

Children, Young People and Family Support Scrutiny and Policy Development Committee

Thursday 22 November 2012 at 2.00 pm

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

Membership

Councillors Gill Furniss (Chair), Rob Frost, Keith Hill, Talib Hussain, George Lindars-Hammond, Karen McGowan, Mohammad Maroof, Lynn Rooney, Colin Ross, Andrew Sangar (Deputy Chair), Nikki Sharpe, Clive Skelton and Stuart Wattam

Education Non-Council Members

Jules Jones, Gillian Foster, Paulette Kennedy, Joan Stratford and Alison Warner

Sheffield Local Involvement Network

(Observer)

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

PUBLIC ACCESS TO THE MEETING

The Children, Young People and Family Support Scrutiny Committee exercises an overview and scrutiny function in respect of the planning, policy development and monitoring of service performance and other general issues relating to learning and attainment and the care of children and young people within the Children's Services area of Council activity. It also scrutinises as appropriate the various local Health Services functions, with particular reference to those relating to the care of children.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Members of the public have the right to ask questions or submit petitions to Scrutiny Committee meetings. Please see the Council's website or contact Democratic Services for further information.

Scrutiny Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

If you require any further information about this Scrutiny Committee, please contact David Molloy, Scrutiny Policy Officer on 0114 2735065 or email david.molloy@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**CHILDREN, YOUNG PEOPLE AND FAMILY SUPPORT SCRUTINY AND POLICY
DEVELOPMENT COMMITTEE AGENDA
22 NOVEMBER 2012**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting**
To approve the minutes of the meetings of Committee held on 25th October 2012.
- 6. Public Questions and Petitions**
To receive any questions or petitions from members of the public
- 7. Educational Attainment 2011/12**
- 8. Every Child in Education Every Day**
- 9. Policy Update**
- 10. Date of Next Meeting**
The next meeting of the Committee will be held on Thursday 24th January 2013 at 2.00 pm in the Town Hall.

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life.

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk

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**Children, Young People and Family Support Scrutiny and Policy Development
Committee**

Meeting held 25 October 2012

PRESENT: Councillors Gill Furniss (Chair), Andrew Sangar (Deputy Chair), Rob Frost, Keith Hill, Talib Hussain, George Lindars-Hammond, Karen McGowan, Mohammad Maroof, Lynn Rooney, Colin Ross, Nikki Sharpe, Clive Skelton and Stuart Wattam

Non-Council Members in attendance:-

Jules Jones, Education Non-Council Voting Member
Paulette Kennedy, Education Non-Council Voting Member (Parent Governor)
Joan Stratford, Education Non-Council Voting Member
Alison Warner, Education Non-Council Voting Member

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Gillian Foster.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 There were no items identified.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest from Committee Members.

4. PUBLIC QUESTIONS AND PETITIONS

4.1 There were no public questions or petitions submitted to the meeting.

5. MINUTES OF PREVIOUS MEETING

5.1 The minutes of the meeting of the Committee held on 27th September 2012 were approved as a correct record, and, arising therefrom it was noted that;

(a) with regard to a joint meeting between the Children, Young People and Family Support and the Economic and Environmental Wellbeing Scrutiny and Policy Development Committees to discuss apprenticeships in the City, a meeting had been arranged for November 2012 between the Committee Chairs and Policy Officers to progress this, and a date for the joint meeting would be circulated in due course;

(b) James White, Children and Young People Services, provided a brief update

on the appeal made to the AQA examination board over GCSE marking, stating that there was nothing new to add at present, but that he would keep the Committee updated on any future developments;

(c) David Molloy, Policy Officer, reported that the Sheffield Youth Council would be invited to attend a meeting of the Scrutiny Committee towards the end of the municipal year 2012/13 in order for them to inform the work programme for the municipal year 2013/14, and it was noted that Councillor George Lindars-Hammond would act as a liaison between the two groups;

(d) with regard to concerns raised by a Committee Member at the last meeting of the Scrutiny Committee, it was confirmed that there were no links to Sheffield with the recent child sexual exploitation case raised in Rotherham, and

(e) with regard to the school attendance item intended for this meeting of the Committee, it was noted that the officer preparing the report was off work presently, and that this item would be brought to a future meeting of the Committee instead.

6. EDUCATION OUTCOMES FOR LOOKED AFTER CHILDREN

6.1 The Committee received a report of the Executive Director, Children Young People and Family Services, regarding Education Outcomes for Looked After Children (LAC), and in attendance for this item was Iain Peel, Assistant Director, Inclusion and Learning, and Steve Mather, Virtual Headteacher for Looked After Children Services.

6.2 Mr. Peel informed the Committee that there was currently a cohort of approximately 550 LAC in the City , and that 420 of these were at school age; 68% of whom were in the secondary school phase.

6.3 Mr. Peel reported that school attendance figures amongst LAC had improved, but Members were disappointed that there were not more national comparisons drawn in the report, to which Mr. Peel replied that the way in which data was now reported by the Government over a three year period had made it difficult to draw these comparisons in this municipal year.

6.4 Members wished to know more about the Pupil Premiums allocated for LAC, and how these were being spent. It was noted that all LAC drew up a Personal Education Plan (PEP) working together with an educational specialist, and the spending of their Pupil Premiums was reviewed every six months.

6.5 Mr. Mather explained about the role of the virtual school for LAC, and how this benefited LAC by giving them some consistency in their education.

6.6 Members wished to know which strategies for improving attendance had been the most effective for LAC, to which Mr. Peel replied that there had been an intensive mentoring programme, which had helped in some ways, although some children had dropped out of this scheme. Work was also taking place using care leavers as advocates and mentors. There would be more work in the next academic year

with regard to the mentoring scheme to ensure that factors such as transport were not preventing children from attending.

- 6.7 Some Members wished to know which schools were producing good results for LAC, but James White, Children and Young People Services, was keen to emphasise that there was no one particular school which was doing well with LAC, as a great deal depended on the child in question. This was a volatile cohort, with many complex and changing needs.
- 6.8 LAC usually stayed at the school to which they were allocated, even if the school was not meeting the floor standards required of it, as the school was a constant in the child's life. It was proven that attainment was worse for LAC who changed schools more often than those who did not. Those children who changed schools regressed in their attainment by approximately six months every time they moved.
- 6.9 Members wished to know whether all foster carers were putting the necessary emphasis on education, and it was reported that valuing education was essential in the criteria when selecting foster carers. Mr. Mather assisted as an advocate for the education of LAC, and worked closely with foster carers to ensure that this was the case.
- 6.10 It was noted that most children's homes were now smaller residential homes, like family homes, and that the larger 'institutions' did not exist anymore. Most of these new homes accommodated three to four LAC.
- 6.11 It was noted that at the time of the last Ofsted inspection, 23 LAC in Sheffield has gone on to University places, which was an exceptionally high number.
- 6.12 It was noted that pupils attending the secure unit at Aldine House were making significant progress in educational attainment. The attendance figures were excellent, largely due to the fact that the secure unit meant that attendance was compulsory, unless a child was ill. This consistent attendance was driving up educational standards amongst the pupils at Aldine.
- 6.13 With regard to the expenditure of Pupil Premiums, Members were keen to see what was working, what needed improving, and whether the correct target groups were being focused upon, and if these groups were not making progress, what further could be done to use Pupil Premiums more effectively. They were also concerned that Pupil Premiums were not used to 'prop up' core budgets.

- 6.14 **RESOLVED:** That the Committee;

(a) notes the contents of the report now submitted and thanks the officers for their attendance at the Committee, and

(b) requests that an overview of the use of Pupil Premiums monies be brought the Committee as a future agenda item, to see what was working, what needed improving, and whether the correct target groups were being focused upon, and if these groups were not making progress, what further could be done to use Pupil Premiums more effectively.

7. POLICY UPDATE

7.1 David Molloy, Policy Officer, provided Members with a detailed overview of several key policy updates, including;

- School funding reform arrangements for 2013-14
- Measures to improve adoption and fostering
- 55 new Free Schools to open in September 2012, twice as many as this time last year
- Urgent reforms to protect children in residential care from sexual exploitation
- £100m to expand early education and childcare
- Cash boost for disadvantaged school children
- Places for National Citizen Service autumn roll-out
- Examinations for 15-19 year olds in England – Commons Education Committee Report
- Measuring happiness
- Twice as many students not taking key academic subjects than to the English Baccalaureate

7.2 It was also noted that Jules Jones was to volunteer to sit as a representative of the Committee on a working group being set up to look at the Child and Adolescent Mental Health Service in Sheffield, alongside Members of the Healthier Communities and Adult Social Care Scrutiny Committee.

8. DATE OF NEXT MEETING

8.1 It was noted that the next meeting of the Committee would be held on Thursday 22nd November 2012 at 2 pm in the Town Hall.

APPENDIX 1



Report to Children, Young People and Families Scrutiny Committee 31.10.12

Report of: Maggie Williams, Deputy Executive Director, Children Young People and Families Portfolio

Subject: Every Child in Education Every Day

Author of Report: Sarah Draper, Assistant Director, Inclusion and Learning Services, Children, Young People and Families

Summary:

This report provides an update on the “Every Child in Education Every Day” strand of work which is ensuring that, as a council, we are regularly addressing the key issues relating to behaviour and attendance across the city, at both an operational and strategic level. Recent government reports and guidance have resulted in the group closely examining and reviewing current policy and practice with a focus on how the Council can ensure that every child is accessing an appropriate education every day. The report also highlights the relationship between current policy in relation to the number of exclusions across the city and the function of Sheffield’s Pupil Referral Unit which is named “The Sheffield Inclusion Centre”.

NB Throughout this paper reference to “schools” includes academies unless otherwise stated.

Type of item: The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Community Assembly request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	X
Other	

The Scrutiny Committee is being asked to:

- Note and endorse the direction of travel of the “Every Child in Education Every Day (ECIEED)” work and its four constituent strands, which are:
 1. Attendance/Persistent Absence
 2. Admission to schools
 3. Behaviour/Exclusion
 4. Curriculum Access
 - Discuss the potential impact that proposed changes in policy relating to exclusion may have; and,
 - Comment on the establishment of Behaviour and Attendance Partnerships across the secondary sector
-

Background Papers:

“They never give up on you”

Report of the Office of the Children’s Commissioner, March 2012

“Improving Alternative Provision”

Charlie Taylor, The Government’s Expert Adviser on Behaviour

“Exclusion from Maintained Schools, Academies and Pupil Referral Units in England” - A guide for those with legal responsibilities in relation to exclusion

Guidance on School Behaviour and Attendance Partnerships

Category of Report: OPEN

1. Introduction/Context

1.1 Being in full time education every day is recognised to contribute very positively and significantly to the life chances of all children and young people. Participation in education improves chances of employment and future economic well-being, creating the foundation for positive participation in both community and wider society and the basis for future successful families.

Children and young people who are not involved in full time education are at greater risk of becoming isolated, of underachieving and potentially becoming involved in crime, anti-social behaviour or in the abuse of drugs or alcohol.

Vulnerable children and young people are better safeguarded and at reduced risk of harm when in full time education every day.

1.2 The Every Child In Education Every Day (ECIEED) strand of work has been established in order to tackle any barriers that may exist for Sheffield children and young people in accessing appropriate education every day. It will ensure that key issues relating to this agenda maintain a consistently high profile and that appropriate actions are carried forward which had a direct positive impact for children and young people within Sheffield. The work is led by Sarah Draper - Assistant Director, Inclusion and Learning Services with representation from across the Children & Young People's portfolio.

1.3 As a result of the changing national guidance, there has been much local activity and interest in this agenda in the past six months.. This has led to the following range of activity: I

- Reporting to the 14-19 board with a focus on BME exclusions
- Contributing to a Members Workshop led by Cllr. Drayton which focussed on the importance of every child being in education every day
- Supporting training to Governors relating to permanent exclusions
- Co-ordinating the moratorium on "Supported Transfers" (to be explained later in this paper)
- Overseeing the re shaping of Behaviour Services across the city, with particular emphasis on the Pupil Referral Unit which is based at the following sites:
 - Key Stage 1 and 2 – Clifford Road
 - Key Stage 3 and 4 – Spring Lane
 - Home and Hospital – Spring Lane and Sheffield Children's Hospital
- Overseeing the work of the Behaviour Strategy Group which was established in March 2011 and has now completed its set tasks

The main aim of this report is to provide members with the current picture related to exclusions. However, in order to provide a wider context for the exclusion information, the following is an update and outline of the direction of travel on the first three strands of Every Child in School Every Day:

1. Attendance/Persistent Absence
2. Admission to schools
3. Curriculum Access

2. Attendance/Persistent Absence

2.1 For Sheffield, and nationally, the main reasons for poor school attendance are:

- Illness;
- Religious Observance;
- Holidays in Term Time;
- Persistent Absence.

2.2 It has been acknowledged that the earlier families are supported to ensure regular school attendance the more chance there is of influencing attendance in later years. It has been established that for the last 2 years in Sheffield Y1 and Y2 have made up about 38% of the total absence for Sheffield primary schools. This supports the proposal to target work as early as foundation stage.

2.3 Persistent absentees are defined as having an overall absence rate of around 15% or more. This equates to 46 or more sessions of absence (authorised and unauthorised) during the year (half-terms 1-5). The reasons for persistent absence are wide ranging but often centre on social or emotional issues for the child or young person and/or for their family. Persistent absentees may for example be carers or may be part of a dysfunctional family unit. Other reasons for persistent absence may be related to the relationship between the child or young person and/or their family and the school which leads to disengagement.

2.4 **Actions for 2012/13**

Following consultation, Sheffield will publish its new Attendance Strategy in the autumn term. The strategy has 5 key themes:

1. Schools' Own Management of Attendance
2. Early Intervention and Prevention
3. Support for Looked After Children
4. Local Authority Targeted Support for Schools
5. Full and Effective use Legal Powers

Improving School Attendance has to be everyone's business. The new attendance strategy supports the concept of 'Early Intervention & Prevention' and relies upon schools working closely in partnership with Children, Young People and Families and other partners to achieve this aim.

3. **Admission to Schools**

3.1 About 12,000 school admissions are processed every year in Sheffield and at the start of primary and secondary education, 97% of applications result in a place in a preferred school. However there are a number of reasons why school admission can result in children or young people missing from school including:

- A few parents who do not receive a place for their child in a preferred school may take the case to appeal and in the meantime choose not to send their child to school.
- Children who transfer between schools during the school year may be allocated a school place but, on occasion, their admission to school is delayed by the receiving school. The allocation of a place may take longer in over-subscribed schools as available places will be much reduced.

3.2 The council has a duty to trace and place any child that is not on a school roll. Children newly arrived in the city particularly from abroad are included in this category and it may take time before these children are

identified. The allocation of these children may also take longer than average if there are language barriers to be overcome or families have no experience of education or are living in areas where schools are fully subscribed.

3.3 **Actions for 2012/13**

- We believe it is good practice for us to question and try to reduce the high numbers of children and young people that transfer between schools. Research shows that transfer can hinder a child's progress and can lead to problems of attendance. We will highlight these issues in our communications with parents through the Parents Assembly and we will investigate individual applications to check that the parent is in agreement with the transfer request before it is processed.
- The Fair Access Protocol acts as a safety-net where the normal process of in-year admissions has failed. We need an updated agreement with schools which clarifies how the protocol will be used in primary schools, in respect of newly-arrived children and in response to the 2012 Admissions Code. The new code places greater importance on the locally agreed Fair Access Protocol as a guideline for whether schools might oppose the admission of a child in-year where the school has a particularly high proportion of children with challenging behaviour..

4. **Curriculum Access**

4.1 For a wide range of reasons young people may have all or part of their curriculum delivered off schools sites. Reasons include:

- Elected Home Education (EHE)
- Ill Health, both physical and mental
- Pregnancy
- Late arrival in Y11
- Motivational context to support other learning
- Early start to post-16 Education
- Specialist vocational learning outside of school.
- Provision to prevent young people becoming Neet

4.2 Children resident in Sheffield are taught on outreach when they are not well enough to return to school upon discharge from the hospital.

Children are usually taught on a one to one basis either:

- in their own home
- In the home of a relative or friend, through agreement with the parent/carer
- in a suitable local public venue
- at Spring Lane.

4.3 Around 1600 young people usually aged 15 -16 years attend off-site provision which is commissioned by schools to either enhance their mainstream offer or to provide a full time alternative to the school curriculum. Where this is planned and effectively monitored by the school this is often a positive experience which enables young people to

benefit from a vocational skills programme which is quality assured through the council.

- 4.4 In a minority of cases however, an alternative provider may be used which is not quality assured or attendance is not properly monitored by the school. This can be a cause for concern, particularly if non-attendance by a pupil is not addressed. This can result in a young person not being in education.

Schools have recently been reminded of the importance of using quality assured provision and work is being undertaken to identify where schools are not addressing issues of non-attendance.

4.5 **Actions for 2012/13**

- Further develop the relationships with parents/families of EHE children and improve systems for monitoring and supporting this group of children.
- Remind schools of their responsibility in relation to ensuring all off site provision is quality assured and effectively monitored/risk assessed

5. **Exclusions - The Current Situation in Sheffield**

5.1 **Formal Exclusions**

Exclusion is a legal sanction backed by clear Department for Education (DfE) guidance (September 2012) which schools can use when behaviour has breached expected standards.

It is expected the use of exclusion will be part of a school's behaviour policy with escalating steps, fairly and consistently applied, and communicated to parents and pupils and only as a "last resort".

In the exclusion process parents and carers have clear rights and schools have clear duties including providing for the education of the pupil during the period of exclusion up to 5 days. Beyond 5 days it is the duty of the council to provide alternative educational provision.

A fixed term exclusion is time limited and can be up to 45 days in a school year – usually it is for less than 5 days, often one or two days. In the case of a permanent exclusion the pupil does not return to the school.

The rate of exclusion varies according to different groups of the pupil population. BME groups are particularly over-represented in Sheffield. The data in appendix 1 demonstrates this.

School level data is also available and indicates considerable variation in rates of exclusion and groups involved.

5.2 **"Hidden Exclusions"**

There are several policies in Sheffield which could be considered to mask the real level of permanent exclusions. Informal/illegal exclusions

apply to those situations where a Headteacher sends a child home for disciplinary reasons and does not follow the formal exclusion process. An example of this is when a pupil is sent home to “cool off” or until a parent accompanies them to school. We do not know the number of these informal exclusions because there is no mechanism to capture the data. When officers become aware of them they are followed up and the school challenged on its practice.

5.3 **Supported Transfers**

This policy was adopted in September 2006 as an alternative to permanent exclusion as part of the zero exclusions policy and involves transfer from the school roll to that of the PRU (Pupil Referral Unit). It should only be used as a last resort when the school believes it has attempted every available strategy and the Headteacher considers that the pupil is at risk of permanent exclusion. Parental agreement must be obtained but the parent has no right of appeal.

The supported transfer procedure avoids a permanent exclusion being recorded on the pupil’s records. It requires the PRU to have an open ended number of places and in the process there is no role for Sheffield City Council (SCC) to act as advocate for the child. The headline data for the number of supported transfers is found in the attached appendix 1.

It should be noted that statistically, pupils with a permanent exclusion shown on their school record may have a greater chance of being unemployed or being involved in criminal activity. The introduction therefore, of the supported transfer process, was intended to reduce permanent exclusions and enhance the life chances of vulnerable pupils. However, it is clear from the high number of supported transfers and the concern expressed, particularly by parents, that this system is not working. There is real concern that this current policy is having a direct negative impact on the number of children/young people who are educated outside of the mainstream system.

In 2010/11, the number of pupils referred to the Key Stage 3/4 PRU through either supported transfer or permanent exclusion was 32% higher than in 2005/6 (115/152), yet the resource did not increase. Due to the increase in the number of supported transfers, the capacity to accommodate intervention referrals to the PRU at Key Stage 3/4 has reduced. In 2010/11 the number of interventions were 56% lower than in 2006/7 (28/64). This has a direct negative impact on early intervention.

In order to build additional capacity at Spring Lane the service currently uses 27 vocational providers which enables the PRU to offer more provision to pupils in Key Stage 4 as the KS4 current provision cannot manage the number of pupils who are referred. The provision is funded and staffed to manage 135 pupils, yet the numbers in September 2012 were 166. As the resource at Spring Lane is currently over-subscribed there is a direct impact on children being either on a waiting list or being offered only a part time time-table. Clearly this is not acceptable.

In summary, evidence indicates that the introduction of Supported Transfers has resulted in a sharp increase in children and young people being referred to the PRU and subsequently “excluded” from mainstream education.

6. Pupil Movement across the City

6.1 A number of children who access their education in a Sheffield school may experience challenges in maintaining their school placement, particularly if the child presents challenging behaviour. For some of these children the school may explore a range of options in order to maintain the child in education by accessing a placement at an alternative school. The process for “moving children on” includes both SWAPP and Managed Moves.

6.2 **SWAPP** (students wanting alternative placement panels). These are Headteacher led panels with no role for SCC as the advocate for the child. Pupils displaying disruptive behaviour are discussed and the option of a “fresh start” in another school considered. Arrangements for transfer between schools at the panel are then agreed, if considered appropriate. Parental agreement is required but the parent has no recourse to appeal. It is again difficult to quantify the number of these transfers.

There have been a number of instances where SWAPP placements have broken down and the child has been left without a school place. As this arrangement is often managed on an informal basis, children and families can be left confused and frustrated when they are refused access at their original school.

6.3 **Managed Moves**
This is an agreed, supported and planned transfer between schools which takes place when a school feels a pupil is approaching permanent exclusion. This is a formal process and requires the involvement of CYPF. Conducted in this formal way it is an approach used in many local authorities. The data can be found in the attached appendix 1.

6.4 There is an acknowledgment by the LA and some schools that the systems outlined in 6.2 and 6.3 do not work consistently or, in some cases, effectively for children and young people. The processes give cause for concern to at least some parents as well as to some schools and therefore, there is a need for this practice to be re-visited.

7. Vulnerable Groups

7.1 In ensuring every child is in education every day CYPF, on behalf of SCC, will act as the advocate and champion for children, young people and their families, especially for those who are vulnerable including children who:

- have un-met learning needs
- have complex families who require support from professionals

- have had more than one school move in either the primary or secondary sector
- have been subject to more than one fixed term exclusion in one school term
- are looked after
- have a record of persistent absence from school
- are at risk of either fixed or permanent exclusion

Sheffield City Council intends to place the needs of children and young people at the heart of its direction and decision making.

8. Behaviour and Attendance Partnerships

8.1 The aim of establishing Behaviour and Attendance Partnerships, initially in the secondary sector, is to promote outstanding behaviour and levels of attendance in all Sheffield Secondary Schools. Many Local Authorities have already established such partnerships which have proved to have a positive impact on reducing exclusions and raising attendance. Whilst these partnerships are no longer government policy, implementation has proved to be beneficial in other Local Authorities.

8.2 Through effective local partnership working, schools will have a forum to learn from one another and collaborate with the sole aim of driving forward high standards and expectations of behaviour and attendance. Schools are committed to working together to deliver the very best outcomes for their students by supporting one another and providing forums to share good practice.

8.3 The aims and purpose of the partnerships are as follows:

- Create a strategy which promotes outstanding behaviour and attendance in schools.
- Active engagement of all schools within their clusters.
- Active engagement of the PRU, other providers of alternative provision and extended services.
- Disseminate good practice and strategies already taking place within schools.
- Share resources to meet the individual needs of schools within the cluster.
- Guaranteed effectiveness of Fair Access and Managed Moves policy.
- Focus on early interventions.
- A coherent SWAPP initiative running in each cluster.
- A supportive staff training programme.
- An improvement in Secondary School Attendance that is in line or above the national average.
- A commitment to minimising permanent exclusions, supported transfers and managed moves through the development of targeted, preventative and co-ordinated provision which meets the needs of students who require such interventions.

9. Strategy for Tackling Exclusions

9.1 There is a clear need for Sheffield City Council to develop a clear strategy for tackling the high number of exclusions across the city. The following proposals/actions have been identified and in some cases actioned:

1. Policy

By the end of December we aim to:

- a. Review, with a view to ending, zero permanent exclusions policy (Supported Transfers).
- b. Members Task and Finish Group –one meeting has taken place to explore the implications of ending the zero permanent exclusions policy
- c. Present this paper to the Scrutiny Committee for comments on direction of travel
- d. Place an interim moratorium on supported transfers and informed all schools of this action
- e. Establish Behaviour and Attendance Partnerships
- f. Formalise the Managed Moves/SWAPP processes to ensure the advocacy role of SSC is robust in the process
- g. Review and if necessary revise the Fair Access Protocol
- h. Consider the linkages between these policies and the Behaviour and Attendance Partnerships to secure peer challenge as well as officer engagement.

2. Reinforce with schools their responsibilities and SCC expectations in relation to exclusions.

By the end of November we aim to:

- a. Use the new DFE statutory guidance on exclusions as a basis for reminding schools of their role and responsibilities.
- b. State the role of SCC as an advocate for children and families in respect of providing appropriate challenge when required.
- c. Provide training for Governors/Headteachers in partnership with Legal Services.
- d. Develop a model behaviour policy framework for schools based on best practice

3. Develop collaborative working between SCC and Headteachers

In the Spring Term, 2013, we aim to:

- a. Develop locality based collaborative working through the Behaviour and Attendance Partnerships which will promote:
 - Early intervention and prevention approaches with particular reference to BME
 - Inclusive practice
 - Links with the teaching school (secondary).
 - The further development of quality assured Alternative Provision

- b. Continue to develop outreach through the PRU particularly with groups of primary schools as well as individual ones.

4. Sheffield City Council - Monitoring and Challenge Role

We have already begun to:

- a. Monitor exclusions using newly developed systems on termly basis and challenge schools where necessary and in particular with reference to BME exclusions (monitoring through officer group initially)
- b. Challenge informal exclusions with particular reference to looked after children.
- c. Screen applications for school-to-school transfer applications to ensure that transfer requests have appropriate parental support.

5. Data and information – systematic collection and use

We intend to continue to develop:

- a. The Referral Team which has been established within the Pupil Referral Unit from September 2012. This team is currently and will continue to analyse all exclusion data.
- b. The effective analysis of data by the Referral Team will enable CYPF to identify and mobilise services as required, in addition to offering appropriate support to schools to develop alternative behaviour management interventions for individuals or groups and also to challenge current practice.
- c. Support interventions which could come either from established services including the Pupil Referral Unit or may be available to schools from other quality assured providers. The early identification of children requiring support and the development of alternative interventions should contribute to reducing the frequency of fixed or permanent exclusions.
- d. The analysis of exclusion data which is already being monitored by a group of senior officers from across CYPF on a termly basis to identify schools where trends in overall exclusions or in respect of specific groups are of concern. The data will be compared annually with national trends. This process allows identification of schools where it may be necessary to provide both challenge and support regarding their practice. This equally applies when information is received about informal exclusion from school.

6. Information

We will continue to improve our systems to enable us to:

- a. Signpost schools to quality assured projects and services including those offered by voluntary community sector.
- b. Establish and publicise advice and guidance - “One Stop Shop” for parents in respect of exclusions – link to corporate customer single point of contact.

7. Engagement

We will ensure by the end of December we have:

- a. Engaged with parents and young people, especially BME groups to seek views and also to develop confidence and empower parents, building on two previous BME parent meetings
- b. Engage with the BME network
- c. Plan a programme for engagement with parents and young people, linking with larger networks on parental engagement.

10 What does this mean for the people of Sheffield?

10.1 Putting into practice the Every Children in Education Every Day proposals will result in a much more transparent system regarding exclusions and the movement of children between schools across the city. SCC is committed to ensuring that parents and children have a voice via a clear, recognised legal framework. Ending Supported Transfers will ensure that the parents of children accessing the PRU will have had their rightful opportunity to put forward their opinion to the Governors Disciplinary Committee.

The risks and benefits of ending supported transfers is further highlighted in Appendix 2.

10.2 Establishing Behaviour and Attendance Partnerships will ensure that good practice and relevant information is shared freely amongst schools through a robust network. Strengthened partnership working will lead to raising standards across schools through school to school support and the sharing of best practice and innovation.

10.3 Further development of the new Referral Team, which is based at the Sheffield Inclusion Centre will provide a “one stop shop” approach which will support parents in being able to easily access advice and support when needed.

11. Recommendations

11.1 Note and endorse the Every Child in Education Every Day strategic work and its commitment to raising standards across the city by focussing on access to appropriate education for some of its most vulnerable groups of children;

11.2 Comment on the strategy for tackling exclusions and specifically the proposal to end Supported Transfers permanently.

11.3 Support the establishment of the Behaviour and Attendance Partnerships.





Appendix 1

Every Child in Education Every Day


Key Data on Exclusions and Other Reasons Why Children and Young People May Not Be in School

Data for secondary schools only (with the exception of persistent absence) has been included as the numbers of primary school children, especially for exclusions, are so small and therefore statistically not significant and the other categories do not apply to primary schools.

1. Permanent Exclusions

Permanent Exclusions	2010	2011	Trend
Sheffield	0.02 (5)	Statistically insignificant <5	
National	0.15	0.13	
Core Cities	0.21	0.19	
Statistical Neighbours	0.19	0.21	
Source: DfE National Indicators, as at January PLASC (the census). The percentages are the numbers of pupils as a proportion of the total number of children.			





1.1 Supported Transfers

Supported Transfers	2010-11	2011-12	Trend
Sheffield	0.54 (144)	0.45 (120)	
Source: Sheffield Admissions, full year total, percentage of total pupils (number of pupils).			

Since 2006, Sheffield has operated a policy of 'supported transfer' as an alternative to permanent exclusion. A supported transfer is a brokered placement at the Pupil Referral Unit. The data in the tables above shows that the number of permanent exclusions in Sheffield is negligible, but the number of supported transfers, whilst reducing, is high by comparison with the equivalent measure for permanent exclusions in other authorities.

2. Fixed Term Exclusions (Incidents)





Overall

Fixed Term Exclusions	2010	2011	Trend
Sheffield	13.0	9.6	
National	8.6	8.4	
Core Cities	11.2	11.3	
Statistical Neighbours	11.9	10.1	

Source: DfE National Indicators, as at January PLASC (the census). This is the number of exclusion incidents as a percentage of the number of children on roll.





The number of pupils with fixed-term exclusions has fallen in Sheffield in the last 2 years and is not slightly lower than our statistical neighbours and closer to the national average. On a more detailed analysis, Sheffield has higher levels of BME exclusions than most other authorities.

BME

Fixed Term Exclusions	2010	2011	Trend
Sheffield	17.6	13.2	
National	8.5	8.2	
Core Cities	11.2	10.5	
Statistical Neighbours	10.1	8.2	


Source: DfE National Indicators, as at January PLASC (the census). This is the number of exclusion incidents as a percentage of the number of children on roll.

White British

Fixed Term Exclusions	2010	2011	Trend
Sheffield	11.7	8.4	
National	8.6	8.4	
Core Cities	11.8	12.2	
Statistical Neighbours	12.2	10.4	

Source: DfE National Indicators, as at January PLASC (the census). This is the number of exclusion incidents as a percentage of the number of children on roll.

White and Black Caribbean

Fixed Term Exclusions	2010	2011	Trend
Sheffield	25.8	26.7	

National	18.7	18.3	
Core Cities	23.9	11.3	
Statistical Neighbours	24.8	23.7	
Source: DfE National Indicators, as at January PLASC (the census). This is the number of exclusion incidents as a percentage of the number of children on roll.			

Black

Fixed Term Exclusions	2010	2011	Trend
Sheffield	23.5	15.4	
National	9.8	12.8	
Core Cities	14.8	14.0	
Statistical Neighbours	10.3	7.7	
Source: DfE National Indicators, as at January PLASC (the census). This is the number of exclusion incidents as a percentage of the number of children on roll.			

Pakistani



Fixed Term Exclusions	2010	2011	Trend
Sheffield	15.6	11.6	
National	9.8	6.5	
Core Cities	8.1	7.1	
Statistical Neighbours	8.0	7.2	
Source: DfE National Indicators, as at January PLASC (the census). This is the number of exclusion incidents as a percentage of the number of children on roll.			

Fixed Term Exclusions by Gender for Sheffield (% incidents)



Gender	Exam Year 2010	Exam Year 2011	Trend
All Children	14.8	11.7	
Female	8.3	6.8	
Male	21.2	16.4	

Fixed Term Exclusions by SEN for Sheffield (% incidents)

SEN	Exam Year	Exam Year	Trend
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	2010	2011	
All Children	14.8	11.7	
Total SEN	30.8	24.0	

3. Transfers




Transfers	2010-11	2011-12	Trend
Managed Moves	16	11	
In-Year Transfers, between secondary schools	262	325	
Source: Sheffield Admissions, full year total, number of pupils			

The number of transfers between secondary schools is high in Sheffield. Managed moves are those brokered by the Council where a pupil is at risk of exclusion. Other in-year transfers are those requested on application by a parent. Although we have no comparable figures from other authorities, our view is that the number of in-year transfers between schools is high in Sheffield, and it is rising.

3.1 SWAPPS


There is a process for Sheffield Headteachers to meet in locality groups to broker transfers of young people to a new school as part of a behaviour management strategy. These transfers are undertaken for a trial period, usually 6 weeks. This process is managed by Headteachers and the number of young people trailing places at alternative schools is not recorded centrally.




4. Children Missing in Education (CME)

	2010-11	2011-12	Trend
Number of CME cases	2474	2624	
Of which number of newly arrived children or pupils not on a school role	1574	1815	
Fair Access Admissions	62	61	
Source: Sheffield CME team, full year total, number of pupils.			

The increase in the number of referrals to the Children Missing in Education team is mainly due to the rise in newly arrived children during 2011-12. Other cases that the team deals with are 'missing children' who have moved out of Sheffield without leaving details of a new school or address. The key issues with placing newly arrived children are avoiding unnecessary delay and the availability of a school place at a reasonable travel distance. Fair Access is used for hard to place children where the normal process of admission has failed. The number of Fair Access referrals has remained consistent over the two year period.


5. Alternative Provision

Alternative Provision	2010-11	2011-12	Trend
Elective Home Education	195	207	

PRU	106	119	
Hospital	787	544	
Attending off-site provision	2653	1908	
Source: Sheffield Inclusion Centre and Extended Curriculum Teams, number of pupils, full year total			

The data in the above table shows a mixed picture. The number of children being educated at home is rising and is now significantly higher than in the past decade where there were typically fewer than 100 such students. The number of children attending off-site provision has also fallen significantly, although this data is only those students on the VSP programme, not in provision arranged directly by the school, for which we do not have figures.

6. Persistent Absence

Persistent Absence	Primary	Secondary	Trend
Sheffield 2011/12	4.30	9.00	

Persistent Absence 2010-11	Primary	Secondary
Sheffield	5.10	10.60
National	3.90	8.40
Core Cities	5.65	11.30
Statistical Neighbours	4.24	9.61

Persistent absentees are defined as having an overall absence rate of around 15% or more. This equates to 46 or more sessions of absence (authorised and unauthorised) during the year (half-terms 1-5).

The tables above reports Sheffield's persistent absence for 2010/11 compared to National, Core Cities and Statistical Neighbours. While data is available for Sheffield for 2011/12 it is not yet available for the other areas to enable comparison.

Primary – in 2010/11 Sheffield had lower levels of persistent absence than Core Cities but higher than National and Statistical Neighbours. This year (2011/12) there has been a decrease in Primary persistent absence in Sheffield by 0.8%.

Secondary – in 2010/11 Sheffield had lower levels of persistent absence than Core Cities but higher than National and Statistical Neighbours. This year (2011/12) there has been a decrease in Secondary persistent absence in Sheffield by 1.6%.

Draft

CYPF Scrutiny Committee

Policy Update

OCT/NOV 2012

1. Repeal of the duty on Ofsted to conduct an annual Children's Services Assessment of each local authority in England

- a) Ofsted will no longer be required to produce an annual assessment of each local authority's children's services, following the repeal of section 138 of the Education and Inspections Act 2006
- b) The local authority assessments, which were drawn from relevant findings from Ofsted's inspection and regulation of education, care and skills, and published performance data, were abolished as part of wider changes to local authority accountability arrangements across government. The repeal of section 138 will remove an unnecessary bureaucratic burden from both local authorities and Ofsted
- c) Across local authorities there has been a concern that the children's services assessment is a bureaucratic exercise that adds little understanding of children's services in an area over and above the individual inspections that underlie it. It is seen to make little, if any, contribution to driving service improvement. Ending the annual children's services assessment generates a cost saving to Ofsted of approximately £1.6 million per year
- d) Following an 8 week targeted consultation exercise, the draft Legislative Reform (Annual Review of Local Authorities) Order was laid before Parliament on 10 May 2012. After scrutiny by the relevant parliamentary committees, and a short debate in the House of Lords, the Legislative Reform Order was approved and has been signed by the Parliamentary Under-Secretary of State for Children and Families, Tim Loughton, who originally announced the Government's intention to repeal the relevant legislation in December 2010. The repeal takes effect immediately and, as a result, Ofsted will not be undertaking a children's services assessment process this year
- e) The annual children's services assessment provided, for each top tier local authority in England, a summary of the outcomes of the inspections of services and settings carried out by Ofsted during the year and an analysis of the performance data related to each authority. Ratings are awarded on a 4 point scale:
 - Performs poorly
 - Performs adequately
 - Performs well
 - Performs excellently
- f) The 2011 ratings were:
 - Performing poorly – 15 local authorities
 - Performing adequately – 33 local authorities
 - Performing well – 76 local authorities
 - Performs excellently – 28 local authorities

- g) Ending the annual children's services assessment will have no impact on Ofsted's other inspection activity. Ofsted has already put in place a new, universal, child focussed inspection regime for local authority services for the protection of children. A new inspection regime for local authority fostering, adoption and looked after children's services will be introduced early in 2013 and a new, multi-inspectorate child protection inspection framework (developed in partnership with the Care Quality Commission, Her Majesty's Inspectorate of Constabulary, Her Majesty's Inspection of Probation and Her Majesty's Inspectorate of Prisons), which fully implements the inspection recommendations from Professor Eileen Munro's Review of Child Protection in England, will follow in mid 2013. Ofsted launched consultation exercises on their proposals in these areas on 11 July

2. Record numbers of men teaching in primary schools – but more still needed

- a) Latest data from the Teaching Agency (TA) shows more men are becoming primary school teachers. The number of male trainee primary teachers has increased by more than 50% in the last 4 years and has grown at 5 times the rate of women
- b) More top male graduates are being encouraged to follow suit and take advantage of the great opportunities a primary teaching career provides. The same pay scales apply to all teachers, regardless of whether they teach primary or secondary, and career progression opportunities are excellent. Teachers are twice as likely to be in management positions, than graduates in comparable professions after 3.5 years. The average starting salary for teachers now stands at £23,010 and the current average after 4 years is 30% higher. Training bursaries of £5000 are available for those with a 2:1 degree applying to primary teaching, and £9000 for those with a First

3. Prime Minister: More new Free Schools than ever before to raise standards and increase choice

- a) The Prime Minister and Education Secretary Michael Gove recently announced that 102 new Free Schools have been approved to open in 2013 and beyond. This is more than a 50% increase on the number of schools that were approved last year, and means that the number of Free Schools set to open each year is rising rapidly. In September 2011, the first 24 Free Schools were opened and this September around 50 are due to open
- b) The announcement paves the way for thousands of excellent new school places where there is clear demand, raising education standards and giving parents more choice. The majority of schools will be based in areas of deprivation, or where there is a need for new school places
- c) More than half of the approved applications are from teachers, existing schools or educational organisations. They include a secondary school to be run by the highly successful teachers behind the Cuckoo Hall Academy chain, based in a deprived area of north London, and a primary school in Manchester led by the group responsible for the Big Issue in the north of England, which also runs a children's centre

5. Views sought on which 2 year olds should get free early education

- a) Up to 300,000 babies born this year are set to benefit from 15 hours of free early education each week when they are 2 years old, as the Government announces plans to roll out free early education to more children across England
- b) Sarah Teather, Minister for Children and Families, launched a consultation calling for views on which 2 year olds should benefit. This is the second phase of the roll

out of free early education to around 40% of 2 year old children to help prepare them for school and give them the best possible start in life

- c) In the launched consultation, the Government said that 2 year olds from families who meet the criteria for free school meals will continue to be eligible. In addition, the Department for Education proposes that 2 year old children should get free early education if they:
- Are in low income families earning no more than £16,190 each year
 - Have special educational needs or a disability
 - Have been in care and been adopted
- d) From September 2013, under the first phase of the entitlement, the least advantaged 20% of 2 year olds will receive free early education. The Government is trialling the delivery of this first phase in 10 areas in England later this year. The new entitlement for 2 year olds builds on the universal free entitlement for 3 and 4 year old children across England
- e) The Government is currently examining childcare costs in a commission that was announced by the Prime Minister on 19 June. This is looking at the effectiveness of current support, wraparound care, best practice from home and abroad, and the impact of bureaucracy. It is also considering the findings of Professor Cathy Nutbrown's report, *Foundations for Quality – the independent review of early education and childcare qualifications*, which looks to enhance quality in the sector. The Government will report back on both issues later this year
- f) Children are entitled to free school meals if their parents receive any of the following benefits: income support; job seekers' allowance; employment and support allowance' or child tax credit with an income of less than £16,190 providing they are not receiving working tax credit

6. £10 million literacy catch-up programme for disadvantaged pupils

- a) Children from poorer backgrounds who are behind in reading and writing at the end of primary school will have the chance to get extra catch-up lessons
- b) This comes as part of the Government's drive to narrow the attainment gap between pupils from disadvantaged backgrounds and their peers
- c) Results from last year's Key Stage 2 tests show that around 100,000 pupils in England failed to reach the expected standard in English

7. Reform of the Office of Children's Commissioner

- a) Children's Minister Sarah Teather has published draft clauses for forthcoming legislation to strengthen the role of the Office of the Children's Commissioner
- b) The proposals were included in the Queen's Speech in May
- c) A Children and Families Bill is expected to be introduced early in 2013
- d) It follows an independent review of the Office of the Children's Commissioner role, which reported in December 2010
- e) John Dunford's independent review concluded that there was a continuing need for a Children's Commissioner, who could act as a champion for children and young people, ensuring that their voices were heard and that new policies and legislation were designed in a way that took account of their rights. However, he said that the current legislative framework had prevented the Commissioner from fulfilling that role effectively, and that changes were needed to ensure that the Commissioner would, in future, have greater impact on children and young people's lives

- f) The draft legislation laid before the House would create a new role for the Children's Commissioner, focused on promoting and protecting the rights of children, in line with the articles of the UN Convention on the Rights of the Child, to which the Government are a committed signatory. In order to carry out the role effectively, the Children's Commissioner would have powers to:
- Carry out investigations
 - Carry out assessments of the impact of new policies and legislation on children's rights
 - Undertake research
 - Monitor the effectiveness of complaints and advocacy services for children and young people
 - Access places where children are cared for or accommodated away from home, so that their concerns can be heard
 - Request the information needed to carry out full and robust investigations
 - Require those to whom recommendations are made to set out how they intend to respond
- g) The draft legislation would make the Children's Commissioner more independent from Government and more directly accountable to Parliament, in particular through an annual report to Parliament that will allow for more effective scrutiny of the impact that the Children's Commissioner's activities have had on the promotion and protection of children's rights. The draft legislation also includes measures designed to make the Commissioner's business planning processes more transparent, by making it a requirement for the Commissioner to consult on his or her future priorities and to appoint an advisory board
- h) In line with John Dunford's recommendations, the draft legislation would also result in the functions of the children's rights director in Ofsted being incorporated within the remit of the Children's Commissioner, but with safeguards to ensure that the current levels of support provided to this vulnerable group of children were not diluted
- i) Under the draft legislation, the Children's Commissioner for England would retain responsibility for non-devolved matters, but would be able to delegate his or her powers of investigation to the Children's Commissioners in the devolved administrations. The Children's Commissioner for England would also be required to consult the Children's Commissioners in the devolved administrations before conducting an investigation on a non-devolved matter within their jurisdictions or across the UK