
Children and Young People’s Services Scrutiny Committee

26 February 2025

Children Not Accessing Education at School

Report by Interim Director of Children, Young People and Learning

Summary

The aim of this report is to provide clarity and understanding on the different cohorts of children who are not accessing education at a school and how these children are identified and supported.

It demonstrates how key teams across the Children and Young People’s Services (CYPL) directorate have responsibility for these cohorts of children and young people and how they work with partner services to ensure children are safeguarded.

The children who fall within the scope of the report can be defined into four cohorts:

1. Children Missing Education (CME) not on a school roll or Effectively Educated otherwise than at school.
2. Children Electively Home Educated (EHE).
3. Children Educated Other Than At School (EOTAS), educational provision provided by the County Council – Special Educational Needs Assessment Team (SENAT) and The Virtual School commissioned provisions to children not on a school roll.
4. Children on a school roll with attendance concerns.

Focus for Scrutiny

The Committee is asked to note the County Council’s approach and support for those children who do not access education at school, including children missing from education, electively home educated children, and those who do not attend school regularly.

Key Lines of Enquiry

- How well the reasons for children not being in school are understood, and how any issues identified that prevent children accessing education are addressed.
- How the County Council identifies and monitors those children not in education at school and the support provided to ensure the best outcomes for these children and young people.

- How the County Council ensures the safety and wellbeing of children not in school, and how any best practice or national learning has been taken into account.
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1. Background and context

- 1.1 It is acknowledged that being on a school roll is a significant protective factor in a child's life. At its best, it offers a safe space to access support, ensures oversight and support from professionals, and helps children discover their talents, develop resilience, and realise their potential.
- 1.2 Since the relaxation of restrictions on schools imposed during the height of the COVID pandemic there has been a growing number of children who are not on a school roll and accessing education through alternative means or facing barriers to attend school regularly and benefit from the support and oversight provided by a school.
- 1.3 In the academic year leading up to the pandemic, overall absence from school ranged between 4.5% to 4.8% nationally. Within West Sussex the figure stood at 4.2%. The national figure currently stands at 6.9% and West Sussex at 6.7%.
- 1.4 There has been a continued sharp rise in children being Electively Home Educated by their parents. Nationally, DfE data shows a rise of 38% in the last two years, a rise reflected in West Sussex where the number has risen by 40%.
- 1.5 The reasons behind this changing picture are complex, but in essence, the two years of pandemic lockdowns have led to high levels of anxiety for some children and a changed attitude to school attendance and educational engagement for some families.
- 1.6 In addition, there have been significant increases in those children with an Education Health and Care Plan (EHP) receiving Education Other Than At School (EOTAS) packages with West Sussex data showing a 56.7% increase in children having EOTAS named as the appropriate education provision on their plan since April 2024. And a 61.9% increase in those children receiving EOATS as an interim provision whilst an appropriate school place is sought.

2. Children Missing Education (CME)

2.1. Definition

- 2.2. Government Statutory Guidance defines that children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. Children missing education are at significant risk of underachieving, being victims of harm, exploitation, or radicalisation (including travel to conflict zones), and becoming NEET (not in education, employment, or training) later in life.
- 2.3. A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March, then they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August, then they are

of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31 December. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen.

2.4. Our Duty

- 2.5. Statutory Department for Education (DfE) guidance regarding Children Missing Education (CME), sets out the key principles to enable local authorities (LAs) in England to implement their legal duty under section 436A of the Education Act 1996 to make arrangements to identify, as far as it is possible to do so, Children Missing Education (CME).

2.6. The work of the CME Team

- 2.7. The Children Missing Education team (CME) sits within the wider, Pupil Entitlement: Investigations team. Effective partnership working and information sharing is integral to their work. The team works very closely with key teams and services in the CYPL Directorate, including, Children's Social Care, The Early Help Service, Admissions, Ethnic Minority & Traveller Achievement Service (EMTAS), Elective Home Education, Fair Access and the Special Educational Needs Assessment Team in addition to schools and teams in Health.

2.8. Team process

- 2.9. The team carry out the duty of the Local Authority by identifying CME children and tracking them into effective provision. All children referred to the CME team follow a defined process which includes reviewing any relevant safeguarding information that is held by the County Council on that child.
- 2.10. Should the child be on a Child in Need Plan (CIN), Child Protection Plan (CP) or Early Help Plan, the team will contact the key worker to ensure effective liaison and partnership working while the case is open. An officer will attend any relevant safeguarding meetings.
- 2.11. For children leaving the local authority (LA) area, the team will continue to track them, liaising with other relevant LAs to ensure the young person is on roll or the LA's CME team is aware. For children moving into the area, the team engage with parents and carers to clarify their intentions for their child's learning, supporting with an application for a school place if needed and liaising with Admissions, SENAT and Fair Access teams where appropriate.
- 2.12. A significant element of the team's work is engaging with families who were previously identified as home educating their child after the Elective Home Education team where unable to be assured the child was in receipt of an effective education. This work involves offering parents further opportunity to share evidence of effective learning or supporting them with school applications.
- 2.13. Where parents decline to enrol their child in a school or provide evidence of effective education otherwise than at school, the CME team will follow the School Attendance Order (SAO) process to place the child on a roll of a school and ensure the child receives the education they are entitled too.

2.14. Tracking

2.15. The CME team maintain a 'live' list of children and young people who are CME. This list carries additional intelligence and indicators for each child and family, including if they are CIN or CP, under the Early Help team, have an Educational Health and Care Plan (EHCP) are known to the Youth Justice Service (YJS), are a Young Carer or from the traveller community. Monthly cross checks are carried out to ensure any changes are recorded and the case is reviewed.

2.16. Referrals

2.17. The CME team work closely with key partners, providing advice and training to ensure comprehensive understanding of the importance of identifying CME children and the appropriate actions to take to ensure the team are aware.

2.18. Since 1 September 2024, 49.2% of CME referrals (321 children) have come through children leaving a school roll. There are strict criteria that a school must comply with before removing a child from roll and the CME team support schools to ensure they are compliant with these criteria.

2.19. 19.4% (127 children) have been opened following referrals from other Local Authorities notifying the team of a family moving into West Sussex.

2.20. 23.3% of referrals (152 children) have come from the Elective Home Education (EHE) team where they have been unable to be assured that the education being provided by the parent is effective. These cases are passed through an EHE panel to ensure a consistency of approach and effective information sharing between the teams. Parents are offered further opportunity to share evidence of their EHE provision with the CME team.

2.21. Current Position

2.22. All children referred to the team are opened as a live case and allocated to an officer. The number of children open to the team is 'live' number changing day to day as these cases are opened and closed.

2.23. Children are closed to the team when it is confirmed they are on the roll of a school, or it is confirmed that the parents are providing an effective education other than at school. For children who have left the county, the Local Authority the family have moved to confirms they accept the child, or the team are assured the family have left the country.

2.24. Since the 1 September 2024 the team have had 414 children referred to them and have been able to close 327. As of 21 January 2025, there are 273 open children to the team.

2.25. Of the current open cohort, 90 children have been passed through the Elective Home Education (EHE) panel due to the EHE team being unable to be assured an effective education is taking place. 65 children have moved into the county, 82 are movers out, 33 children are awaiting Specialist Special Educational Needs provision.

2.26. Within the open list of children, there is a cohort identified as 'Static'. These are children where the team does not have an updated location for a family.

Currently there are 33 static children, consisting of 18 from the traveller community who have left the county, 5 children who we believe have left the country, 4 children previously Electively Home Educated who have moved from their address and parents decline to share their new address and 6 children who briefly passed through the county before leaving.

- 2.27. Before a child is identified as 'static', visits are undertaken to the last known address and information is gathered from neighbours if possible. In addition, the revenue and benefits data base are checked for any potential information. These checks are then continued on a six-weekly basis.
- 2.28. In cases of greater safeguarding concern, appropriate referrals are made to the Integrated Front Door and the team can request consideration of a Border Force check.

2.29. Data comparison

- 2.30. In Autumn 2022 the DfE initiated a data collection from local authorities, this became mandatory in autumn 2024. The proportion of local authorities providing data reached 100% for the first time in autumn 2024. As a relatively new data collection the DfE expect the quality of the data returns to continue to improve over time as the collection becomes established.
- 2.31. DfE data shared on the number of children missing education at any point in the academic year, showed that between the 2022/23 and 2023/24, West Sussex saw a decrease of 7.47%. Nationally there was a 28.0% increase. Regionally, the South East saw a 63.2% increase.

2.32. Challenges

- 2.33. There is a continued increase of the number of Electively Home Educated referrals where the provision of home education is judged as ineffective, however there are a range of complex elements which can make supporting these children back into school challenging. In a small number of cases where parents/carers are reluctant to proactively engage with the team or accept the provisions available, a School Attendance Order (SAO) can be followed. This is a legal process which ensures children are placed on a school roll and receive their entitlement to an education.
- 2.34. The School Attendance Order (SAO) is used as a last resort and Parents of CME children are encouraged to proactively apply for a school place before a SAO process is introduced. It is recognised that the length of time a child is missing education can increase if a place is not available at their first choice of school, and an appeal process is followed, or if there are children awaiting or going through an Educational Health and Care Needs Assessment (EHCNA) process and wish to await the outcome of that process before accepting a school place.
- 2.35. The level of transience within West Sussex continues to be a key driver in referrals to the team, with several families moving out of West Sussex. These families need to be tracked and confirmed to have arrived in a new county or left the country for them to be removed from the CME list.
- 2.36. There has been an increase of notifications from the Communities Team for asylum-seeking children housed in hotels within West Sussex being moved to

other areas of the country. These children are also being tracked into their new schools or relevant local authority.

2.37. Children's Wellbeing and Schools Bill

- 2.38. The introduction of Children's Wellbeing and Schools Bill contains two significant developments regarding Children Missing Education. Firstly, the statutory requirements for local authorities to have a 'Children Not in School' register, which would include those not registered at a school. Children defined as CME would be included in this register. The proposed bill requires parents to share further information on the education provision and plans they have for their child. This will support the CME team in their duty.
- 2.39. Secondly, the strengthening and simplifying of the School Attendance Order process will allow the team to use this measure more effectively when needed to ensure a parent fulfils their legal duty and their child receives the education they are entitled too.
- 2.40. The Bill is still in the early stages, and it is yet to be confirmed when it will receive Royal Assent and come into effect, however it is anticipated this will be in 2025.

3. Elective Home Education (EHE)

3.1 Context

- 3.2 Elective Home Education is a decision by parents to provide education for their children at home or in some other way they choose, instead of enrolling them in school. It is a parental right and those who undertake this right have a duty to provide their child with an 'efficient, full-time education'.
- 3.3 Most parents who choose to home educate do so in their children's best interests, and many home educated children receive a suitable education that supports them to achieve and thrive. However, nationally the number of children in home education has accelerated since the COVID-19 pandemic, with an estimated 111,700 children believed to be home-educated as of October 2024.
- 3.4 A growing number of parents nationally are reporting that they are moving their children into home education due to mental health concerns or special educational needs. In some instances, parents may not be well-equipped to provide a suitable education, and some of these children may also be at risk of harm.

3.5 Legal Duties

- 3.6 Section 7 of the Education Act 1996 states that the parent of every child of school age has a duty to provide their child with a full-time education. Most fulfil this duty by sending their child to school, but they do not have to, 'Education is compulsory, school is not'. Parents who choose not to send their child to school take on the full responsibility for providing that education themselves. When they do this, they are Electively Home Educating.
- 3.7 Whilst having no formal duties regarding Elective Home Education, under section 436A of the Education Act 1996, Local Authorities have a statutory

duty to identify, so far as possible, children in their area that are not receiving a suitable education. The Department of Education provide guidance to local authorities in their publication '[Elective home education: departmental guidance for local authorities](#)'

3.8 The work of the EHE team

3.9 As outlined, WSCC has a legal duty to ensure all children are receiving an 'efficient, full-time education'. The EHE team fulfil this duty by engaging with home educating families to gather information on the provision being made and using that information to make a judgement on the effectiveness of that provision.

3.10 Central to their role, the team also offer home educating families comprehensive advice and guidance on how to ensure the provision is effective and play a vital, wider wellbeing and safeguarding role, signposting and referring families to universal services when appropriate.

3.11 Effective partnership working and information sharing is integral to their work. The team works very closely with key teams and services across the County Council, including, Children's Social Care, The Early Help Service, Admissions, Children Missing Education, Youth Justice Service (YJS), Ethnic Minority & Traveller Achievement Service (EMTAS) Fair Access and the Special Educational Needs Assessment Team in addition to schools and teams in Health.

3.12 As part of their wider remit, the team provides training and guidance to key partners and professionals on the law around elective home education and the wider safeguarding limitations and considerations.

3.13 Team process

3.14 All new cases to EHE enter a triage process where multi agency checks are carried out. Initial telephone contact with the family aims to gather information on their educational provision plans and identify any areas of potential concern. Any other additional information from agencies is also recorded.

3.15 An Advisory Teacher considers all information gathered and sets a RAG rating and review date. Review dates range between 3-12 months depending on the RAG and individual circumstance. Reviews of provision are carried out by either a request to complete a Parent Completion form, telephone meeting or the offer of a home visit depending on the RAG rating.

3.16 If initial checks identify a child as on a Child in Need (CIN), Child Protection (CP) or Early Help (EH) plan the case is escalated immediately to the Advisory Teacher (AT). The AT contacts the Key Worker to notify them, explain their role and key elements of EHE law around parental duty and contact. A face-to-face meeting with the parent will always be offered and if declined, the AT will offer to join the key worker on a visit.

3.17 The EHE team shares all reports and updates with the key worker and attends any relevant meetings. Any safeguarding concerns are escalated as appropriate. Review dates for CP / CIN are 1-3 months and a home visit is always requested.

- 3.18 Each month the live EHE list is crossmatched with the County Council's internal records to confirm CIN / CP cohort and identify any unknown changes.
- 3.19 If a school or worker become aware the family of a CP / CN or EH child is considering EHE, the Advisory Teachers will offer to attend a meeting with the family and professionals to discuss the challenges of EHE before they decide.
- 3.20 **Tracking**
- 3.21 The team maintains a 'Live' tracking list of those children known to be electively home educated. The list holds additional intelligence and indicators gathered from partner agencies, schools and County Council services including Child Protection, Children In Need, EHCP, Early Help, Youth Justice Service and Traveller status. This flow of information is used to inform and review the RAG rating process for each young person.
- 3.22 **Challenges**
- 3.23 **Safeguarding**
- 3.24 Sections 10 and 11 of the Children Act 2004 give local authorities general duties for promoting the well-being and (in relation to their non-education functions) safeguarding and promoting the welfare of children in their areas. This includes children educated at home as well as those attending school.
- 3.25 Section 175 of the Education Act 2002 requires authorities to make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting children's welfare. Therefore, the general duties of local authorities in relation to safeguarding are the same for all children, however they are educated.
- 3.26 It is important to highlight that there is no identified correlation between home education and increased safeguarding risk. Nationally, in some serious cases of neglect or abuse in recent years, the child concerned has been home educated but that has not usually been a causative factor, and the child has normally been known to the relevant local authority. However, a child being educated at home is not necessarily being seen on a regular basis by professionals such as teachers and this logically increases the chances that any parents who set out to use home education to avoid independent oversight may be more successful by doing so.
- 3.27 Several recent Serious Case Reviews have illustrated this. However, as the DfE highlight, safeguarding is not simply a matter which arises in relation to the family. Some parents who educate at home believe that by doing so, they are safeguarding the child from risk in the school system.
- 3.28 The team work with key partners to highlight the reduced protective factors for children being EHE in decision making regarding safeguarding thresholds and have contributed to the wider understanding of Education Neglect.

3.29 **Definition of an effective education**

3.30 Children educated at home are not required to follow the National Curriculum but should receive an effective, balanced education appropriate to their individual needs and aspirations. The terms "suitable", "efficient" and "full-time" are not defined in the legislation but case law in the Courts have indicated that education is deemed to be:

- "Efficient" if it achieves what it sets out to achieve;
- "Suitable" if it "equips a child for life within the community of which he is a member, rather than the way of life of the country as a whole, so long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so."
- 'full-time' education should occupy a significant proportion of a child's life to meet the s.7 requirement. EHE team is aware that children who attend school do so for between 22 and 25 hours a week, for 38 weeks a year. This is a good measure, though we acknowledge the nature of some EHE activities may affect this.

3.31 The EHE team recognises there are many diverse and varied, but equally valid, approaches to home education and that children learn in different ways and at different rates. Home education can reflect a wide range of approaches and philosophies, from formal, more structured time-tabled provisions to more informal, child-led approaches. The EHE team aims to understand and respect home educating parents' individual educational preferences and philosophies and promote mutual understanding and trust.

3.32 The team seek to engage positively with parents to understand their approach and identify effective provision in all contexts. They feel it is important for a child to develop a wide range of knowledge, understanding and skills: develop numeracy and literacy skills, have opportunities for physical exercise, and social interaction with others. It is key children have access to appropriate resources to help them to learn.

3.33 **Identifying and engaging with families**

3.34 The team receive notification of family's home educating through removal from roll forms submitted by schools and the transferring of cases identified by the Children Missing Education team as home educating. However, currently, a parent who chooses never to enrol their child in a school or moves into the local authority and starts to Home Educate, is under no legal obligation to inform the local authority.

3.35 Despite the duty on the Local Authority, EHE parents are under no legal obligation to engage with the team, provide evidence or for the team to meet the child. However, DfE guidance is clear that in these circumstances, the local authority is entitled to presume that no effective learning is taking place and pass the case to the Children Missing Education team.

3.36 In response, the team continue to develop the way they engage and communicate with families in forms they feel more comfortable, including the use of WhatsApp and virtual meetings.

- 3.37 If a child is on the roll of Special School the parent will need to consult with SENAT before a final decision is made and the child is removed from roll. This allows WSCC to ensure that suitable provision is being made for the child's SEN.
- 3.38 **EHE in West Sussex**
- 3.39 On 23 January 2025, the number of statutory school aged children known to be home educating was 2,189, 28% higher than the same point last year. Since the 1 September 2024, the number of new students to EHE is 590, 39% up on the same period last academic year. The number of children electively home educating continues to rise steadily, and the last 10 years has seen an average annual increase of 34.8%.
- 3.40 A further 410 students have been EHE at some point since 1 September 2024. Of those, 12.9% (53 children) were passed to the CME as the EHE team were unable to be assured the child was receiving an effective education, 12.6% (52 Children) leaving the county and 74.5% (305) returning to a school roll.
- 3.41 In Autumn 2022 the DfE initiated a data collection from local authorities, this became mandatory in autumn 2024. DfE census Data shared on the number of children Electively Home Educated on census day, showed that between Autumn 2022 and Autumn 2024, West Sussex saw an increases of 40% (570 children). Nationally there was a 38.0% increase. Regionally, the South East saw a 36% increase.
- 3.42 DfE Census data taken on the 3 October 2024 shows 1.6% of the statutory school aged population in West Sussex was Electively Home Educated, a rise of 0.4% since Autumn 2022.
- 3.43 Over an academic year the number of children identified as EHE steadily increases term on term, peaking on the last Friday of June. At this point, those children in year 11 are no longer of Statutory school age and are removed from the EHE list. Their names are then shared with the Post 16 Support Team.
- 3.44 **Vulnerable cohorts**
- 3.45 Analysis of vulnerable cohorts within the EHE population show EHE children on a Child Protection plan representing 0.22% (5 children) of the cohort, compared to 0.3% of the statutory school aged population. Children with an EHCP representing 3.51% (77 Children) of the EHE Population compared to 5.37% for the statutory school aged cohort. EHE children with a Children in Need plan represent 2.7% (59 children), compared to 1.13% of the statutory school aged population. 8.3% (181 children) are on an Early Help plan compared to 1.7% of the statutory school age population.
- 3.46 **RAG rating**
- 3.47 All new EHE enter triage process, contact is made with family and key partners and information gathered. Cases are RAG rated to inform type and frequency of review. 'RED AT' cases are where there is clear concern that an effective education is not being provided or there are greater vulnerabilities for that family/child.

3.48 Of the current cohort:

RAG rating	% of the current cohort	Compared to same point last year
RED AT	8.1% (177 children)	10.5% (180 children)
RED	12.3% (270 children)	12.3% (210 children)
AMBER	25.1 % (551 children))	21.0% (359 children)
GREEN	54.3% (1191 children)	56.0% (957 children)

3.49 **Reasons for EHE (as identified by parents / carers)**

3.50 Identification and analysis of the reasons parents choose to EHE is not an exact science. Frequently parents will choose not to share their reasons, or the reason stated does not necessarily fully reflect the circumstance or nuances of the situation. But they are a reflection the challenges in the educational and social landscape.

3.51 With the introduction of the EHE Census, the DfE provided clearly defined reasons for EHE. However, this makes direct comparison from previous years challenging.

3.52 Consistently over the last 10 years, 'Philosophical / Lifestyle' has been the dominant reason. Over the last 7 years, 'Mental Health' related reasons have continued to grow and will likely become the leading reason given.

3.53 The EHE team consistently share information and guidance to families on emotional wellbeing and mental health of young people, making referrals to services when appropriate and linking with key partners to increase awareness of this vulnerable cohort.

3.54 **Future Developments**

3.55 The EHE team continues to develop its practice to meet the needs of the EHE cohort and fulfil the legal duties of the local authority through:

- The completion of a thematic safeguarding audit with the quality and assurance team to identify good practice and areas of development in EHE cases involving multi agency input.
- The development of an EHE website for parents and families to effectively share information, guidance, and updates.
- Revised guidance to schools and key partners on good practice when working with families considering home educating.
- Children's Wellbeing and Schools Bill, the proposal set out in this bill in relation to Elective Home Education are welcomed by the LA.
- The implementation of a Children Not in School register that requires parents to inform the local authority of the educational provision they are making for their child will supports us in fulfilling our duty to identify children not in receipt of an education. In addition, it is hoped it will give clarity on what support should be offered for this cohort.

- The proposal to give the local authority the power to return a child to school where there are existing safeguarding concerns is a significant and welcomed step. The team have begun to look at existing RAG rating process and partnership working with social care and considering how these can be developed to meet the requirements of this proposal in the best interest of the child.
- The consideration given to the home and other learning environments when determining whether children should be required to attend school will again improve the team's ability to make effective decisions in the best interest of the child.

4. Education Otherwise than at School (EOTAS) Packages provided by the Special Educational Needs Assessment Team (SENAT) and The Virtual School

4.1 SENAT provide educational provision to children not on a school roll in two circumstances:

- Children with an Education Health and Care Plan (EHCP) receiving an EOTAS package as named on their plan. Education Otherwise than at School (EOTAS) is defined where a child or young person with an Education Health and Care Plan will receive special educational provision where it is inappropriate for the provision to be made in an educational setting. Under a formal EOTAS arrangement, the child or young person will not be on the roll of, or in attendance at, a "traditional" educational setting. Instead, they will receive their education and special educational provision either at home, or in some circumstances, within an external setting approved by West Sussex County Council.
- Children with an EHCP receiving EOTAS interim provision while awaiting a school place. EOTAS packages are also provided to children with an EHCP whilst a place at the appropriate school setting is identified and the child is placed on roll. This is to ensure a continuity of learning through any transition of named school places.

4.2 The Authority's statutory duties.

4.3 Section 61 of the Children and Families Act 2014 sets out the circumstances when EOTAS may be appropriate for a child or young person. It states that "A local authority in England may arrange for any special educational provision that it has decided is necessary for a child or young person for whom it is responsible to be made otherwise than in a school or post-16 institution or a place at which relevant early years education is provided" and goes on to say that "An authority may do so only if satisfied that it would be inappropriate for the provision to be made in a school or post-16 institution or at such a place."

4.4 West Sussex County Council will consent to the education of a child or young person with Special Educational Needs other than in a school or college (typically at home) and where the child's parents or the young person have been consulted and has gathered evidence to demonstrate that it would be inappropriate for the provision to be made in a school or post-16 institution or at such a place. It is the County Council's intention to support most

children and young people into a mainstream or specialist placement that meets their needs.

4.5 **Data**

4.6 The SENAT team are developing their data analysis to gain a better understanding of trends within these cohorts. As of the 1 January 2025, 127 children with an EHCP had EOTAS named as the appropriate education provision on their plan. This is a 56.7% increase since the April of the previous year. For those receiving an EOTAS package as an interim provision the number stood at 170, a 61.9% increase in the same period. There is no national data collected regarding these cohorts at this time.

4.7 **Safeguarding Children on EOTAS packages:**

4.8 The EOTAS packages provided to children are commissioned through Alternative Provision providers. These providers adhere to quality assurance process which include responsibilities around the safeguarding of children they work with. These include:

- The sharing of the 'Keeping Children Safe in Education" guidance. Including clear understanding of effective safeguarding practice and escalation process to multi agency partners.
- The expectation providers follow appropriate safer recruitment processes.
- Engagement in six weekly quality assurance process.
- The providing of a weekly report from sent to the SENAT team regarding engagement and attendance.
- Participation in strategic termly reviews with a focus on safeguarding.
- Engagement in half termly visits focusing on Quality Assurance but also reviewing attendance, engagement, and the programmes of individual of children.
- Participation in the annual review process for each child.

4.9 SENAT staff work in partnership with Early Help and Social Care staff through multi-disciplinary meetings regarding individual children. All SENAT staff are aware and trained in their safeguarding responsibilities and able to escalate identified concerns appropriately.

4.10 **Challenges**

4.11 The SENAT team acknowledge this is a developing area of work with significant historical challenges:

- Some ongoing provision commissioned outside of the LA Approved Providers means some children are educated in unregistered provisions.
- Understanding our responsibilities in relation to parents making their own arrangements for educational provision using a personal budget.

- Gaining further understanding in how the level of monitoring for children not on a school roll can be developed.
- Understanding the cohort and it's needs.
- Meeting the needs of Children awaiting a placement.

5.13 Areas in need of development

- The SENAT team are focused on developing their data picture of these cohorts, concentrating on how the data is recorded maintained, and analysed.
- The development of policy and processes in monitoring quality of provision being delivered and how this contributes to improved outcomes.
- Partnership working with schools to look at a joint and improved way around the commissioning of Alternative Provision for children.
- Processes and systems around securing a school placement for children awaiting provision.

4.12 SENAT have established an EOTAS team to initiate the development of the work in this area. An EOTAS policy has been developed and implemented.

4.13 **EOTAS Packages for Children We Care For provided by the Virtual School.**

4.14 The Virtual School has a statutory duty to monitor the education, attendance, and attainment of children in the care of the local authority. We have the highest aspirations for our children and work with the wider professional network to ensure that they can access high quality, appropriate education. The Virtual School monitors the education of the children we care for through termly Personal Education Plans (PEPs). 100% of our children have an up-to-date PEP as part of their current care plans.

4.15 **Data**

4.16 As of January 2025, there are 573 statutory school age children known to the Virtual School of those, 2% (12 children) are on packages of tuition or alternative provision in lieu of attendance at school. These are provided by SENAT or the Virtual School and monitored through the PEPs. 1% (6 children) have identified school places and transition plans are in place. 1% (6 children) are waiting for educational provision to be sourced and the network is reviewing plans to source interim provision. 0.8% (4 children) have interim provision in place whilst educational provision is being sourced 4.8% (16 children) are not on the roll of a school.

4.17 There are many reasons why a child we care for is not on the roll of a school and considered CME. Whilst they are subject to the processes outlined for all children, the Virtual School provides an additional layer of oversight and safeguarding during this time. Any child we care for who is not on the roll of a school is reviewed on a weekly basis to ensure that applications and provision is being made in a timely manner. Where appropriate, the Virtual

School uses pupil premium plus to commission interim tuition to support learning and achievement whilst a school is sought.

4.18 **School Attendance**

- 4.19 Nationally, school attendance (or rather school absence) has become a priority since 2020. In general, post pandemic attendance levels have not recovered to pre-pandemic levels. Different cohorts of pupils are disproportionately impacted by this, and it has caused consequent difficulties for some pupils and families.
- 4.20 There is a strong correlation between poverty and pupils who miss school, and national data shows the huge impact of eventual pupil outcomes if they miss significant periods of school. We also know such pupils are less likely to be safeguarded and more likely to underachieve in later life. It is an issue of national importance.
- 4.21 The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school. Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly.
- 4.22 The language around attendance can also be confusing. In essence, attendance levels are measured by the percentage of pupils who attend regularly. If, for example, every pupil attended for every session, an overall school attendance level would be 100% with 0% absences. To set realistic levels, DfE publish what they consider to be acceptable levels.
- 4.23 Nationally they expect around 95% attendance with some sub-thresholds. They set a level of 90%, and pupils who fall below that are considered persistent absentees. Pupils with below 50% attendance are considered severely absent.
- 4.24 The current overall attendance data for National and West Sussex Pupil attendance between 9 September and 21 December 2024 - Autumn term' for Primary, Secondary and Special in England and West Sussex for 2024/25 Autumn term:

School Setting	Attendance Rate (%)		Authorised Absence (%)		Unauthorised Absence (%)		Persistent absence rate (%)	
	National	WS	National	WS	National	WS	National	WS
Primary	94.8	95.0	3.8	3.9	1.1	1.1	15.8	14.7
Secondary	92.0	91.9	5.1	5.7	2.9	2.4	22.7	22.9
Special	87.3	88.6	9.6	9.8	3.2	1.6	36.0	35.7

- 4.26 The attendance rate is better than national average in both Primary and Special settings and slightly below national average in Secondary. West Sussex Schools authorise absence at a rate higher than the national level in all settings and conversely, all settings unauthorised less than or in line with national average, significantly so in special school settings. Both Primary and Special settings show a better than national average in their Persistent absence rate, with secondary settings showing a higher rate.
- 4.27 In response to the challenge, the Department for Education (DfE) have published revised guidance on improving the attendance levels in all schools and have identified key responsibilities for schools, families, and Local Authorities.
- 4.28 The DfE [Working together to improve School Attendance](#) is clear in its position that "Improving attendance is everyone's business' and that the barriers to accessing education are wide and complex and can be found within and beyond the school gates and are often specific to individual families and children.
- 4.29 The DfE state that in all stages of improving attendance, schools and partners should work in partnership with pupils and parents collaboratively to remove any barriers to attendance by building strong and trusting relationships and working together to put the right support in place.
- 4.30 Securing good attendance cannot therefore be seen in isolation, and effective practices for improvement will involve close interaction with schools' efforts on curriculum, behaviour, bullying, special educational needs support, pastoral and mental health and wellbeing, and effective use of resources. The guidance states that all key partners should:
- EXPECT - High Standards of attendance
 - MONITOR - through rigorous use of attendance data
 - LISTEN & UNDERSTAND – identifying barriers to attendance and agreeing how all partners can work together to resolve.
 - FACILITATE SUPPORT – helping parents to access the support they need.

- FORMALISE SUPPORT – Partners working together to outline consequences to parents when they are not engaging in voluntary support. This may include the use of Parenting Contracts and Education Supervision Orders.
 - ENFORCE – Protecting the pupil’s right to an education through statutory intervention or prosecution
- 4.31 The guidance outlines clear responsibilities for on both schools and local authorities in their approach to improving attendance in schools, [producing a summary of these expectations](#).
- 4.32 Local authorities have a responsibility to have a School Attendance Support Team to carry out a range of duties outlined in the guidance.
- 4.33 **West Sussex County Council Attendance Support Team**
- 4.34 To meet the expectations of the guidance the service has bought together a range of teams.
- 4.35 The Early Help Dedicated Schools Team provides each school with a named contact to discuss and advise on attendance matters. They carry out termly conversation with schools, using data to identify those children where attendance is a concern as well as providing access to multi-disciplinary support for families.
- 4.36 The Pupil Entitlement Investigations Team undertake all requirements of the ‘Enforce’ element of the expectations, undertaking non-attendance legal investigations and the use of Fixed Penalty Notices for non-attendance including unauthorised holidays in term time.
- 4.37 The West Sussex Virtual School monitor and improve the attendance of children with a social worker, providing advice and guidance to social workers when needed and ensuring attendance reviews and expectations are embedded in all Personal Education Plans for Children we Care for.
- 4.38 The Standards and Effectiveness Team use local attendance data to identify schools and localities where attendance is a concern and provide strategic support to maintained schools.
- 4.39 **Developing our approach**
- 4.40 To effectively develop the response to the guidance, key staff have worked with a DfE Attendance Advisor. As part of this process an evaluation of our current provision and plans for development was carried out with the advisor in January 2025, identifying our strengths and plans for development.
- 4.41 **Strengths**
- 4.42 Through the implementation of the Bromcom recording system (school system for recording attendance) and Attendance Dashboard, the directorate has high quality data at both a pupil and strategic level to inform operational practice and strategic development.

- 4.43 Teams within the Attendance Support Team have effective links to schools to provide support and guidance on attendance related issues and challenges.
- 4.44 Wider support to schools on supporting young people with emotional wellbeing and mental health. Including the development of advice and guidance on Emotional School Based Avoidance (ESBA) from the Educational Psychology Service, the development of the 'Thought-full' Mental Health Support Teams in schools, Youth Emotional Support (YES) Team and the 'Thrive' In Education initiatives.
- 4.45 **Areas of development**
- 4.46 Self-evaluation shows there is a range of good work happening across the Directorate to support the improvement in educational engagement and attendance. There is a need to draw these effective areas of work together into an effective strategy.
- 4.47 The facilitating of opportunity for all schools and external partners to come together in sharing good practice, strategic concerns and developing joined up approaches.
- 4.48 Developing an effective, multi-agency approach to supporting children and families in the most complex and entrenched cases.
- 4.49 Developing a strong culture and effective practice across all directorate services that ensures that levels of attendance and educational engagement are central to reviewing and decision making when working with families and children.
- 4.50 **Actions undertaken:**
- The establishment of a scoping group to plan and implement a Directorate wide Attendance Strategy.
 - The creation of a Practice Improvement working group to develop staff training and process regarding Attendance. With Senior leaders in Children's Social Care and Early Help identified as Attendance leads to drive through developments.
 - As part of the upcoming Children Social Care reforms, there will be exploration to how the Family Help model will embed whole family working, ensuring a focus on a range of issues that may be adding or causing issues relating to attendance.

5. Policy alignment and compliance

- 5.1 **Equality duty and human rights assessment** –The service recognises the primary importance of educational attainment and support for children to fulfil their potential and to provide effective transitional arrangements into adulthood. A full equality impact assessment and testing against the public sector equality duty will be maintained throughout the improvement programme and inform its implementation. In terms of those with a protected characteristic, the service will ensure enablement and support across all relevant categories, and this will both continue and be enhanced through the Children First agenda.

- 5.2 **Crime and disorder** – There are positive implications for Sections 17, 37 and 39 of the Crime and Disorder Act 1998 in the prevention and reduction of **crime** and anti-social behaviour, and in reducing offending and re-offending by young people, all of which are affected by the progress activity discussed in this report.
- 5.3 **Social value** – The services for children and young people discussed in this report will directly support improved delivery of the West Sussex Plan priority to give every child the Best Start in Life. Supporting the development of young people will continue to build resilience and social capital and contribute towards stronger and more effective communities.

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Background Papers None