



## **Children and Young People's Overview and Scrutiny Committee**

**Date**      **Wednesday 6 March 2024**

**Time**      **9.30 am**

**Venue**     **Committee Room 2, County Hall, Durham**

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### **Business**

#### **Part A**

**Items which are open to the Public and Press.  
Members of the public can ask questions with the Chair's agreement,  
and if registered to speak.**

- 1 Apologies for Absence
- 2 Substitute Members
- 3 Minutes of the meetings held on 19 December 2023, 8 January 2024 and 25 January 2024 (Pages 3 - 32)
- 4 Declarations of Interest
- 5 Any items from Co-opted Members or Interested Parties
- 6 School Attendance and Inclusion
  - A) Report of the Corporate Director of Children and Young People's Services (Pages 33 - 36)
  - B) Presentation by Access to Education Lead Officer and Inclusion and Alternative Provision Co-ordinator (Pages 37 - 54)
- 7 Schools Ofsted Update and Educational Attainment
  - A) Report of the Corporate Director of Children and Young People's Services (Pages 55 - 62)
  - B) Presentation by Head of Education and Skills (Pages 63 - 70)
- 8 Elective Home Education
  - A) Report of the Corporate Director of Children and Young People's Services (Pages 71 - 74)
  - B) Presentation by Access to Education Lead Officer (Pages 75 - 84)

- 9 Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration

**Helen Bradley**  
Head of Legal and Democratic Services

County Hall  
Durham  
27 February 2024

To: **The Members of the Children and Young People's Overview  
and Scrutiny Committee**

Councillor A Reed (Chair)  
Councillor J Cosslett (Vice-Chair)

Councillors C Bell, R Crute, S Deinali, K Fantarrow, J Griffiths,  
K Hawley, C Hunt, C Lines, L Mavin, M McGaun, D Mulholland,  
K Rooney, J Scurfield, M Simmons, S Townsend, C Varty, E Waldock  
and M Walton

**Faith Communities Representatives:**  
Mrs L Vollans

**Parent Governor Representatives:**  
Professor Gosia M Ciesielska and Mr P Debrett-Watson

**Co-opted Members:**  
Ms R Evans and Ms A Gunn

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**Contact:     Jordan Bell                             Tel: 03000 269701**

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**DURHAM COUNTY COUNCIL**

**JOINT SPECIAL MEETING OF CHILDREN AND YOUNG PEOPLE'S OVERVIEW  
AND SCRUTINY COMMITTEE AND ADULTS, WELLBEING AND HEALTH  
OVERVIEW AND SCRUTINY COMMITTEE**

At a Joint Special meeting of **Children and Young People's Overview and Scrutiny Committee** and **Adults, Wellbeing and Health Overview and Scrutiny Committee** held in **Committee Room 2, County Hall, Durham** on **Tuesday 19 December 2023 at 1.30 pm**

**Present:**

**Councillor A Reed (Chair)**

**Members of the Committee:**

Councillors V Andrews (Vice-Chair), S Deinali, J Griffiths, L Hovvels, C Lines, L Mavin, D Mulholland, S Quinn, J Scurfield, M Simmons, C Varty and E Waldock

**Co-opted Member:**

Mrs A Gunn

**1 Apologies**

Apologies for absence were received from Councillors K Earley, J Higgins, C Hunt, M Johnson, K Rooney and A Savory.

**2 Substitute Members**

No substitute members were in attendance.

**3 Declarations of Interest**

Mrs A Gunn, Co-opted Member declared an interest in agenda item 5 as a relative of a neurodiversity service user.

**4 Any items from Co-opted Members or Interested Parties**

No items were reported from Co-opted Members and interest parties.

**5 Preparation for Adulthood**

The Committee considered a joint report of the Director of Integrated Community Services, County Durham Care Partnership and the Director of Children and Young People's Integrated Services which provided information on transition services provided and commissioned for children and young people with complex needs, to Adult Services or out of services, where appropriate (for copy of report and presentation see file of minutes).

The Committee welcomed Jennifer Illingworth, Director of Integrated Children's Services to the meeting to provide information on the work of the Preparing for Adulthood Steering Group and to seek members' views on the work in progress.

Delivering a presentation, the officer described how the work of the steering group is concerned not only with transitions from service to service but also transitions within services, for example, a young person's transition from education to employment or a young person's transition from a residential home into a home of their own. Whilst transitions are currently provided for within the Council, the Preparing for Adult Steering Group differs from existing provision in that its focus is on young people aged 14 to 25, residing within County Durham, who are registered with a GP practice and who are known to more than one service and therefore are considered to have more complex needs. The steering group aims to build on existing provision.

The Director of Integrated Children's Services explained how the work of the steering group aligns with national strategies and local priorities and the group includes representation from partners including housing, education, health, adult social care and Investing in Children. The steering group which reports into the Starting Well Partnership Board chaired by the Director of Children and Young People's Services, held an initial workshop in September 2023 to examine the purpose and governance of the group. The workplan includes mapping of the current offer to avoid duplication, to identify any gaps in provision and to share information between agencies. The Director of Integrated Children's Services highlighted that the voice of young people is at the core of the work.

Setting expectations, training and communications are a key focus of the work, which recognises that some services which are provided for children do not continue when the child reaches adult services and families are not always aware that services will cease. Therefore, more work will be carried out to improve family preparedness.

The Committee noted the national principles of the healthcare transition pyramid and that models of transition use a variety of arrangements based on local objectives. Challenges continue with regard to the recruitment and retention of staff and the signposting of families to support available.

The Director of Integrated Children's Services outlined the next steps for the group will include the hosting of an event for young people, their families and carers and a separate event for professionals in February 2024, to identify areas of focus during the next year. Further details of the event will be circulated to members in due course.

The Chair thanked the Director of Integrated Children's Services for the presentation and invited comments and questions from the Committee.

In response to a question from Councillor Scurfield regarding the provision for children looked after and care leavers, the Director of Integrated Children's Services provided assurance that children looked after and those making the transition from care are included in the work, with representation on the steering group from the Residential Care service. She highlighted that the care leavers' experiences will inform principles and policies.

Councillor Scurfield referred to lengthy waiting times for young people's mental health services and she expressed concern that if the criteria of the Preparing for Adulthood work was that the young person must be known to more than one service, being on a waiting list for a service may delay that young person from receiving support. The Director of Integrated Children's Services referred to the work being done to reduce CAMHS waiting times and she informed the Committee that young people's needs will be met whilst waiting for services.

Councillor Deinali asked whether the work would consider the increased risk factors for those with complex needs, for example, online safety and managing finances and she asked for information on the plans to offer additional support to families. The Director of Integrated Children's Services replied that that a dedicated team, also called Preparing for Adulthood, within the Children and Young People's service provides assistance with issues such as digital awareness, money management and healthy living and links will be made with that team. Consideration is being given to changing the steering group's name in order to distinguish the two services.

Councillor Hovvels gave the view that mental and physical health and wellbeing are crucial aspects in preparing for adulthood and she asked what work could be done with those who are hard to reach and she also asked whether the steering group includes representation from the police. The Director of Integrated Children's Services responded that the steering group would include representation from the police and she added that forthcoming engagement work and learning from colleagues and partners and from within communities will help to identify young people who are in the greatest need and hotspots for targeted intervention.

In response to a question from the Chair, the officer responded that the Youth Justice Service is represented on the steering group.

**Resolved:**

That the joint Children and Young People's and Adults, Wellbeing and Health Joint Overview and Scrutiny Committee received the report and presentation and provided comment.

**6 Valuing Neurodiversity in County Durham**

The Committee considered a report of the Corporate Director of Children and Young People's Services which provided information regarding work undertaken through the Starting Well Partnership (SWP) to support families of neurodivergent children and young people (for copy of report and presentation see file of minutes).

The Committee welcomed Alison Ayres, Commissioning Delivery Manager, to the meeting to present the report and deliver a presentation on the Valuing Neurodiversity in County Durham project.

The Committee noted that over 4000 children and young people are currently waiting for a neurodiversity assessment in County Durham. The term neurodivergent refers to the ways in which the brain functions which can manifest in a number of ways including Attention Deficit Hyperactivity Disorder (ADHD) and Autism and the waiting time for diagnostic assessment is approximately 48 months.

Challenges exist around managing the expectations of families who often expect to see a change after diagnosis and this expectation places additional pressure on the diagnostic team. Engagement with families has also identified they experience difficulties in navigating the system and families do not always receive accurate information and advice. Therefore, it is clear that the system requires improvement and the vision for the Valuing Neurodiversity project is that needs should be met at the point of identification, without the need to wait for a formal diagnosis and for the system to move away from a diagnosis-led model to a needs-led model.

The Committee noted the governance behind the project which reports into the Mental Health, Learning Disability and Autism Partnership and Think Autism Strategy Group. Initial work to identify available training, map current support and support for education settings is underway and sub groups namely Training, Communications and Engagement, Support Offer Mapping and the Support in Schools Pilot, will deliver the work. The work which, in effect, is a culture-shift, is expected to take 3-5 years to complete.

The Commissioning Delivery Manager referred to a discussion that had taken place with the Chair prior to the meeting regarding the rate of neurodiversity within young people known to the Youth Justice Service.

The Commissioning Delivery Manager confirmed that when referrals are made to Tees Esk and Wear Valley NHSFT a risk assessment is carried out and being known to the Youth Justice Service forms part of the risk assessment.

The officer was thanked for the presentation and questions and comments were invited.

Councillor Lines spoke in support of the project, however, he was concerned that the work may lead to a move away from gaining a diagnosis and he pointed out that diagnosis is often the key to the most appropriate support pathway. Councillor Lines commented that young people with neurodiverse conditions may mask their symptoms which can make it difficult for parents, carers and education staff to accept that a problem exists. Councillor Lines also commented that the support offer in schools can vary and he added that when a young person receives the right support it can vastly improve not only their education experience but also that of their fellow-pupils and teaching staff.

The Commissioning Delivery Manager explained that part of the work of the Support in Schools Pilot aims to investigate identification and recognise that schools must understand that young people can mask neurodivergent behaviour and that schools play a role in supporting parents' views.

Councillor Quinn referred to misbehaviour in younger children which may be mistaken as symptoms of neurodiversity, however, it could be that the child is developmentally delayed and they require additional support to manage their feelings. Councillor Quinn commented that education staff play an important role to work with and support families and she stressed that children and young people who may be displaying neurodiverse behaviour should be supported and not stigmatised or excluded from activities in school. The Commissioning Delivery Manager agreed to discuss the issues in more detail with Councillor Quinn, following the meeting.

Mrs Gunn emphasised the work should be clear in its objectives and she raised concern that the plans may lead to ceasing the diagnosis of neurodiverse conditions in the future. Mrs Gunn echoed Councillor Lines' comments regarding the benefits of gaining a diagnosis, including access to medication which can have a positive impact on the young person's outcomes. She acknowledged that a diagnosis can be a 'double-edged sword' in that it can be a label with negative connotations however, it can also be the key to understanding how a young person is feeling or behaving. Mrs Gunn also asked if other conditions such as dyslexia and dysphoria are included in neurodiversity work.

Mrs Gunn raised concerns anecdotally that some GPs in neighbouring authorities were no longer entering into shared care agreements and she questioned whether this would lead to Durham taking a similar stance. The Commissioning Delivery Manager officer agreed to follow up the points raised after the meeting.

Councillor Varty welcomed the Support in Schools Pilot and spoke of her experience with families who had reported receiving different levels of support.

Councillor Hovvels referred to the different levels of support in schools and academies and whilst she welcomed the work of the project, she expressed concern as to how the work would be funded and the increasing number of children and young people with special needs.

Councillor Hovvels noted that a number of families out of county seek places in County Durham schools in order to access the appropriate support for their children. In response to a question from Councillor Hovvels as to why the Support in Schools Pilot was targeted at primary schools as opposed to early years provision, the officer explained that it was considered that more robust data would be available through primary school settings due to the large amount of private nursery provision.

**Resolved:**

1. That the joint Children and Young People's and Adults, Wellbeing and Health Overview and Scrutiny Committee received the report and presentation and provided comment.

Further to the comments made during the discussion, the following additional recommendation was agreed:

2. That members of the Children and Young People's and Adults, Wellbeing and Health Overview and Scrutiny Committees receive regular updates on the progress of the Valuing Neurodiversity in County Durham project.

**7 Children, Young People and Vaping: An Update on the Evidence Base**

The Committee considered a joint report of the Corporate Director of Resources and the Director of Public Health which provided members of the joint Children and Young People and Adults, Wellbeing and Health Overview and Scrutiny Committee with an update on the evidence base relating to children, young people and vaping (for copy of report and presentation see file of minutes).



Katie Bewick, Public Health Advanced Practitioner, was welcomed to the meeting to deliver the presentation. Introducing the presentation, the officer explained that whilst in the short to medium term, vaping poses a fraction of the risks of smoking, vaping is not risk free.

Vapes are substantially less harmful than smoking and can be an effective tool in supporting smoking cessation. The smoking prevalence in County Durham is 15.4% and there has been an increase in the number of children vaping both nationally and within County Durham. National Data from ASH (Action on Smoking and Health) shows adult e-cigarette prevalence stands at 9.1% which is the highest rate ever. In addition, there is an increase in the number of adults who believe that vaping is as harmful or more harmful as smoking.

The Committee noted a school survey conducted in 2022 found that 11% of secondary school pupils and 4% of primary school children had tried vaping once, 4% of secondary school pupils and 0% of primary school pupils reported vaping once per day.

The Association of Directors of Public Health in the North East have assessed the evidence and developed a factsheet on youth vaping and a position statement on the role of vaping in tobacco control and how to protect young people. The key messages are that vaping is not for children; that vaping can help adults to quit smoking but it is not risk free and those who do not smoke, should not vape. ASH have produced a document which addresses common misconceptions around vaping and the Public Health Advanced Practitioner provided examples of educational resources which have been shared with schools in County Durham.

The Public Health Advanced Practitioner informed the Committee that central to the work is how to portray the message, balancing the risk, in order that adult smokers use vaping as an aid to help them to stop smoking but that it also discourages people who have never smoked from starting to vape. Members noted that a motion to Council was agreed on 6 December 2023 for Durham County Council to respond to the government's consultation to create a smokefree generation, by supporting the age of sale proposal for tobacco and vaping and to propose evidence based measures to tighten the promotion of vapes to reduce their appeal to children and young people.

The Chair thanked the Public Health Advanced Practitioner officer for the presentation and requested comments and questions from the Committee.

Councillor Mulholland questioned whether more could be done to tackle the illicit sale of vapes and he also remarked on the environmental damage caused by disposable vapes.

The Public Health Advanced Practitioner explained that the Council's response to the consultation does not request a ban on disposable vapes, however it does suggest an additional tax on disposable vapes, to make them less accessible to young people. The Public Health Advanced Practitioner added that the introduction of a new legislation to create a smokefree generation is expected to include plans to support local trading standards to tackle the trade in illicit vaping products.

With regard to the environmental impact of disposable vapes, work has been done to increase the number of recycling points across the county and this issue has been included in the consultation response.

Darren Hull, Team Leader for Consumer Safety, referred to difficulties caused by loopholes in the law which leave some disposable vapes outside the scope of the regulations. He also pointed out that the current law enables children to obtain free samples of vapes. He stated that, at present, there is a consultation with government which includes closure of these loopholes, which Public Health and Durham County Council's Trading Standards have collectively responded to. He explained that the Waste Electrical and Electronic Equipment regulations (WEEE) places a duty on manufacturers to ensure waste electrical goods are recycled and he added that Trading Standards generally are looking to further lobby for more legislation to address these issues and include disposable vapes.

The Chair raised concerns that illegal products are being sold unknowingly by honest business operators and she asked what action could be taken to trace the supply of illegal products. The Team Leader for Consumer Safety explained that when businesses seek advice and prior to any intelligence led operation, Durham Trading Standards Teams will always provide relevant guidance. He explained there is nationally a Home Authority Scheme where Traders are advised according to relevant Local Authority policies, however those seeking advice under the Primary Authority scheme may seek advice from any authority in the country and Durham has no control over advice given by other authorities. The Team Leader stated that officers now carry out spot-checks during routine inspections, checking inside boxes for illegal products, whenever it is possible to do so.

Councillor Hovvels welcomed the motion to Council however she pointed out that tackling under age sales comes with costs for enforcement. Councillor Hovvels stressed that resources will be required and Trading Standards authorities will need to link with the work of HMRC and Border Force in order to access funding for action to prevent underage sales and tackle the import of illicit goods.

Councillor Quinn referred to the statistics on vaping prevalence and gave the view that whilst the figures were concerning, the figures may not reflect the true extent of the problem as they be subject to under-reporting. The Public Health Advanced Practitioner explained the survey, which was a school based survey on health, conducted in 2022 was the most up-to-date study available, however, the next survey will be conducted in 2024.

In response to a question from Councillor Quinn as to whether the survey included questions on the consumption of energy drinks, some of which contain alcohol, the Public Health Advanced Practitioner responded that questions on energy drinks were included and that there was scope to modify the questions in the next survey, for more detailed information to be provided. The Team Leader for Consumer Safety clarified that there are no age restrictions on the sale of energy drinks, however, the advice provided by the service is that national retailers have agreed to voluntarily ban the sale of energy drinks to customers under 16 years of age.

Councillor Crute asked whether the resources for schools are designed to encourage pupils to take messages back to their parents as children can be very persuasive in their efforts to stop their parents smoking. The Public Health Advanced Practitioner confirmed that the service recognises that children are a powerful tool to encourage parents to be better role-models. The message must protect children and young people whilst also support adult smokers to stop smoking.

The Chair referred to the culture shift since legislation was passed to ban smoking in enclosed public spaces and she commented that she hopes the future will see a smokefree generation.

**Resolved:**

The joint Children and Young People's and Adults Wellbeing and Health Overview and Scrutiny Committee received the report and presentation and provided comment.

**8 Sexual Health Strategy**

The Committee considered a report of the Director of Public Health which provided members of the Joint Special Children and Young People's and Adults, Wellbeing and Health Overview and Scrutiny Committee with the County Durham Sexual Health Strategy (CDSHS) 2023 – 2028, for information (for copy of report and presentation, see file).

Helen Riddell, Public Health Principal was welcomed to the meeting to deliver the report and presentation. The Public Health Principal outlined the CDSHS aligned with national policy and guidance on sexual and reproductive health and linked to key documents from the World Health Authority and the National Institute for Health and Care Excellence.

Members noted that a six week public consultation was carried out and the Public Health Principal explained the five priority areas which were identified in order to reduce health inequalities, namely, relationships and sexual health education across the life course; teenage conceptions; contraception; sexually transmitted infections and reproductive health. The next steps included the production of a detailed delivery plan, with multi-agency involvement to agree key performance indicators and regular update reports will be provided to the Health and Wellbeing Board.

Councillor Quinn thanked the service for the work done with regard to adult sexual health and the officer replied that increasing the inclusive support to adults had been highlighted as a key priority area, following the consultation process.

Councillor Varty questioned whether school governors receive training on relationships, sex and health education (RSHE) done in schools. The Public Health Principal clarified that public health staff work closely with RSHE leads in primary and secondary schools to provide a whole system approach, to identify specific needs within each school.

Mrs Gunn referred to the need for the work in schools to be, not only age appropriate but also developmentally appropriate and she added that healthy relationship work was particularly important for neurodivergent young people. The Public Health Principal confirmed that there is recognition that the strategy must meet different levels of understanding to ensure the same healthy relationship messages are conveyed to all young people at the appropriate time. The Public Health Principal stated that the issue is raised through the alternative provider forum and regional networks will look at guidance to ensure messaging is consistent and new guidance released by the government on the RSHE curriculum is promoted through all education settings.

Councillor Scurfield spoke of the importance of ensuring children and young people looked after and those who are absent from school are included in the work and the officer replied that the development of the plan will include work with parents, foster carers, staff in Residential Homes and alternative providers, to ensure health messages are inclusive.

Councillor Andrews commented on reports of an increase in sexually transmitted infections and the increase of antimicrobial resistance nationally since the Covid-19 pandemic.

The Public Health Principal informed the Committee that the issues are recognised and work will focus on the promotion of prevention interventions.

**Resolved:**

The joint Children and Young People's and Adults Wellbeing and Health Overview and Scrutiny Committee noted the content of the report, presentation and accompanying County Durham Sexual Health Strategy 2023 – 2028.

**9 Such other business**

The Chair reminded members that the next meeting of the Children and Young People's Overview and Scrutiny Committee will be held on Monday 8 January 2024.

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## **DURHAM COUNTY COUNCIL**

### **CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE**

At a Meeting of the **Children and Young People's Overview and Scrutiny Committee** held in Committee Room 2, County Hall, Durham on **Monday 8 January 2024 at 9.30 am**

**Present:**

**Councillor A Reed (Chair)**

**Members of the Committee:**

Councillors R Crute, S Deinali, J Griffiths, C Hunt, L Mavin, K Rooney, M Simmons, S Townsend, C Varty, E Waldock, M Walton and D Oliver (substitute for J Cosslett)

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors J Cosslett, C Lines, M McGaun, D Mullholland, J Scurfield, Ms R Evans and Ms A Gunn.

#### **2 Substitute Members**

Councillor D Oliver substituted for Councillor J Cosslett.

#### **3 Minutes**

The minutes of the meeting held on 13 November 2023 were agreed as a correct record and were signed by the Chair.

#### **4 Declarations of Interest**

There were no Declarations of Interest.

#### **5 Any items from Co-opted Members or Interested Parties**

There were no items from Co-opted Members or Interested Parties.

## 6 Support for Children and Families on the Edge of Care

The Committee considered the report of the Corporate Director of Children and Young People's Services which provided Members with an overview of the support available for Children and Families on the Edge of Care, the programmes and projects to help families, an understanding of the referral process and any opportunities, successes and future plans (for copy of report, see file of minutes).

The Practice Lead Safeguarding and Strategic Manager were in attendance to deliver the report.

Councillor Walton indicated that there were a lot of services on offer and asked how they were ensuring that there was no duplication. She then referred to the acronym 'ERASE' that was a negative term and asked that the service maybe think about changing this.

The Practice Lead Safeguarding responded that in terms of the groups these were specifically designed to meet the individual family's needs and she took the point with regard to the similarities between the groups. She continued that the groups delivered by the one-point service were regularly reviewed and indicated that she could take this back to the service if more information was required.

Councillor Walton asked if there was a lot of overlap between groups and was there an opportunity to carry out efficiency streaming but still ensuring that the support was still available for children and families.

The Practice Lead Safeguarding responded that the groups that were delivered were regularly under review in terms of efficiency and meeting family needs, if there was any potential for duplication this would be reviewed by the service. In terms of the 'ERASE' service this was co-developed with families and young people and it was their idea to call the service 'ERASE.'

Councillor Varty indicated that her former colleagues who worked for the service were incredibly positive about their work, in particular the support from managers and she wanted to thank officers on their behalf.

Councillor Hunt referred to the fun with food programme and how the eligibility criteria had changed and asked how this had impacted on those families on low incomes who were still struggling.

The Practice Lead Safeguarding advised that she would take this back to the service and provide Councillor Hunt with a response.

**Resolved:** That the contents of the report be noted.



## 7 Pre-Birth Intervention Update

The Committee considered the report of the Corporate Director of Children and Young People's Services that provided Members with an update on the progress for the Pre-birth Intervention Service (PBIS) (for copy of report, see file of Minutes).

The Strategic Manager, Families First East and Pre-Birth Teams was in attendance to present the report and deliver a presentation that provided details of the pre-birth intervention service criteria; parents needs and children's plans following care proceedings; details of a case study and what others think (for copy of presentation, see file of minutes).

Councillor Varty wished to commend everyone involved in the service.

Councillor Walton referred to the case study of Baby S and asked what involvement the school had in supporting the young mother.

The Strategic Manager responded that in this case the young mother's attendance at school was really good but this was not always the case for young mums. She continued that in this case the school were supportive and accommodating of the young mother and her needs.

Councillor Townsend stated that it was important and refreshing to see the Council carrying out important crucial work that no one sees that keeps families together in difficult circumstances.

In response to a question from Councillor Oliver, the Strategic Manager indicated that the service did engage with Durham University and had worked with them on a project undertaken on safe sleeping. They looked at training events across the board at various levels such as police officers, health visitors and social workers. She continued that all staff in the service were trained on safe sleeping.

The Chair referred to the real care babies that were a vital tool and commented that the service only had three and asked if this was sufficient and asked the cost of the real care babies.

The Strategic Manager responded that the service had bought two real care babies recently that cost around £1,850 per doll. She would look to see if the service required more dolls and commented that they now had 15 families first teams and would have to consider if more dolls were required.

The Chair asked the Officer to come back to her on this as the dolls help families right from the beginning.

Councillor Hunt also asked if the service could ascertain if the resources were available would the dolls be used more.

**Resolved:** That the report and presentation be noted.

## **8 Quarter 2 2023/24 Performance Management**

The Committee considered the report of the Chief Executive, which provided an overview of progress towards delivery of the key priorities within the Council Plan 2023-27 in line with the Council's corporate performance framework. The report also covered performance in and to the end of quarter two, 2023/24, July to September 2023 (for copy of report, see file of minutes).

The Corporate Equality and Strategy Manger was in attendance to deliver the report.

Councillor Crute referred to the Education, Health Care Plans and indicated that this was more of a problem than first anticipated as the figures were not improving despite assurances that plans were in place. He understood that there was a nationwide problem with the recruitment of educational psychologists but this did not appear to impact on other local authorities and asked if there was a reason there was a problem in Durham. He then asked for more details around the graduated approach, he continued by referring to the young people who were currently in the system and asked what was being done to help those young people who need the Education, Health Care Plans in place.

The Corporate Equality and Strategy Manger responded that within the work programme the Head of Service would be presenting a report that would provide a detailed response to the question. In terms of demand, he could not speak for other local authorities but he did know that the relative increase in demand for Education, Health Care Plans in Durham was bigger than other local authorities. He continued that the graduated approach was getting more support to families and young people in schools without necessarily needing an Education, Health Care Plan such as top up funding without the need to go through the Education, Health Care Plan process that had been endorsed as good practice by the Department for Education. He commented that since COVID a number of families had applied for an Education, Health Care Plan. In terms of the waiting list a number of applicants were received at once that resulted in the number of children and young people waiting for a plan had increased, however, work was in place to ensure anyone on a waiting list was given support while waiting. With regard to progress the agency support took some time to get through the procurement process but this came into place in October/November and were working with the service and had increased capacity now. Up to December the length of time people was waiting for a plan stopped getting longer and they needed to work over the next six months to reduce the number of people on the waiting list to ensure they receive the assessment in a timely manner.

The Head of Education and Skills responded that they were looking at demand issues across schools and had recently undertaken a piece of work with schools in Stanley. He continued by providing an example of a school who have an experienced SENCO teacher who had 12 requests for an Education, Health Care Plan and only two were being progressed. In an alternative school where there was no experienced SENCO, they had received 18 requests for an Education, Health Care Plan that were all being progressed but when the experienced SENCO had looked at these and, in her opinion, only seven of the requests required to be progressed.

Councillor Crute referred to the dashboard and stated that nationally 48% of Education, Health Care Plans requests were dealt with within the 20 weeks. He stated that the national shortage of educational psychologists does not appear to impact on all other local authorities and asked if they could look at statistics and information from other similar local authorities and learn from these local authorities.

The Corporate Equality and Strategy Manger responded that the statistics from other local authorities was published data but stated that the data was historical and the data was for 2022 and a lot had happened in the last year.

The Head of Education and Skills advised Members that he would ask the Head of Early Help, Inclusion & Vulnerable Children to look into this and report back to Members when he delivers his report to the Committee later in the year.

The Principal Overview and Scrutiny Officer confirmed that the special meeting of the Children and Young People's Overview and Scrutiny Committee scheduled to be held on 25 January 2024 was to consider SEND and he would refer Members request for the information to the Officer.

Councillor Walton referred to the shortage of educational psychologists and asked if there was an alternative temporary solution.

The Corporate Equality and Strategy Manger responded that the alternative was the use of agency staff to draw in support externally with the contract running for the next eighteen months to two years.

The Head of Education and Skills advised that some work was being undertaken around the SENCO network to ensure there were not any unnecessary requests for Education, Health Care Plans and indicated that there were other funding options available to schools.

Councillor Hunt referred to social workers and asked what work was being undertaken for retention.

The Corporate Equality and Strategy Manger responded that this had previously been reported on and advised that the retention allowance had been expanded in terms of pay.

The Practice Lead Safeguarding advised Members that a Sub-Group that she leads on that reported directly to the Corporate Efficiency Board and advised Members that they had students, trainees and people employed from Durham University who move on to become social workers for Durham so that they could future proof social workers. She continued that nationally retention of social workers was a challenge and they had used retention payments in particularly in challenging areas of the service. She reported that there had being some stability in the workforce but this would continue to be a challenge but the care review would see the profile of social workers delivering change over the next few years and that in conjunction with other measures around retention should stabilise that workforce.

The Chair advised Members that an informal meeting would be held on 10 January 2024 via Microsoft Teams regarding efficiency and third-party payments.

Councillor Deinali referred to the graduated approach and asked what was in place in terms of ensuring that any top up funding was used for the child to ensure that they received the support that they needed, particularly when there was a reduction in budgets. She then referred to parents who had elected to home educate their children who have additional needs and asked what was in place to support those families to ensure quality of education.

The Head of Education and Skills indicated that this was not his area but they had some concerns around the number of elective home education. They have a proactive team in this area and they were challenging those parents who choose to home school their children and were also challenging the schools who were non-discouraging parents to home school their children. The team had reintegrated around 320 children back into school and their needs were a key part of their assessment. A key priority for his team was to ensure that children with SEN do not drop out of the system and indicated that a challenge was schools who were issuing fixed penalty notices that destroyed relationships with parents.

The Finance Manager advised Members that schools waiting for the Education, Health Care Plan process would still receive funding through some kind of SEN support for that pupil.

**Resolved:** That the overall position and direction of travel in relation to quarter two performance, and the actions being taken to address areas of challenge be noted.

## **9 Quarter 2 2023/24 Budget Outturn and Capital Forecast**

The Committee considered the report of the Corporate Director of Resources, which provided details of the forecast outturn position for Children and Young

People's Services highlighting major variances in comparison with the budget for the year, based on the position at the end of September 2023 (for copy of report, see file of minutes).

The Finance Manager was in attendance to present the report and reported that the Department for Education had announced some additional funding for schools who were in deficit and they would be working with those schools, so that they were in a stable financial position.

Councillor Walton referred to Aycliffe Secure Service and asked why there was not as much income as expected.

The Finance Manager explained that post COVID they had difficulty recruiting staff as they are challenging roles and indicated that they also had a lot of staff sickness. He reported that the Council had been working with an agency over the last year, specifically targeting bringing people into these roles. He continued that due to the low staffing, they had not been able to have full occupancy and indicated that without the occupancy you lose money.

Councillor Walton asked if staff vacancies had reduced the staffing costs.

The Finance Manager responded that some of the staffing levels were down due to sick leave and those staff were still paid. Overall, they try to generate money through the service but staffing costs were more than income.

Councillor Walton stated that when Aycliffe Secure Service was discussed at the Corporate Parenting Panel it was always positive and that staff were happy in their role.

The Finance Manager responded that Aycliffe Secure Service was heading in the right direction and he would share a response with Members from the Leader of Aycliffe Secure Service around staffing issues.

**Resolved:** That the Children and Young People's Services overall revenue position be noted.

## **10 Any Other Business**

The Chair reminded Members of the following upcoming diary dates:

Wednesday 10 January 2024 – Informal Information Session on efficiency and third-party payments via Microsoft Teams.

Thursday 25 January 2024 – Special Children and Young People's Overview and Scrutiny Committee to look at special educational needs and disabilities.

She also reported that the usual report for information on CAMHS waiting times had been circulated on 5 January 2024 and members were asked to send any comments they may have on the report to the Overview and Scrutiny Officer by 19 January 2024.

## DURHAM COUNTY COUNCIL

### CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

At a Meeting of **Children and Young People's Overview and Scrutiny Committee** held in Committee Room 2, County Hall, Durham on **Thursday 25 January 2024 at 1.30 pm**

#### **Present:**

**Councillor A Reed (Chair)**

#### **Members of the Committee:**

Councillors J Cosslett, S Deinali, C Lines, L Mavin, D Mulholland, K Rooney, J Scurfield, M Simmons and L Fenwick (substitute for J Griffiths)

#### **Co-opted Members:**

Ms A Gunn

#### **Also Present:**

Mrs Axton

#### **1 Apologies for absence**

Apologies for absence were received from Councillors J Griffiths, C Varty, E Waldoock and Professor Gosia M Ciesielska (Parent Governor)

#### **2 Substitute Members**

Councillor L Fenwick substituted for Councillor J Griffiths.

#### **3 Declarations of Interest**

Councillor S Deinali declared that one of her children had an EHCP and the other was seeking an assessment. Councillor L Fenwick declared that her child attended a main stream School and had been diagnosed with Autism. Ms A Gunn declared that her children had EHCP's with special independent SEND provision in a mains school. Councillor C Lines declared that his child was on the waiting list for an assessment undergoing a needs assessment awaiting an EHCP outcome.

#### **4 Any Items from Co-opted Members or Interested Parties**

There were no items from Co-opted Members or Interested Parties.

#### **5 Overview of Special Educational Needs and Disabilities (SEND)**

The Committee received a report of the Corporate Director of Children and Young People's Services that provided a range of information on Special Educational Needs and Disabilities (SEND) to support the dedicated session at Scrutiny on this topic (for copy see file of Minutes).

M Stenton, Head of Early Help, Inclusion and Vulnerable Children gave a presentation to Committee supported by P Shadforth, Strategic Manager SEND Strategy and Assessment and Provision and P Mulholland, Strategic Manager Specialist Inclusion Support. The presentation provided an introduction to Special Educational Needs and Disabilities (SEND), gave an overview to the strategic aims for SEND in County Durham, outlined the current national framework and responsibilities that set out the legal obligations that schools, early years providers and local authorities have towards disabled children and young people under the Equality Act 2010.

The Head of Early Help Inclusion and Vulnerable Children drew attention to the new area SEND inspection framework, its key areas of focus and the possible outcomes. Also covered was how Durham County Council were preparing for the Area SEND inspection. He highlighted the graduated offer, SEN support, Education Health and Care plans (EHCP) and the timeframes and actions involved with assessments. He explained what had been done so far and what steps were to be taken in the future. He talked about the High Needs Block Sustainability Programme that had been initiated in 2019, its outturn position for 2022-2023 and the forecast outturn for 2023-29 and how this related to other local authorities.

Councillor A Reed thanked Officers for a comprehensive report and presentation that summed up a vast amount of information.

Councillor C Lines also thanked the team for a lot of good work that was carried out in difficult and challenging circumstances. He commented on process of referral for and EHCP and the amount of time taken for a request to be made, proposing the potential benefits of a triage process. He felt that currently this stage was very long and not beneficial to parents and carers who were undoubtedly in a state of uncertainty and queried if this could be reduced. It created stress and mental health issues where the process took longer than the anticipated 1 to 6 weeks. He stated that in some individual cases the process had taken 18 weeks and possibly longer due to the time taken for a referral to be made for an assessment by school.

The Head of Early Help, Inclusion and Vulnerable Children gave some clarity that the first 6 weeks of the assessment process system was different for each child.



He stated it was the Local Authority that made the decision on whether a full needs assessment was required at the end of the first 6 weeks, this decision was informed by evidence given by all organisations that had been involved with the child.

There was a structured process in place and typically decisions were made within 6 weeks of a referral being received but some decisions could be delayed if further information was required.

The Strategic Manager SEND Strategy, Assessment and Provision reiterated that whilst a panel made the decisions on whether a needs assessment was required and Case Workers talked to families to support them through the whole process. The six weeks taken to determine whether a full needs assessment was required was set out in the SEND Code of Practice.

Councillor C Lines felt that the level of uncertainty during the first few weeks was worrying for parents.

The Head of Early Help, Inclusion and Vulnerable Children stated that the assessment process may work out to be longer for parents than the Local Authority's timeline as when a child was referred to the local authority it was uncertain as to how long it had been in development with the school who may have taken a long time to put the request forward. The time element had a variation across the system and he could see why parents were frustrated if the process took longer than 6 weeks.

Councillor C Lines agreed that was a fair and accurate comment.

Councillor J Scurfield thanked Officers for an excellent presentation full of information. She felt that COVID-19 and the successive periods of lock down had significantly impacted some children's development both socially and emotionally. She noted that there had only been an increase in funding by 4.5% but there was a need for at least 10% to recognise and address the needs of children and their families. The Government had not responded to the needs of children and young people's post pandemic and queried if DCC had any additional leverage to bring to this. The issue in the role as a Councillor was being aware of the impact this had on residents, families and schools with the completion of assessments and the additional input. She queried if Councillors could do more or be provided with key messages they could take to the community.

The Head of Early Help, Inclusion and Vulnerable Children confirmed that there had been lot of diagnostic review work post pandemic to better understand the situation locally and nationally through the Delivering Better Value (DBV) programme. Work was ongoing with 55 local authorities to try to address the funding issues.

John Pearce, Corporate Director for Children and Young People was currently national president of the ADCS and as a national advocate had directly addressed government. It was hoped more money would come to cover the short fall but everyone was aware of the situation regarding Government funding at present. He advised that work was being done in schools and the community to promote SEND and the graduated offer of support.

He felt that more information should be given to Members on SEND to keep them informed and sessions like this one were helpful in that respect.

The Strategic Manager Specialist Inclusion Support commented that everyone worked collaboratively with families with lots of people around the table to help make the process better and avoid people getting upset. This was being promoted through the Delivering Better Value programme to bring people together to collaborate and provide a wider system of support whilst children may be waiting for specialist support.

Councillor J Scurfield asked if they had established a multi-agency panel.

The Strategic Manager Specialist Inclusion Support confirmed this was one example of how assessments were carried out.

Councillor J Scurfield felt that this was a good development.

The Strategic Manager Specialist Inclusion Support advised the Committee that a pilot had commenced in Consett that incorporated looking at mental health in the community to recognise the needs of people that go through the process. There were several key projects to look at the needs of families through special pathways.

Councillor S Deinali queried what role the Social Care Officer played in the EHCP/triage process and subsequent support.

The Head of Early Help, Inclusion and Vulnerable Children responded that in health the Designated Clinical Officer had a similar role to that we have developed in social care to help provide better support and co-ordination including support to staff and quality assurance, this role is titled the Designated Social Care Officer.

The Strategic Manager SEND Strategy, Assessment and Provision noted that the SEND Code of Practice outlined what the Local Authority must do when conducting assessment and also what should be happening in learning settings recognising the role of Special Education Needs Coordinators (SENCO). In Durham there had been investment in quality SENCO training for the workforce to ensure staff were skilled and knowledgeable, but recognition of turn over and capacity demands mean more can be done in this area.

The Head of Early Help, Inclusion and Vulnerable Children discussed points about the EHC process and commented that on average around 20% of assessment requests were not supported at present. The local authority sought to do a lot in 6 weeks even it was felt an Education Health Care needs assessment was not required families were still linked in to support services through the graduated offer. He acknowledged that the send system and the Delivering Better Value programme recognised that SEND was a complex system and that families may not be aware of what was available and what children needed in school.

However the service strived to ensure that children and families were aware of the various support available. Work was required to further improve communications and give confidence to support schools and families.

Councillor S Deinali asked what the cost was to the system in terms of workload generated by the 20% that were refused.

The Strategic Manager SEND Strategy, Assessment and Provision responded that work continued with families that were it was determined a needs assessment was not necessary, as the local authority looked to see how children could be helped by developing an understanding of needs if a child's needs were not already met in school within the first £6,000 of additional provision. He noted that cases rarely went to court for a judge's decision as the Local Authority always worked through the process for a resolution which was difficult to cost. He acknowledged it could be difficult and challenging for a parent who were seeking a better understanding of needs and provision for their child.

The Head of Early Help, Inclusion and Vulnerable Children informed the Committee that the Special Education Needs and Disability Information, Advice and Support Service (SENDIASS) were in place to provide independent support to families and would challenge the County Council if necessary.

Mrs A Gunn stated that the presentation was very good and that it gave an overview of what was going on with a lot of information about the strategic problems. She understood the real challenges and asked about the size of the problem with Educational Psychologists and how the local authority envisaged to fill the gap. She queried if there was someone in place trained in change management to help with cultural changes, provide schools with information that was not out there, the staff morale and any additional issues with staff leaving.

The Head of Early Help, Inclusion and Vulnerable Children commented that there was a lot going on within the programme to manage finances, dedicated programmes to support the teams, strengthen the Delivering Better Value programme and focus on communication. He gave an example that SEND information was shared with schools and wider partner agencies via letters to all Education providers with key messages.

He advised that a huge IT project had commenced with a new case management system that would help the process for all, there was also a programme of works through Family Hubs and drop-in sessions were arranged for families rather than phone calls.

Mrs A Gunn asked if there was a Change Manager role within the system rather than a project manager role.

The Head of Early Help, Inclusion and Vulnerable Children replied that the programme of work was supported by project officers and other colleagues trained in change management.

Mrs A Gunn thought it was better value to have a Change Manager in place to deal with the impact on staff. She expressed concern that SEND presented a distinction between what a school was asked to do and how schools identified key work which could lead to anxieties.

The Strategic Manager SEND Strategy and Assessment explained that Officers did talk to carers, parents and relatives to explain the culture within the school system. The aim of the delivering better value programme was to identify needs early so people felt heard to work through things.

Mrs A Gunn asked about the inspection preparation and likely inspection outcome and how schools thought they would fall within the assessment.

The Head of Early Help, Inclusion and Vulnerable Children replied that work was ongoing with the self-evaluation with colleagues from across the send system and this could be something to bring back to scrutiny if members thought it was appropriate to the work in their work programme.

Councillor A Reed asked what processes were in place to ensure that any resources earmarked to support a child with SEND and that was passported to schools were used for the purpose they were intended.

The Head of Early Help, Inclusion and Vulnerable Children replied that the SEND and Inclusion Resources Board maintained an oversight of all the resources for the High Needs Block and met monthly. There was a lot of scrutiny on finances that went through the processes within Children and Young Peoples services and for example in the Cabinet report in December 2023 which was referred to in the report. The delivering better value programme forecast more reliable information on top up funding. The budget was overspending due to higher demands but we now had a better way of tracking it and understanding changes.

Councillor A Reed considered this to be a thorough process.

The Head of Early Help, Inclusion and Vulnerable Children added that there were areas for further improvement but at the School Forum for example there were 30-40 eyes to scrutinise the resources and ask detailed questions.

Mrs Axton asked in addition to the delays many families experienced in the processing of their EHCP application, what proportion of children had their provision significantly delayed by needing to go through the tribunal process to get appropriate support. She stated that the process could take up to a year in many cases, that used valuable staff time preparing for and attending the tribunals, and in which nationally local authorities had an approximately 5% success rate.

The Strategic Manager SEND Strategy, Assessment and Provision responded that in 2022 there were over 900 decisions that could have been appealed and of those only 30 (3%) went to tribunal. The local authority constantly worked with families and young people to ensure they were provided with support.

Mrs Axton was concerned that it could take up to 11 months to settle within the tribunal system that created a delay in a child receiving support.

The Strategic Manager SEND Strategy, and Assessment and Provision noted that information requested would need a deeper dive but there was always an offer of support for young people promoted by the SEN Casework team whilst going through the tribunal process even if this is independent to the Local Authority.

Mrs Axton supported the Delivering Better Value programme had an understandable focus on meeting needs within, and transitioning and reintegrating children back to mainstream school. She queried what progress had been made on the lack of provision for children whose needs – for example sensory or specific learning needs – could not be met within a mainstream school but who did not have a learning disability and so were ineligible for a place at a Durham Special School.

The Strategic Manager SEND Strategy Assessment and Provision stated that there was not a specific criteria of having to have a learning disability to attend a Special School. He gave an example of if a child had autism but did not have a learning difficulty that specialist provision could be put in place in a mainstream setting allowing the child to thrive in their community with their peers. It was the intention of services in Durham to see children educated in their local schools where possible as guided by the SEN strategy as this provides the best outcome when it was possible.

There was a recognition that at present some children would not have their needs met in mainstream schools and that in some instances school sensory environments made this more challenging for e.g. due to noise this was where reasonable adaptations could not have a positive impact in creating better opportunities for young people.

He noted that this was a national challenge as well as a local one and that opportunities to learn from other areas were being explored.

The Strategic Manager Specialist Inclusion Support informed the Committee that national provision evolved all the time learning how to make adaptations to the curriculum to try to maintain enhanced learning within local schools. He added that work was continuous with school clusters to share their expertise to adapt through the Autism Strategy in learning, support services and peer support for schools to make better spaces.

Mrs Axton asked if this extended to small groups.

The Strategic Manager Specialist Inclusion Support confirmed this was an example of good practise in every school.

Mrs Axton asked how the authority monitored the number of children that were unable to access their educational provision due to exclusion, health or otherwise, distinct from the numbers actually accessing alternative provision (AP); and how many schools were receiving SEN funding for children they had not seen or given any support to for months at a time.

The Head of Early Help, Inclusion and Vulnerable Children replied that the local authority monitored the number of children in part by attendance records given on young people that were not in formal education, alternative provision or pupils that had missed out or were out of education by schools. Any child that had been excluded would be referred to the local authority after day 6. If a child was permanently excluded funding would cease from that time however if a child was too ill to attend school funding would not be removed as bridging education would be offered until they returned to school.

Mrs Axton asked how many schools still retained funding if a child was not supported due to anxiety.

Councillor A Reed felt that it would fluctuate.

The Strategic Manager Specialist Inclusion Support noted that the positive side was that this was a hot topic and work had taken place in Durham since lockdown. He advised that there had been investment in school projects on how to identify invisible issues and what could be offered to encourage support in the circumstances. Focus on development was underway with Durham and Newcastle Universities to look at the issue of young people not in receipt of an education.

The Head of Early Help, Inclusion and Vulnerable Children confirmed that Scrutiny had received several presentations on poverty that looked at demand against the demographic area and there was a degree of correlation between the increase in demand and the locality.

There was also an increase in other factors such as an increased preference by families to have their children in special schools and an increase in families who had moved into the area along with some seeking private mental health assessments.

The Strategic Manager SEND Strategy and Assessment stressed that the Local Authority must commission advice from an Educational Psychologist for an Education Health and Care needs assessment. He noted that some parents felt the need to gain private assessments which could add to the information provided by the Local Authority commissioned Education Psychologist but not replace it.

Councillor A Reed thanked Officers for an informative presentation and for taking the time to answer all the questions put to them.

**Resolved:**

That the report and presentation be noted.

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## Children and Young People Overview and Scrutiny Committee

6 March 2024



### School Attendance and Inclusion

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## Report of John Pearce, Corporate Director Children and Young People's Services

### Electoral division(s) affected:

Countywide.

### Purpose of the Report

- 1 To present an overview of school attendance and inclusion in the County Durham.
- 2 The report covers the national and local context and policy, published data and collaborative working.

### Executive Summary

- 3 School attendance and inclusion are key national and local priorities. Published data to the end of the spring term 2022/2023 and provisional data to the end of the autumn term 2023/24 shows that County Durham is in line with regional and statistical neighbours.
- 4 In May 2022, the Department for Education published 'Working together to Improve Attendance Guidance which included key roles and responsibilities for schools and Local Authorities. The Council have been proactive around implementation locally and have built strong local alliances and partnerships that are taking forward key work strands.
- 5 The Council have built stronger underpinning tools such as provisional data dashboards and business intelligence applications. The greater data visualisation has provided more focus and greater transparency on trends, direction of travel, benchmarking and performance and has provided a platform for overlays with wider service information.

### Recommendation

- 6 Children and Young People Overview and Scrutiny Committee is recommended to note the overall position and direction of travel in relation to school attendance and inclusion, and the proactive, collaborative actions being taken to address areas of challenge.

## Context

- 7 The council is a large organisation providing a broad range of services, and our operating environment can at times be challenging. However, we continue to show strong performance across our key outcomes.
- 8 Demand for statutory attendance and inclusion services remains high and the composition of needs and interventions are increasingly complicated.

## Useful documents

- [Working Together to Improve Attendance](#) (May 2022).
- [Pupil absence in Schools in England](#): autumn 2022 and spring 2024.
- Modernising school attendance and admissions registers and setting national thresholds for legal intervention: [Government consultation response](#) (August 2023).
- Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement: [Guidance for maintained schools](#), academies, and pupil referral units in England (September 2023).

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## **Appendix 1: Implications**

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### **Legal Implications**

None currently.

### **Finance**

None.

### **Consultation**

In June 2022, the Department launched a consultation seeking views on proposals to modernise the regulatory system for recording information in school attendance and admission registers, sharing data from registers and on thresholds to be included in the proposed national framework for the use of fixed penalty notices. The Government published a response to the consultation in August 2023.

### **Equality and Diversity / Public Sector Equality Duty**

Equality measures are monitored as part of the performance management processes.

### **Climate Change**

No additional considerations.

### **Human Rights**

Not applicable.

### **Crime and Disorder**

The service works closely with anti-social behaviour teams, youth offending teams and are part of serious violence strategic group and more widely.

### **Staffing**

There are no proposed changes to staffing.

### **Accommodation**

Not applicable.

### **Risk**

None to report.

### **Procurement**

Not applicable.

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# School Attendance

**Clare Nicholls**

Access to Education / Vulnerable Groups Lead Officer

# Overall Absence

	<b>Overall Absence %</b>
National	7
Statistical Neighbours	7.4
North East	8
County Durham	8 (7 at December 2023)

# Working together to improve attendance (May 2022)

- Attendance is everyone's business.
- Not seen in isolation, concerted effort by all.
- Root causes.
- Unpicking barriers, trusting relationships, right support.
- Support first.
- Roles and responsibilities.
- Multi-agency plans for severe absentees.
- Legal action where support has been exhausted / not complied with or where support not appropriate.

# Stepped Approach

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- **Expect:** high standards of attendance from pupils and parents, build a culture where all can, and want to, be in school and ready to learn by prioritising attendance improvement across the school.
- **Listen and understand:** When a pattern is spotted, discuss this, listen to understand barriers to attendance and agree how all partners can work together to resolve them.
- **Facilitate support:** Remove barriers in school and help pupils and parents to access the support they need to overcome the barriers outside of school. This might include an early help or whole family plan where absence is a symptom of wider issues.
- **Formalise support:** Where absence persists and voluntary support is not working or not being engaged with, partners should work together to explain the consequences clearly and ensure support is also in place to enable families to respond. Depending on the circumstances this may include formalising support through a parenting contract or education supervision order.
- **Enforce:** Where all other avenues have been exhausted and support is not working or not being engaged with, enforce attendance through statutory intervention or prosecution to protect the pupil's right to an education.



# Support from the Local Authority

Rigorous **tracking of local attendance data** to devise a strategic approach to attendance prioritising the pupils, pupil cohorts and schools on which to provide support and focus its efforts on to unblock area wide barriers to attendance.

A **School Attendance Support Team** (locally the Attendance Improvement Team) which provides the following core functions free of charge to all schools (regardless of type):

- Communication and advice: regularly bring schools together to communicate messages, provide advice and share best practice between schools and trusts within the area.
  - Targeting Support Meetings: hold termly conversations with schools, using their attendance data to identify pupils and cohorts at risk of poor attendance and agree targeted actions and access to services for those pupils.
  - Multi-disciplinary support for families: provide access to early help support workers to work intensively with families to provide practical whole-family support where needed to tackle the causes of absenteeism and unblock the barriers to attendance.
  - Legal intervention: take forward attendance legal intervention (using the full range of parental responsibility measures) where voluntary support has not been successful or engaged with.
- Monitor and improve the attendance of children with a social worker through their Virtual School.

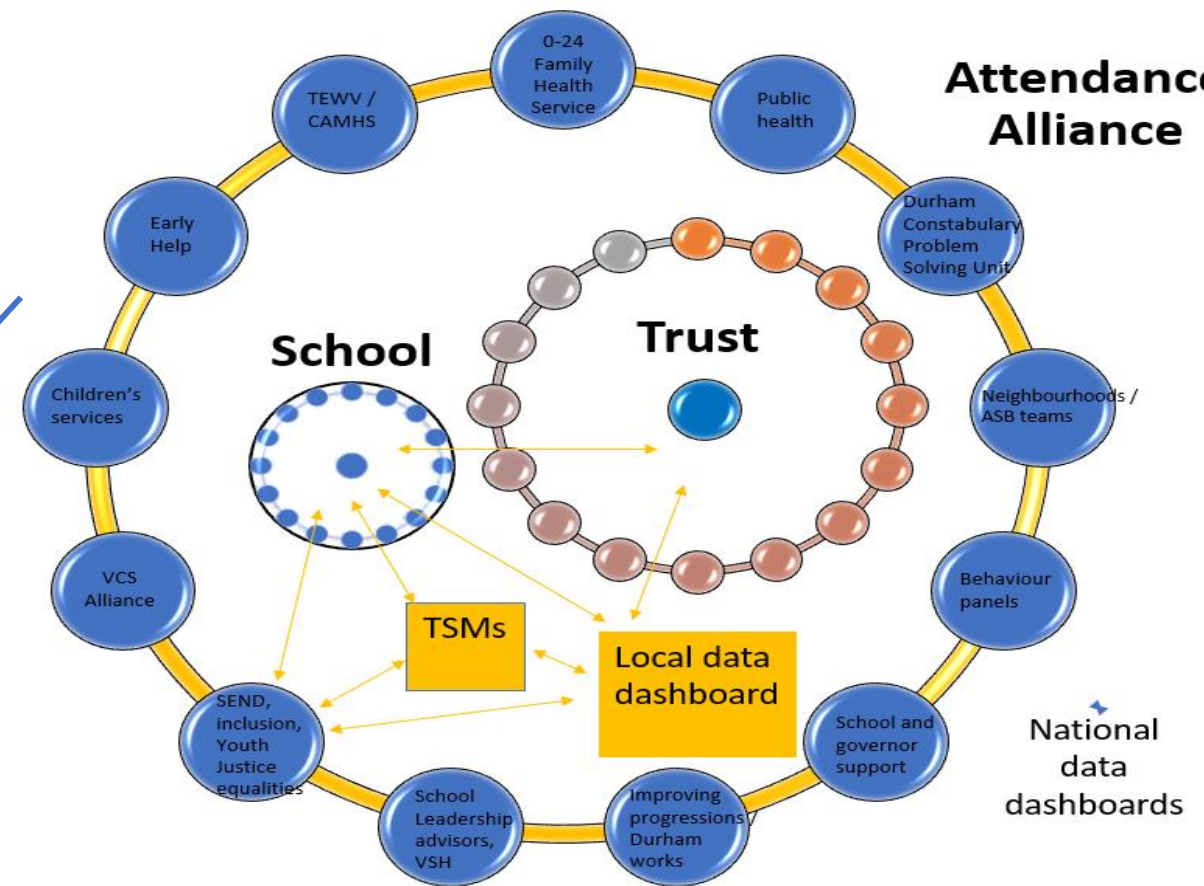
# Work to date

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- Self-evaluations.
- Conference, webinars and twilight sessions.
- Targeting Support Meetings with schools.
- Attendance alliance:
  - Data sharing nationally (WONDE) and locally (internal).
  - Workstreams for key focus areas and task and finish groups.
  - Frequent absences due to illness pilot.
- Children with social worker protocol.
- Attendance strategy developed, corresponding guides.
- School's portal developments.



# Attendance Alliance



Attendance Strategy

EHE Guide    Attendance Guide    CME Guide

Toolkit CWSW    FPN Guide    Legal Action Guide



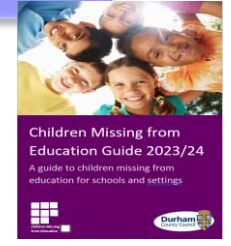
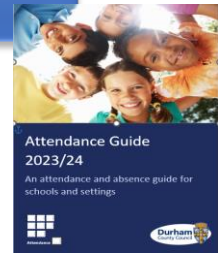
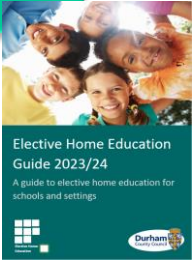
# Attendance Strategy



## Attendance Guide

### EHE Guide

### CME Guide



### Toolkit CWSW

### FPN Guide

### Legal Action Guide



# Durham Inclusion, Exclusion and Pupil Movement

**David Wall**  
**Inclusion & Alternative Provision Coordinator**





- During the 2021/22 academic year the Secondary BIP's supported **620** pupils with **70** pupils going on to be permanently excluded, this represents **88%** pupils successfully supported without being permanently excluded.
- The Primary panel supported **50** young people through, advice, guidance, outreach support and short-term placements during 2020/21 as a result there were no pupils permanently excluded.
- During 2022/23 the Secondary BIP's supported **803 pupil** with **120** pupils going on to be permanently excluded. This represents **85%** pupils successfully supported without being permanently excluded.
- The continued impact of Covid on both pupils and staffing has proven to be a challenge for all schools, this can be reflected in the increased number of referrals and exclusions in KS3 and the increased number of exclusion compared to pre pandemic years..
- The Primary Panel supported **53** pupils during 2022/23 with no permanent exclusions, however the pressure within the Primary sector continues to be a priority area of concern.

# Primary Permanent Exclusions

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- It is anticipated that during the 23/24 academic year there will be primary aged pupils permanently excluded within Durham.
- The work carried out since 2016 has prevented primary permanent exclusions, however the pressures currently in the system from MAT's, the challenges employing and retaining quality staff to support pupils with complex needs and the lack of capacity within specialist settings will impact the Primary Inclusion support offer over the next few years.

## Primary Behaviour and Inclusion Partnership Support to Schools, September 2023

- The Local Authority working in partnership with Headteachers and a range of professionals from, Education, Health, Early Help and SEND and Inclusion services have carried out a review of current practices and developed an enhanced offer to schools requiring support for young people displaying behaviours of concern.



## Areas of focus:

- A shared, strategic approach to fostering inclusion and the use of Alternative Education Provision across County Durham.
- To build on the work of the Primary and Secondary Behaviour and Inclusion Partnerships by strengthening the remit of the panels, broadening the membership, and supporting developments to reduce long term pressures on the HNB.
- To agree a collective responsibility for all pupils
- To continue to support transition across all key stages/phases.
- Reintegration of permanently excluded pupils back into mainstream education.
- Reducing pupil mobility

## Secondary Panel Developments

### 3 Year development plans to support inclusion

The LA has agreed to support business plans with a focus on preventative work and alternative provisions placements as part of localised 3-year development plans.

- Panel Schools have also committed to support this work by agreeing to allocate from school budgets £1.925 million over the 3-year period.
- **Transition Support Arrangements**
- LA officers have worked closely with Primary and Secondary Leaders alongside support services to identify more than 750 Year 6 pupils who may require additional targeted or individual support due to a wide range of needs to ensure their transition into Secondary Education is successfully supported during 2022/23

## Alternative provision

- A countywide framework and protocol have been established and endorsed by DASH (February 2022). The protocol provides a consistent approach across all schools when decisions are made to place young people into alternative education placements.
- The LA operates an Alternative Provision directory, all providers within the directory must demonstrate systems, premises, policies and legal duties are in place and have been signed off by LA officers.

## Reintegration of Permanently Excluded pupils

- A reintegration protocol agreed at DASH on the 5 May 2021 supports pupils returning back into mainstream schools following a permanent exclusion. The protocol has supported 34 pupils back into mainstream education.

## Managed Moves including changes from September 23

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- There has been an increase in managed moves requests during 2022/23, however the LA have been working with schools to utilise this intervention in a more successful format.
- The new Supported Offsite Placement protocol introduced September 23 ensures only the most appropriate pupils will be considered to increase the success rate and reduce unsuitable pupil movement.

## In Year Pupil Movement and Fair Access Protocol

- The increased number of schools converting to academies and becoming their own admission authority has placed the LA's admission procedures in conflict when offering support to parents wanting to transfer their children into Durham schools.
- Representatives from MAT's, maintained schools and LA officers have agreed and implemented a Fair Access Protocol to support the admission of unplaced young people, this new Protocol commenced September 23.

# Main Implications

## *The Woodlands (PRU) permanent exclusion and preventive bases*

- The Woodlands continues to face significant issues within the Key Stage 3 and 4 (secondary age range) bases at Ferryhill,
- The pressure of numbers of pupils on roll and the requirement to use alternative provision to provide an education offer from day 6 of a permanent exclusion will need to be monitored closely, particularly with the pending SEND Inspection and Ofsted inspection.
- There are two bases operating to support Key Stage 1 and 2 pupils, (The Willows and Beeches) along with outreach support- this will need to be reviewed once Primary permanent exclusion require access as part of the day 6 offer from the LA.

# Areas for Development

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## *Review of Woodlands including proposed new bases*

- Priority to develop a permanent fit for purpose facilities to support pupils requiring support from The Woodlands to meet changing needs.
- This would provide support to schools in retaining pupils in their local communities and to ensure quality provision is available to our most vulnerable pupils when it is needed, including fewer off-site alternative provision placements.

**Children and Young People's  
Overview and Scrutiny  
Committee**

**6 March 2024**



**Schools Ofsted Update and  
Educational Attainment**

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**Report of John Pearce, Corporate Director of Children and Young  
People's Services**

**Electoral division(s) affected:**

Countywide

**Purpose of the Report**

- 1 The purpose of the report is to provide members of with an update of recent Ofsted inspections of County Durham's maintained schools and educational outcomes in County Durham in 2023.

**Executive summary**

- 2 The Children and Young People's Overview and Scrutiny Committee has previously received information relating to the educational achievements of children and young people in County Durham and performance of its schools in relation to Ofsted inspections.
- 3 Included in the committee's work programme is an update on the performance of the county's schools and a summary of educational outcomes.

**Recommendations**

- 4 That Members of Children and Young People's Overview and Scrutiny Committee receive the information contained in the report and presentation and comment accordingly.

**Background**

- 5 The Children and Young People's Overview and Scrutiny Committee agreed in its work programme, to annually include an update that would provide members with information on Ofsted inspections of County

Durham's maintained schools and academies. This was also to include an overview of the educational attainment outcomes achieved by children and young people in the county.

6 In accordance with that decision arrangements have been made for the Head of Education and Skills to attend a meeting of Children and Young People's Overview and Scrutiny Committee on 6 March 2024 to provide a presentation that will focus on the following areas:

- Ofsted Inspections of current academic year
- Ofsted inspection position currently for all schools
- Ofsted Inspection Outcomes for different School Categories
- Summary Outcome data for children in Durham Schools by Key Stage (Not comparable to previous Years)

### Summary school Inspection Outcomes

7 The following three tables show the Ofsted inspection outcomes for Durham compared to national and regional outcomes as at 31 January 2024.

<b>Nursery and Primary</b>	<b>Durham (All 222 - schools)</b>	<b>National</b>	<b>Regional</b>
Outstanding	12%	14%	15%
Good	78%	77%	78%
Requires Improvement	9%	7%	6%
Inadequate	1%	2%	1%

<b>Secondary</b>	<b>Durham (All 29 - schools)</b>	<b>National</b>	<b>Regional</b>
Outstanding	17%	15%	13%
Good	53%	68%	65%
Requires Improvement	23%	13%	17%
Inadequate	7%	4%	5%



<b>Special</b>	<b>Durham (All 9 - schools)</b>	<b>National</b>	<b>Regional</b>
Outstanding	11%	35%	29%
Good	78%	55%	60%
Requires Improvement	11%	6%	8%
Inadequate	0%	4%	3%

- 8 The following table shows the published school inspection outcomes taken place since September 2023.

	<b>Primary</b>	<b>Secondary</b>	<b>Special</b>
Outstanding	2	0	0
Good	23	2	1
Requires Improvement	5	0	1
Inadequate	0	0	0

## Summary school Outcomes Data

### Key Stage 2

- 9 The headline results in Durham have moved closer in line with national. The gaps to national have narrowed in reading. The gap at Higher standard in Maths continues to be larger than the gap at Expected standard.

	Expected		Higher/Greater Depth	
	Durham	National	Durham	National
Reading	73.3	73.0	28.0	29.2
Maths	72.0	73.0	21.0	24.0
Writing	71.0	71.0	14.0	13.0
RWM	59.0	60.0	8.0	8.0

## Key Stage 4

- 10 Durham results are below national on all measures. They are in-line with regional rates for percentages attaining grades 4 and 5 but above the regional result for average A8 and progress 8 scores.

	<b>Durham</b>	<b>NE</b>	<b>National</b>
Average A8	45.2	44.4	46.2
4+ in EBacc English component	70.6	72.3	74.5
4+ in EBacc Maths component	66.9	67.3	69.9
E&M 4+	61.2	62.2	64.8
5+ in EBacc English component	55.6	57.8	60.4
5+ in EBacc Maths component	46.6	47.0	50.6
E&M 5+	40.9	41.7	45.0
Progress 8	-0.19	-0.27	-0.03

## Key Stage 5

- 11 A-level results – state-funded schools only

	<b>Durham</b>		<b>National</b>	
APS	35.6	B-	34.1	C+
APS per best 3	36.6	B-	34.7	C+
AAB+ in 2+ facilitating subjects	18.0	/	15.8	/

- 12 Durham's Average points score remained above national in all measures.

## Applied General

	Durham		National	
APS per entry	34.7	Dist	29.5	Merit+

- 13 Again, applied national outcomes are significantly above national.

## Tech Level

	Durham		National	
APS per entry	28.7	Merit+	28.5	Merit+

- 14 Having been below national in 2021, Durham's pupils' were in line with their peers on this measure in 2022 and 2023.

## Conclusion

- 15 Children and young people have over the previous 3 years, suffered disruption to their education on a scale not seen before and therefore it is important that members are aware of the children and young people's achievements and how our schools are performing.
- 16 League tables and examination processes and grading boundaries, only returned to some kind of normality in 2023 and are not comparable with previous years.

## Background papers/links

- [All schools and colleges in County Durham - Compare school and college performance data in England - GOV.UK \(compare-school-performance.service.gov.uk\)](https://www.gov.uk/compare-school-performance)

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**Contact:** Jim Murray

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## **Appendix 1: Implications**

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### **Legal Implications**

The actions described in this report are intended to comply with the Council's duty to exercise its education functions with a view to promoting high standards and the fulfilment of each pupil's learning potential in accordance with S 13 A of the Education Act 1996.

Schools deemed to be inadequate by Ofsted are now given an Academy Order by the DfE meaning that they will be directed to join a strong Multi-Academy Trust.

From September 2022, Schools who have not achieved a 'Good' or better grade for overall effectiveness in the last two inspections, may also be directed in this way.

### **Finance**

Schools achieving a less than 'Good' inspection outcome, often experience a change in first choice applications which can affect their pupil related income factors. Similarly, DCC will provide additional leadership support for maintained schools in this category. This is supported through de-delegation agreed at schools Forum. This fund has reduced as more schools choose to academise. The maintained monitoring, Improvement and brokering grant has been removed by the DfE removing 800k, annually of DCC funding for school improvement work.

### **Consultation**

School Improvement delegated funds are requested annually, consultation through Schools forum in the Autumn Term

### **Equality and Diversity / Public Sector Equality Duty**

Any change in the quality of educational provision in an area has the potential to adversely impact on protected characteristics, both in terms of pupils, their families, local communities, and employees working in the schools. The direct impact of negative Ofsted inspections could involve pupils being required to attend different schools or not being able to access a local school and being required to travel further.

### **Human Rights**

Not applicable

## **Climate Change**

School outcomes with Ofsted have a direct correlation on first choice applications for school places. The vulnerability of some schools may have financial viability considerations which would adversely affect the ability of many children, to walk to their local school.

## **Crime and Disorder**

None

## **Staffing**

Schools identified as 'Requiring Improvement' or 'Inadequate', can struggle to attract applicants for key positions, particularly around shortage subjects or leadership positions. The financial implications of falling rolls could lead to staffing adjustment and restructuring to address deficit budgets.

## **Accommodation**

Transfer of maintained schools to become academies may have implications in terms of accommodation where school premises are used by the community under arrangements set up with a maintained school.

## **Risk**

A key risk is that, because of actions taken by the County Council (including the failure to make timely interventions), pupils and students do not receive an adequate education. There is an additional risk of reputational damage if the Council does not appear to be able resolve the problem of schools operating with significant and sometimes increasing budgetary difficulties and allows some schools to continue to set deficit budgets whilst requiring other schools to balance their budgets.

The s.151 officer must sign-off the budget for schools with a deficit budget plan and needs to be able to justify doing so in terms of each school having a robust plan to recover from its deficit. The scheme of delegation allows for deficit budgets, but only for three years, and no more than 20% of the school's budget share, up to a maximum of £750,000. There is a risk of legal challenge from the Department for Education if this statutory function is neglected. There is a risk of external auditors calling into question the actions of the s.151 officer if no credible plans are agreed to resolve the issues described in this report.

## **Procurement**

Not applicable

# Ofsted inspections

Outcomes as at 31 January 2024, published inspections only

Nursery & Primary school inspections:

	Durham (All 222 - schools)	National	Regional
Outstanding	12%	14%	15%
Good	78%	77%	78%
<b>Good or Better</b>	<b>90%</b>	<b>91%</b>	<b>93%</b>
Requires Improvement	9%	7%	6%
Inadequate	1%	2%	1%

# Ofsted inspections

Outcomes as at 31 January 2024, published inspections only

## Secondary school inspections

	Durham (All 30 - schools)	National	Regional
Outstanding	17%	15%	13%
Good	53%	68%	65%
<b>Good or Better</b>	<b>70%</b>	<b>83%</b>	<b>78%</b>
Requires Improvement	23%	13%	17%
Inadequate	7%	4%	5%



# Ofsted inspections

Outcomes as at 31 January 2024, published inspections only

## Special school inspections

	Durham (All 9 - schools)	National	Regional
Outstanding	11%	35%	29%
Good	78%	55%	60%
<b>Good or Better</b>	<b>89%</b>	<b>90%</b>	<b>89%</b>
Requires Improvement	11%	6%	8%
Inadequate	0%	4%	3%

# Ofsted inspections

Schools inspected since September 2023, published inspections only

	Primary	Secondary	Special
Outstanding	2	0	0
Good	23	2	1
Requires Improvement	5	0	1
Inadequate	0	0	0

# Ofsted inspections

Schools inspected since September 2023, published inspections only

	Durham (23 - schools)	
Improved	3	9%
Remained the same	21	62%
Declined	10	29%

# KS2 Outcomes

	Expected		Higher/Greater Depth	
	Durham	National	Durham	National
<b>Reading</b>	73.3	73.0	28.0	29.2
<b>Maths</b>	72.0	73.0	21.0	24.0
<b>Writing</b>	71.0	71.0	14.0	13.0
<b>RWM</b>	59.0	60.0	8.0	8.0

# KS4 Outcomes

	Durham	NE	National
Average A8	45.2	44.4	46.2
4+ in EBacc English component	70.6	72.3	74.5
4+ in EBacc Maths component	66.9	67.3	69.9
E&M 4+	61.2	62.2	64.8
5+ in EBacc English component	55.6	57.8	60.4
5+ in EBacc Maths component	46.6	47.0	50.6
E&M 5+	40.9	41.7	45.0
Progress 8	-0.19	-0.27	-0.03

# KS5 Outcomes

	Durham		National	
APS	35.6	B-	34.1	C+
APS per best 3	36.6	B-	34.7	C+
AAB+ in 2+ facilitating subjects	18.0		15.8	

## Applied General

	Durham		National	
APS per entry	34.7	Dist	29.5	M+

## Tech Level

	Durham		National	
APS per entry	28.7	M+	28.5	M+



## Children and Young People Overview and Scrutiny Committee

6 March 2024



### Elective Home Education

## Report of John Pearce, Corporate Director Children and Young People's Services

### Electoral division(s) affected:

Countywide.

### Purpose of the Report

- 1 To present an overview of Elective Home Education in the County Durham.
- 2 The report covers the national and local context and policy, published data and collaborative working.

### Executive Summary

- 3 Nationally, the number of parents and carers choosing to home educate their children are rising. The local rate of increase was less than the overall national rate (when comparing 2021/22 to 2022/23). Published data for the 2022/23 academic year shows that County Durham's rate of increase across the 2022/23 academic year is in line with average national, regional and statistical neighbours.
- 4 The Department for Education have recently consulted on the introduction of new Elective Home Education guidance for Local Authorities and parents / carers. The Council continue to have strong partnership arrangements in place to carry out statutory functions and to support local families.
- 5 The Council have built stronger underpinning tools such as data dashboards, schools portal development and business intelligence applications which all support this area of work. The greater data visualisation has provided more focus on trends and direction of travel.

### Recommendation

- 6 Children and Young People Overview and Scrutiny Committee is recommended to note the overall position and direction of travel in relation to elective home education, and the collaborative help and support of a wide range of professionals to support families.

### Context

- 7 The council is a large organisation. Local rises in the Elective Home Education cohort mirror rises seen regionally and nationally. The service

continues to carry out statutory duties in relation to children in the local area and offer multi-agency support to families.

### **Useful documents**

- [Elective Home Education Guidance](#) (2019).
- [Elective Home Education Guidance Review](#) (October 2023 – January 2024)

### **Authors**

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## **Appendix 1: Implications**

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### **Legal Implications**

None currently.

### **Finance**

None.

### **Consultation**

The Department for Education have recently consulted on the introduction of new Elective Home Education guidance for Local Authorities and parents / carers. The Council continue to have strong partnership arrangements in place to carry out statutory functions and to support local families.

### **Equality and Diversity / Public Sector Equality Duty**

Equality measures are monitored as part of wider reporting mechanisms.

### **Climate Change**

No additional considerations.

### **Human Rights**

Not applicable.

### **Crime and Disorder**

The service works closely with anti-social behaviour teams, youth offending teams and are part of serious violence strategic group and more widely.

### **Staffing**

There are no proposed changes to staffing.

### **Accommodation**

Not applicable.

### **Risk**

None to report.

### **Procurement**

Not applicable.

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# Elective Home Education

**Clare Nicholls**

Access to Education / Vulnerable Groups Lead Officer

# Background

- What is Elective Home Education (EHE)?
- Duties of parents and the Local Authority.
- Efficient, full-time and suitable education.
- Stated cases.
- The national context.
- The local context.

# Elective Home Education (EHE)

	<b>Autumn %</b>	<b>Spring %</b>	<b>Summer %</b>
National	0.9	1	1.1
North East	0.7	0.8	0.9
South East	1.0	1.1	1.2
East of England	1.1	1.2	1.3
South West	1.2	1.2	1.5
West Midlands	0.9	1.0	1.1
London	0.7	0.7	0.7
North West	0.7	0.8	0.9
East Midlands	1.0	1.1	1.2
Yorkshire & The Humber	0.8	0.9	1.0

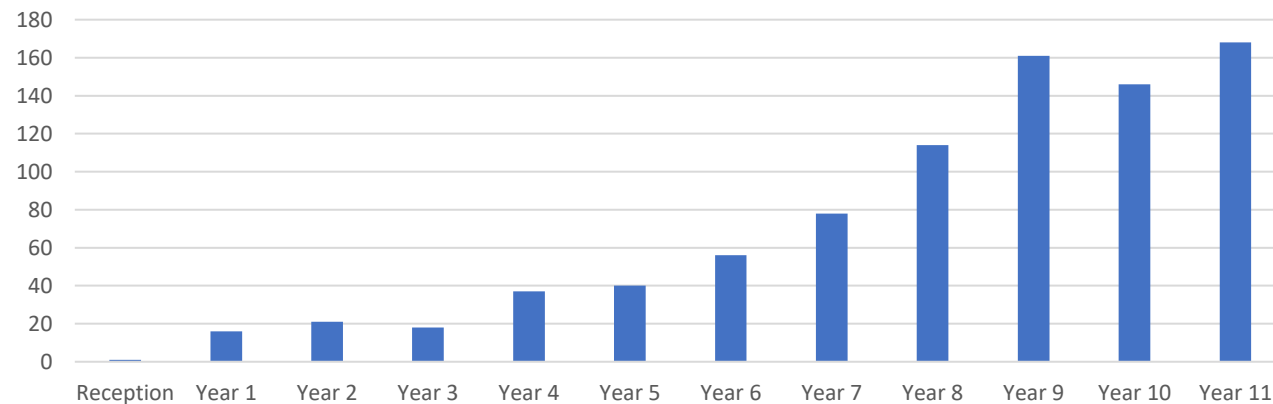
# Elective Home Education (EHE)

	<b>Autumn Term %</b>	<b>Spring Term %</b>	<b>Summer Term %</b>
National	0.9	1	1.1
County Durham	0.8	1	1.1
Statistical Neighbours	0.8	0.9	1
North East	0.7	0.8	0.9

Published data (2022/23) for EHE by % school age population.

# Local Context

- Local rise in EHE during the pandemic (lower rise than that seen nationally). Reasons mirroring the national trends available the key reported reason appears is mental health. Regional colleagues report similar recent rates of rises and for similar reasons. The local proportion of EHE remains low locally fluctuating between 0.8% and 1.1% over the academic year 2022/23.
- New **DfE 2022/23 voluntary data collection** at termly census periods.
- 18.7% rise nationally, locally 18% using same time markers as DfE and same reporting criteria. Largest cohort year groups are year 9 -11.



# Proactivity

- Meeting offer prior to EHE.
- Weekly consideration of trends, patterns, reasons for timely support. Half termly analysis for SMT for scrutiny.
- Awareness: incorporated into HT briefings and school governor briefings cyclically.
- Scrutiny as part of a wider annual inclusion data dashboard for joined up oversight and strategic planning.
- Complements existing offers.
- National links.
- School portal developments.



# Intervention Strand

- Child Not In School multi-agency arrangements.
- Resources front-loaded to ensure early dialogue.
- Welcome meeting and 3 monthly review, annual reviews.
- Supported returns to school.
- Specialist support offered for over-represented groups.
- Summer year 10 to 11 transition contact and year 11 transition support, Information Advice and Guidance meetings, Durham works support.
- EHE / Education Health and Care Plan bespoke meetings as branch of operational panel.
- Wider links with partners.
- Durham learning resources.
- Notice of Intent to serve an order / School Attendance Orders where required.

# Information Technology Strand

- Business intelligence (BI) application solution developed.
- Benefits of the BI.
- The Council's wider BI development programme: ongoing developments via 'Itelligent-I.'

# Impact

- Early dialogue and support for families.
- Good practice.
- Family voice.
- Service structure.
- Less appear to be 'not in receipt of suitable education.'
- Inspecting Local Authority Children's Services (May 2022).
- Supported return to school for 182 children and young people the 2021/22 academic year and 158 in the 2022/23 academic year.

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