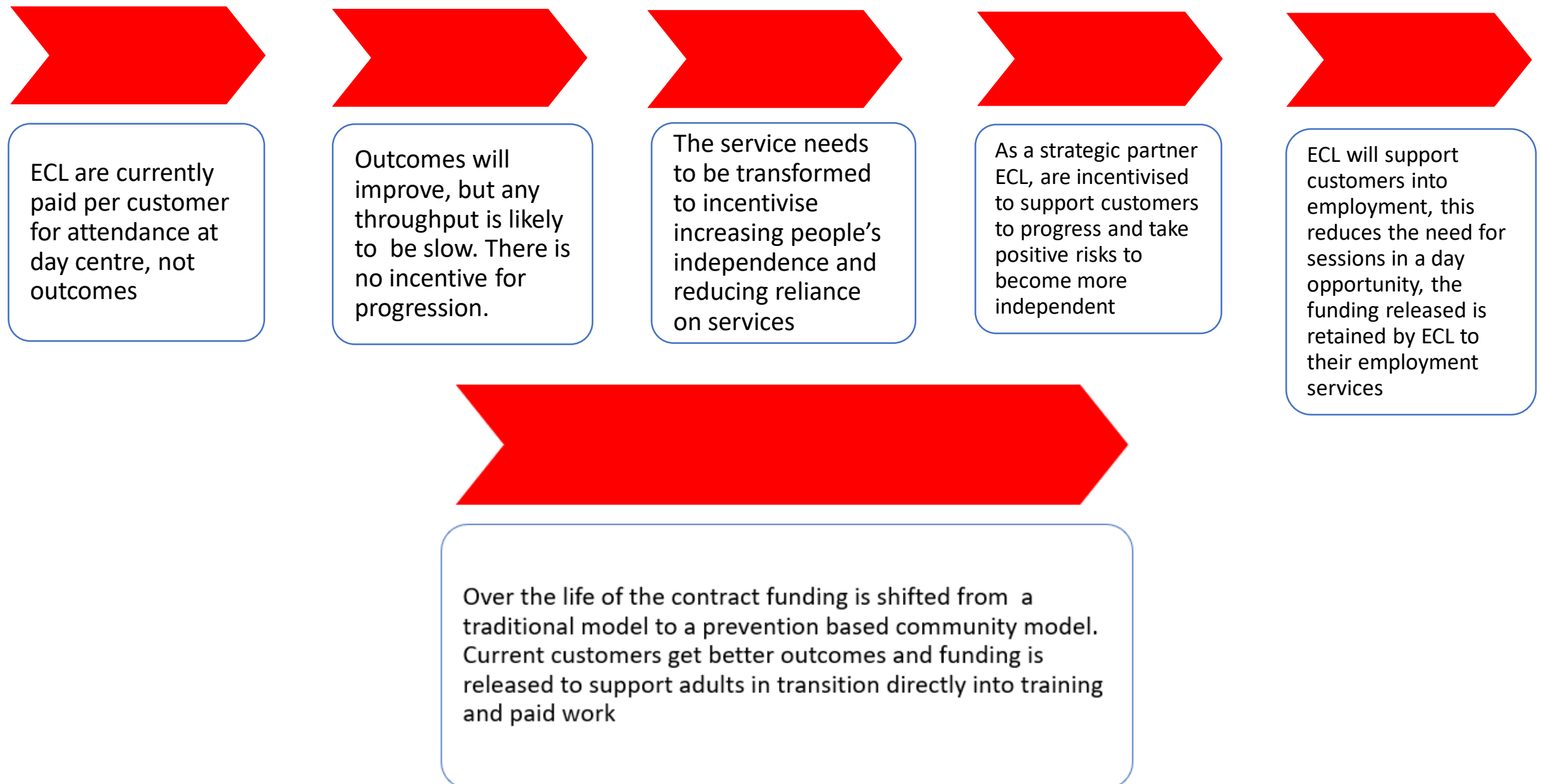
Transforming Day Opportunities to Jobs – the new LIVE (Learning, Independence, Volunteering, Employment) service



**Scrutiny Committee Presentation
16th January 2020**

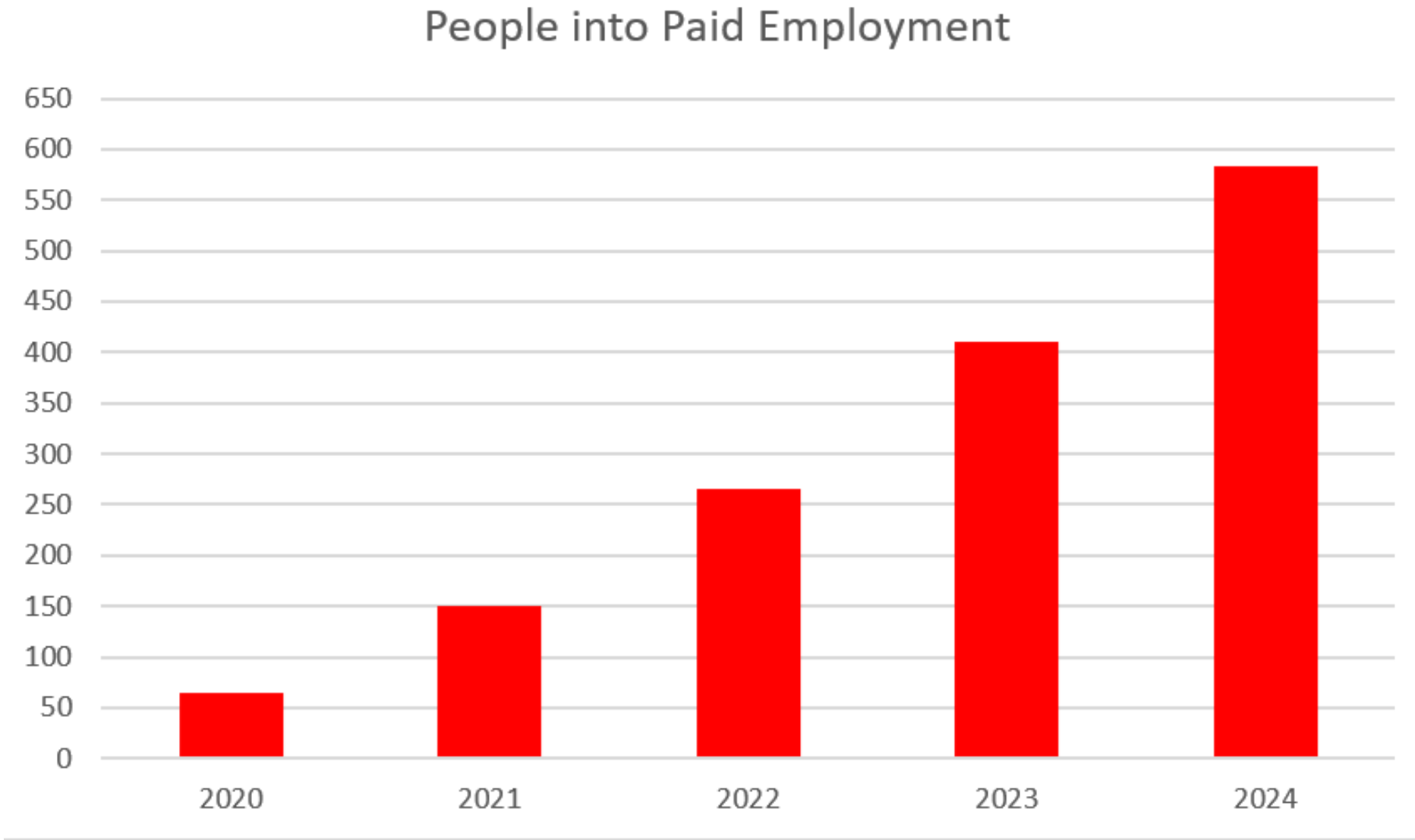
100-Day Challenge started the Journey

Based on the insight gained in the 100-day challenge ECC & ECL have co-designing a radical new system and contracting arrangement that transforms day opportunities by actively promoting employment, independence and the delivery of outcomes



Employment is the Catalyst

In the proposed contract ECL will be required to support 583 adults with LD and Autism to gain and sustain work by the end of 2024. Around 290 of them are expected to be current ECL day opportunities customers. This will provide the catalyst to transform the current day opportunities model.



Better Outcomes for Older People & Profound Multiple Learning Disabilities

Older People - OP

- Day ops for older people will continue to support customers to remain independent in their own homes and avoid the need for residential care
- As well as meeting the needs of the current level of customers, the buildings used for day ops will help create opportunities to reduce loneliness for older people below the threshold for statutory service
- The ECL older people day services will be accredited to as 'dementia specialist' services and deliver improved outcomes

Profound & Multiple Learning Disabilities - PMLD

- The offer for adults with the highest needs will continue to develop and adopt market leading practice to deliver the best outcomes for customers.
- This will include access to high quality therapy services such as physio, speech and language, occupational therapy

Financial Proposal

Payment overview

- Without any additional funding ECL will be required to support customers with LD and Autism to gain paid work and free up resources
- ECL will fund the double running costs in the 1st year
- As customers gain paid work it will release funding that will sustain the new inclusive employment service
- If ECL can exceed the targets set (which will create savings for ECC) there will be a gainshare opportunity
- If ECL does not reach the targets set there will be financial penalties

Meet Lorri Wilkinson - Customer at ECL Walter Boyce

“I have been coming to Walter Boyce for two years and I attend three sessions a week. I currently attend the work-based training kitchen, where I enjoy learning new catering skills.

I would love to be able to get a paid job so I could help my mum to pay my bills, as at the moment I’m unable to contribute.

“Our lives are very isolated, and I know that I, and others like me, would feel more included if we were doing a normal job. It’s rewarding to know that you can succeed – no matter how long it takes.

“People just need to understand that sometimes those with disabilities can feel self-conscious in the workplace and just because I am in a wheel chair, doesn’t mean that I’m not capable. Because with the right support, I’ll be able to do a great job!



Meet Marcus Short - Customer at ECL Plough Corner.

Marcus joined ECL's wellbeing service at Plough Corner a year ago, and attends four times a week.

In July, Plough Corner's **work-based training** packaging service, Oakwood Packaging, had a large Marathon goodie bag order to fulfil, so they asked wellbeing customers to contribute.

This added a new dimension to the wellbeing timetable and Marcus thrived on the opportunity. He contributed very well and asked if he could spend more time in work-based training.

He has now progressed to working in Oakwood Packaging four days per week and is enjoying learning new skills. Staff have noticed that since moving into work-based training, Marcus is a lot more positive and confident about his abilities.





Education portfolio

Reference Number: PAF/02/20

Report title: Education portfolio: follow -up actions	
Report to: People and Families Policy and Scrutiny Committee	
Report author: Graham Hughes, Senior Democratic Services Officer	
Date: 16 January 2020	For: Discussion and identifying any follow-up scrutiny actions
Enquiries to: Graham Hughes, Senior Democratic Services Officer at graham.hughes@essex.gov.uk.	
County Divisions affected: Not applicable	

1. Introduction

- 1.1 This is a follow-up to some actions agreed at the July 2019 meeting of the Committee. The Cabinet Member, Education, and Director – Education will be in attendance to present the item.

2. Action required

- 2.1 The Committee is asked to consider the updates and identify any issues and actions requiring further scrutiny.

3. Background

- 3.1 On 11 July 2019 the Committee were updated on a number of issues within the education portfolio. A link to the minutes of that meeting is here – [PAF 11 July 2019 minutes](#).

The main follow-up on actions arising from the meeting were to provide a further update on:

- (i) the work of a cross party group looking at children missing education;
- (ii) further defining the expectations of interventions by the Early Years' Sector; and
- (iii) ensuring wellbeing programmes operating in schools all link-up and how personal resilience is being promoted in schools.

- 3.2 An update and briefing from Councillor Gooding, Cabinet Member – Education, on Children Missing from Education is attached as an appendix. Oral updates will be provided on the other actions.

Continued....

Education portfolio

3.3 Further reading:

The Children's Commissioner: Skipping School: Invisible Children - How children disappear from England's schools - February 2019

[Skipping School - Invisible Children](#)

The Children's Commissioner - Exclusions from Mainstream Schools - 7 May 2019: [Exclusions from Mainstream Schools](#)

4. **Update and Next Steps**

See Appendix.

5. **List of Appendices** – Update from Cabinet Member.

Children Missing from Education

Briefing by Councillor Ray Gooding, Cabinet Member – Education (8 January 2020)

Background

Children can be outside of the mainstream education system for several reasons (including exclusion from school), but mostly due to parents choosing to home school their children.

We are of course supportive of parents who wish to home educate their children, as this is something parents are entitled to do. However, our concern is around how easy it is for parents to take their children out of school under the reason of home education and issues relating to schools 'off-rolling' pupils where schools actively encourage parents to home educate. The biggest difficulty is tracking these children and ensuring that the education they are receiving is of a good quality.

The Children's Commissioner's report 'Invisible Children' highlights that 58,000 children nationally are being home schooled. Essex has also seen an increase in the number of those home-schooled over recent years whilst colleagues at other counties are reporting increases in their home education figures. This pattern is certainly not specific to Essex and appears to be a national trend which, some may argue, is linked to the ease with which parents can opt to remove their child from a school roll in favour of elective home education.

Currently there is a lack of statutory powers available to local authorities to ensure that we have oversight of the system. As a result, there are considerable variations across local authority areas with regards to support for parents who elect to home school and monitoring oversight (which can only be undertaken if a referral of concern is raised to the LA). This would suggest that some local authorities are more effective at providing support and monitoring provision for this cohort when compared with others. Indeed, some families that move from one local authority area to another will comment on the lack of consistency in respect of the approach taken and support available. Indeed, in a few instances we have seen evidence, albeit rare, that parents who are seeking to avoid intervention will move purposely from one authority to another.

There is also increasing evidence that children who are not in school are becoming involved in gang and county lines activity which coincidentally is also on the rise in Essex.

This is becoming a much greater issue and something that I have raised with Nick Gibb as a concern. However, I feel more action needs to be done to look into this issue and I feel that we as members should be looking at these issues more closely.

Since May I have met several times with a cross-party group of County Council Members, plus key people in the Essex Education sector to look into these issues. The purpose of the meetings was to develop a view across the sector and develop a cross-party motion which will be presented at the February council meeting at Essex County Council.

What our data tells us

The number of children and young people across Essex being removed from a school roll in favour of elective home education is increasing. Between June 2018 and June 2019, Essex County Council noted an increase within this cohort of 33.8%.

Whilst significant steps have been taken within Essex to maximise our capacity to intervene where children may not be in receipt of a suitable education, the lack of powers held by local authorities, the ease with which parents may deregister their child from school and the lack of any duty for schools to readmit children who are not in receipt of a suitable home education makes our work with this cohort of families unnecessarily challenging.

There are still a significant number of children who are unknown to their local authority, as parents choose not to register them for health care and also choose not to apply for early years/school places. These children are 'hidden' and may be at risk – a concern shared by all professionals working in the field of home education.

ECC's recommendations to Government

Essex County Council has provided comprehensive responses to DfE consultations which relate to home education and have put forward a number of key recommendations which would go a long way to addressing some of the key concerns held in respect of the current challenges faced by local authorities who are seeking to protect and safeguard children's right to an education. The main recommendations made within our DfE consultation responses have been summarised below.

Recommendation 1: Mandatory registration of children educated at home (with duties on both local authorities and parents). Advantages would include:

- all children and young people will be known to the local authority whose jurisdiction within which they reside. Local authorities will be better-equipped to safeguard their children and to ensure that the right level of school places are available, should parents elect to return their children to school at any point
- the local authority would be in a position to ensure that all key services available to children and young people are aware of every child that is eligible for their services.

Recommendation 2: Development of guidelines/criteria and an application process which parents should be required to follow in order to be approved for elective home education by their local authority (a similar system is already in place within Scotland). This should include a duty for local authorities to offer a mediation service between schools and parents, where relations are at risk of breaking down. Rationale:

- current legislative provisions allow parents to withdraw their child from a school roll without them being required to, at first, share any evidence of their plans/capabilities in respect of how they will provide a suitable education to their child.
- The only 'safety net' in place to prevent a parent from removing their child from a school roll is where a child is the subject of an EHCP which specifically names a Special School establishment within the plan. This gives the impression that only children and young people on roll at a special school should have their right to a suitable education protected and that it is acceptable for any other child to be removed from a school roll to be home educated, without any professional being first required to establish if this decision is in fact in the best interests of the child.
- Increased risks of CSE, gang involvement, drug misuse, criminality, forced marriage, etc. should warrant a need to ensure that all children who are being removed from a school roll in favour of home education will in fact receive an education which will not prevent them from fulfilling their true potential and which will keep them safe from such risks.
- The introduction of such an approach would firmly place the onus on parents to research what elective home education entails, the commitment that they will need to have to ensure that they can meet their child's needs, the financial implications of such a decision on their

family, etc. Only parents able to evidence that they have the commitment and capacity to home educate their children would be authorised to do so.

- This will prevent schools from being in a position to coerce parents to deregister their child as local authorities would be required to 'give consent' before any child may be removed from roll in favour of home education.

Recommendation 3: Specific duties for local authorities to monitor, at stipulated intervals, the quality of home education provision. Advantages:

- Local authorities would be able to, consistently, take steps to identify children within their home education cohort whose home education arrangements may have broken down.
- This would enable local authorities to safeguard such children by facilitating a return to school where parents are unable to address any concerns held in relation to the education that is on offer to their child.

Recommendation 4: Breach of School Attendance Order should carry greater consequences than the current £1000 fine that may be imposed by courts in such cases. Rationale:

- Where a child is on roll at a school but fails to attend regularly, each parent is liable of a fine of up to £2500 and/or 3 months imprisonment. Where a parent fails to engage with the local authority and chooses to prevent their child from accessing a suitable education either via school place or otherwise, they are only liable for a fine of up to £1000 and, at the end of the process, the child remains missing from education and local authorities are required to begin the whole, lengthy, prescribed process again. Current sanctions in respect of non-school attendance, when compared with sanctions available where children are (completely) missing from education, may not be considered proportionate and this is something which needs to be addressed.

Recommendation 5: Children who are withdrawn from school to be home educated should be entitled to re-register with the same school without going through the usual admissions procedures, if they have not moved address or are still residing within reasonable travelling distance of the school in question. Local authorities should have the power to direct an academy school to re-admit a child in such cases where parents wish for their child to return to school or where the local authority have not been able to satisfy themselves that a child is in receipt of a suitable home education. Rationale:

- There is a need to minimise any delays in returning children to school where home education arrangements break down. Currently schools are in a position to delay readmittance and much local authority resource goes into challenging schools to adhere to Fair Access Protocols in respect of home educated children. The need for local authorities to have powers to direct all schools to readmit, without delay, all vulnerable children should be seen to be a key element of any safeguarding expectations that local authorities are required to fulfil.

Work Programme

Reference Number: PAF/03/20

Report title: Work Programme	
Report to: People and Families Policy and Scrutiny Committee	
Report author: Graham Hughes, Senior Democratic Services Officer	
Date: 16 January 2020	For: Discussion and identifying any follow-up scrutiny actions
Enquiries to: Graham Hughes, Senior Democratic Services Officer at graham.hughes@essex.gov.uk.	
County Divisions affected: Not applicable	

1. Introduction

- 1.1 The current work programme for the Committee is attached.

2. Action required

- 2.1 The Committee is asked:
- (i) to consider this report and work programme in the Appendix and any further development or amendments;
 - (ii) to discuss further suggestions for briefings/scrutiny work.

3. Background

3.1 Briefings and training

Further briefings and discussion days will continue to be scheduled on an ongoing basis as identified and required.

3.2 Formal committee activity

The current work programme continues to be a live document, developed as a result of work planning sessions and subsequent ongoing discussions between the Chairman and Lead Members, and within full committee.

3.3 Task and Finish Group activity

A Task and Finish Group has been established to scrutinise drug gangs, knife crime and county lines. The Group intends to report to the full Committee in February 2020.

3.4 Chairman and Vice Chairmen meetings

The Chairman and Vice Chairmen meet monthly in between scheduled meetings of the Committee to discuss work planning and meet officers as part of preparation for future items. The Chairman and Vice Chairmen also meet the Cabinet Members for Education, Children & Families, and Health and Adult Social Care on a regular basis.

Work Programme

4. Update and Next Steps

See Appendix.

5. List of Appendices – Work Programme overleaf.

People and Families Policy and Scrutiny Committee: 7 January 2020
 2020 Work Programme (dates subject to change and some issues may be subject to further investigation, scoping and evaluation)

Date/timing	Issue/Topic	Focus/other comments	Approach
Items identified for formal scrutiny in full committee			
16 January 2020	Education portfolio update – <i>follow up</i>	Follow-up on actions arising from July meeting: (i) the work of a cross party group looking at children missing education; (ii) further defining the expectations of interventions by the Early Years' Sector; and (iii) ensuring wellbeing programmes operating in schools all link-up and how personal resilience is being promoted in schools.	Cabinet Member and Director – Education, to attend.
16 January 2020	Day Opportunities	To consider proposals ahead of presentation to Cabinet.	Cabinet Member and Director ASC to attend.
13 February 2020	Drug Gangs, knife crime and county lines	Responding to referral from Full Council to look in particular at multi-agency working	To receive the report of the Task and Finish Group established to look at the issue.
13 February 2020	Domiciliary care/ Hospital discharge process	To scope a review of domiciliary care provision in Essex.	To start with a briefing on the conclusions of a recent study commissioned by the County Council reflecting on the appropriateness of care plans after hospital discharge.
13 February 2020	Adult Community Learning	Assessing and measuring the social investment. An update to be prepared on the general wellbeing work being done.	Cabinet Member and Lead Officers to attend.
12 March 2020	Autism and Learning Disabilities	Review the County Council's 'Meaningful Lives Matter'.	TBC – timing dependent on joint (with HOSC) introductory briefing on autism having been held.
9 April 2020	Respite Care – follow up	To be updated on the full-service review conducted.	Cabinet Member and Lead Officers to attend.
14 May2020	Educational Attainment	Annual report	Cabinet Member and Director- Education to attend. A new focus to be incorporated into the report moving toward exception/outlier reporting and also measuring attainment for those not able to achieve formal qualifications.
11 June 2020	Adult Carers (strategy)	To be scoped	
11 June 2020	Deprivation of Liberty Safeguards	Arising from Audit Committee agenda item.	
23 July 2020	Special Educational Needs – <i>further follow-up</i>	Scrutinise service changes arising from public consultation	Review feedback on implementation.

People and Families Policy and Scrutiny Committee: 7 January 2020
 2020 Work Programme (dates subject to change and some issues may be subject to further investigation, scoping and evaluation)

Cont....

Date/timing	Issue/Topic	Focus/other comments	Approach
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Task and Finish Group reviews

To finish	Drug gangs, knife crime and county lines	Multi-agency working arrangements	Evidence sessions completed. Report being finalised.
To start	Domiciliary care	TBC	TBC

Items identified for joint work with other committees – to be scheduled

3 February 2020	Autism	Diagnosis and referral waiting times, social care/ other support and level of awareness/training.	Private joint briefing with HOSC on service structures and responsibilities before defining follow up work
TBC	Sensory services	Currently being scoped	TBC

Further issues under consideration

TBC	Provider relationships – <i>follow-up</i>	Refreshed Market Strategy	Opportunity to review and comment on draft and revisit any issues from previous discussions.
TBC	0-19 contract with Virgin Care – <i>further follow-up</i>	Continue review of contract performance, and the revised (more outcomes focussed) KPIs.	Cabinet Member, Virgin Care, and Barnardos to Be invited.
TBC	PREVENT		
TBC	Children in Care/school leavers	Transitions. The support in schools. Discussed in previous work planning discussions	To be scoped.
TBC	Hip fractures and falls Prevention – <i>follow-up</i>	Follow up on Task & Finish Group recommendations that are relevant to PAF	To be picked up during work on domiciliary care.