



COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

AGENDA

DATE:	Tuesday, 31 January 2023
TIME:	7.30 pm
VENUE:	Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor Chittock (Chairman)
Councillor S Honeywood (Vice-Chairman)
Councillor Clifton
Councillor Codling
Councillor Davidson

Councillor King
Councillor Miles
Councillor Nash
Councillor Steady

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DATE OF PUBLICATION: Monday, 23 January 2023

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

3 Questions on Notice pursuant to Council Procedure Rule 38

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District **and** which falls within the terms of reference of the Committee.

4 Review of the Work Programme (Pages 1 - 12)

The report provides the Committee with an update on its approved Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme), feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respect of enquiries undertaken and a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting.

5 Children Missing from Education (Pages 13 - 16)

The report is set out to provide an update regarding the issue of "*children not in education*" which had previously been at the Community Leadership Overview and Scrutiny Committee on 21 March 2022, "*To enquire into the safeguarding and educational position concerning those of school age where and elective decision has been that they will not be attending mainstream schools but be home schooled.*"

Date of the Next Scheduled Meeting

The next scheduled meeting of the Community Leadership Overview and Scrutiny Committee is to be held in the Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 7.30 pm on Tuesday, 7 March 2023.

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

31 JANUARY 2023

REPORT OF HEAD OF DEMOCRATIC SERVICES AND ELECTIONS

A.1 WORK PROGRAMMING – INCLUDING MONITORING OF PREVIOUS RECOMMENDATIONS AND SUMMARY OF FORTHCOMING DECISIONS

(Report prepared by Keith Durran)

PURPOSE OF THE REPORT

The report provides the Committee with an update on its approved Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme), feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respect of enquiries undertaken and a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting.

In relation to Task and Finish Groups taking forward enquires with the remit of this Committee, a request may be made if the Chairman of the Group to update the Committee on the progress of the enquiry concerned.

INVITEES

Not applicable.

BACKGROUND

The Council commissioned the Centre for Governance and Scrutiny (CfGS) to undertake an 'Overview & Scrutiny Development Review' in 2021 as a way of further improving that function at the Council. Two relevant recommendations arising from that review were:

“Further strengthening the annual process for developing work programmes for each O&S committee - Engaging Members, Officers, partners and the public to prioritise the topics for review. This could include a selection criteria to identify appropriate topics for the work programme. Currently the work programme is also the last item on the agenda at O&S meetings, we would recommend bringing it to the beginning, so it can be given greater priority and benefit from more considered discussion, rather than being subject to the inevitable end of meeting fatigue.

Reviewing how the recommendations are made and how impact is measured – This could include putting the ‘recommendations monitoring report’ at the beginning of agendas to orientate O&S towards outcomes-focused meetings, alongside an emphasis on finding strong recommendations from questioning to present to Cabinet (or partners) as improvement or challenge proposals.”

The Committee has previously received three separate reports on the issues of (1) Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme),

(2) feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respects of enquiries undertaken and (3) a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting.

While (since the CfGS recommendations were made) the three reports referred to have been earlier in the Committee's agendas for meetings, the combination of them into one report seeks to further re-inforce the inter-relationship of the matters previously covered separately. As such, it is designed to further support consideration of work programming of the Committee and contribute to addressing progress with the Corporate Plan.

DETAILED INFORMATION

The detailed matters relating to the following matters are set out in the Appendix identified: (1) Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme) – See Appendix A;

(2) feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respects of enquiries undertaken – see Appendix B; and

(3) a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting – See Appendix C.

In considering work programming matters, the Committee is further reminded of the other recommendations from the CfGS review undertaken in 2021:

“Considering greater use of task and finish groups – This more informal type of O&S can allow improved cross-party working and detailed investigation of a single issue focussed on producing substantive recommendations.

Improved agenda planning and management - Committees should focus on one or two substantive items per agenda to allow for cross-cutting themes to be properly identified and explored, and different insights brought to bear on critical issues.

Considering how to engage the public in the work of O&S - This could include O&S going on more site visits in the community, inviting the public to offer ideas for work programmes, and greater use of social media channels for resident input and communicating the progress and impact of scrutiny work.

A clearer focus on democratic accountability - Scrutiny of Cabinet Members should form a key part of the work programme, providing an opportunity to hold the Leader and portfolio holders to account for delivery of the corporate plan and any other issues O&S feel is important.”

RECOMMENDATION

That the Committee:

- (a) Considers and notes the progress with enquiries set out in its Work Programme, feedback to the Committee on the decisions in respect of previous recommendations and the list of forthcoming decisions; and**
- (b) Determines whether any addition to, amendment of or rescheduling of Work Programme matters are required or other actions should be approved based on the content of this report.**

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**SCOPING DOCUMENT FOR ENQUIRIES BY COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE AS PART OF ITS WORK
PROGRAMME 2022/23**

Item	Date of Enquiry	Relevant Corporate Plan Theme/Annual Cabinet Priority	Information to be provided in advance	Those to be invited to attend	Articulated value of undertaking the review
<p>Jaywick, social issues, crime and deprivation, housing.</p> <p>Private Sector Housing and rental build quality. Plus a look at the action to address health inequality through addressing housing conditions.</p>	To be Allocated	<p>Community Leadership Through Partnerships/Joined up public services for the benefit of our residents and businesses</p> <p>Building Sustainable Communities for the Future/B2 Jaywick Sands - more and better housing; supporting the community, B5 - Building and managing our own homes and Effective planning policies</p> <p>Delivering High Quality Services/A6 - Effective Regulation and Enforcement</p>	<p>The emerging Place Plan for Jaywick.</p> <p>Data around the current position as it relates to Jaywick by way of demographics, health inequalities, recorded crime, service provision and plans for the area.</p> <p>The Essex Levelling Up proposals for the area and how they seek to address issues in the locality</p>	<p>Cllr P Honeywood as Portfolio Holder with responsibility for Jaywick Corporate Director, Operations and Delivery, Interim Director for Planning and Assistant Director, Housing and Environment Representatives from Essex County Council, the Environment Agency, the Clinical Commissioning Group/Primary Care Network/ICP Representatives from Community Groups in Jaywick</p>	<p>To look holistically at the issues as they relate to Jaywick Sands and the measures in place to address those issues and encourage further working between partners to collaboratively take opportunities to improve the area for its residents.</p> <p>The enquiry may also be able to inform the emerging Place Plan for Jaywick</p>
Progressing the proposals for development as part of Tendring-Colchester Border Garden Community	To be allocated	Community Leadership Through Partnerships	The emerging Development Plan Document for the Garden Community.	Portfolio Holder for Corporate Finance and Governance	Reassurance that the Development Plan Document for the Garden Community (and

<p>Considering the emerging Development Plan Document for the Garden Community</p> <p>Opportunities for enhancing the Garden Community through links to the Freeport East project.</p> <p>Examining stewardship/governance of the Garden Community.</p> <p>Assessing risk and challenges for the District as a whole.</p>			<p>Responses to consultation with the public/stakeholders on the Development Plan Document.</p> <p>The plans of Essex County Council for roads and for the rapid transit arrangements.</p> <p>Relevant plans of the University of Essex.</p> <p>Plans of public service providers such as health, fire and police for provision in respect of the Garden Community.</p>	<p>The Chairman of the Tendring Colchester Borders Joint Committee and the other Members of the Committee.</p> <p>The Planning Portfolio Holder</p> <p>The Deputy Chief Executive, Interim Director for Planning and the Corporate Director for Project Delivery</p> <p>Representatives from Essex County Council (Highways), North East Essex Health and Wellbeing Alliance</p>	<p>related plans for the Garden Community) are robust and address the needs for that community.</p> <p>This process can itself inform the full Council's consideration of the Development Plan Document for the Garden Community – scheduled to be considered in January 2023.</p>
<p>Cost of living crisis and the support that can be provided.</p>	<p>Started</p>	<p>Community Leadership Through Partnerships/Joined up public services for the benefit of our residents and businesses</p>	<p>Information on the cost of living crisis, including fuel prices and inflation. Localised data on the numbers of households facing financial crisis, numbers of disabled people who have less than £10 per week for food and essentials and</p>	<p>Representatives from a range of organisations active in this work area who are able to assist the enquiry.</p>	<p>To best support socio-economic wellbeing at the local level during this crisis time.</p>

			<p>those individuals at risk of homelessness</p> <p>Information on what is being done at a local level to support those being hit hardest by the cost of living crisis. Evidence of coverage of these efforts compared with the numbers likely to be hardest hit locally. How are the financially vulnerable identified and how robust are the partnerships to address this. Support for disabled people to access support.</p> <p>Data sharing between organisations to improve service delivery</p>		
<p>Out of school out of site, children not in School. Addressing the issues in the Ombudsman's Report of July 2022. - Focus report: Out of school, out of sight? July 2022 (localgov.co.uk)</p> <p><u>This enquiry is not about elective home education</u></p> <p>When a child (of compulsory school age)</p>	Started	Community Leadership Through Partnerships/Joined up public services for the benefit of our residents and businesses	<p>Essex County Council policies on its duty to children who cannot fully attend a school to access their education.</p> <p>Numbers of children in the County who cannot fully attend school.</p> <p>Arrangements for assessments of children who cannot fully attend a</p>	<p>Representatives from Essex County Council's Education service with knowledge of this area.</p> <p>Those who undertake assessments</p> <p>Those who are contracted to</p>	<p>To respond to the Ombudsman's Focus Report of July 2022 on this matter. To be reassured on the provision for children in Tendring who struggle to cope with full-time education. This can be because they have health problems.</p>

<p>cannot go to school, the Upper Tier local authority must find out why. If there is a duty for it to act, it must make alternative arrangements to provide suitable education.</p> <p>The key learning point the Ombudsman wants to highlight is that Upper Tier Authorities have the duty to arrange alternative education, not the school a child attends. Councils need some way to identify when their duty has arisen. Councils will be held to account if things go wrong.</p>			<p>school to access their education.</p> <p>Alternative education provision providers and oversight of those arrangements.</p> <p>Timescales for assessments and alternative provision, learning from complaints about the service.</p>	<p>provide alternative education provision.</p> <p>A sample of the parents of the children who fall into this category</p> <p>A representative from the Ombudsman's Office who can speak on this matter.</p>	<p>Helping to ensuring that local services do not exacerbate mental health issues for children in this category. The Ombudsman reports seeing increasing numbers of cases where children are unable to attend school because of anxiety. Often, these cases involve children with special educational needs which have yet to be fully understood. There may be little, or even conflicting, evidence about the child's needs. Nevertheless, councils must assess the available evidence and decide for themselves whether they have a statutory duty to make other arrangements for the child's education. They should take action without delay.</p>
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COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

31 JANUARY 2023

RECOMMENDATIONS MONITORING REPORT

Recommendation(s) Including Date of Meeting and Minute Number	Actions Taken and Outcome	Completed, follow-up work required or added to Work Programme
Nothing to report.		

Recommendations monitoring for those recommendations from earlier meetings of the Committee have been previously reported to the Committee and, as such, are not repeated here as there is no further update to be provided on them.

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A.1 APPENDIX C

Community Leadership Overview and Scrutiny Committee **31 January 2023**

OVERVIEW AND SCRUTINY PROCEDURE RULE 13 – SCRUTINY OF PROPOSED DECISIONS

(Prepared by Keith Durran)

The below forthcoming decisions are those published since 14 November 2022 – the publication date for the Committee's last ordinary meeting.

In presenting the following, the Committee's attention is drawn to the agenda item notes in respect of Overview and Scrutiny Procedure Rule 13.

DESCRIPTION OF DECISION	KEY DECISION – YES/NO	DECISION MAKER	Decision Due Date
Events on Council Land Policy	YES	Cabinet	30/11//2022
Essex Anchors Initiative Update	NO	Cabinet	30/11/2023
State of Tendring District Statement	NO	Council	18/01/2023

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COMMUNITY LEADERSHIP OVERVIEW AND SCUTINY COMMITTEE

30 JANUARY 2023

REPORT OF ASSISTANT DIRECTOR PARTNERSHIPS

A.2 Children Missing Education

(Report prepared by Rebecca Morton, Executive Projects Manager & Anita Patel-Lingam, Statutory Education Compliance Manager, Essex County Council)

PURPOSE OF THE REPORT

This report provides an update in regards to the issue of “children not in education” – the previous CLOSC agenda item from 21 March 2022:
“To enquire into the safeguarding and educational position concerning those of school age not attending mainstream schools.”

INVITEES

Anita Patel-Lingam, Statutory Education Compliance Manager, Essex County Council.

The presentation will provide the Committee with an update on children of school age not attending mainstream schools, where parents are not proactively seeking a school place or where parents have stated their intention to electively home educate and the local authority has concerns regarding their home education arrangements. Anita Patel-Lingam will be available to answer questions.

BACKGROUND

In recent years, Essex has seen a significant increase in the number of children and young people who are listed as being in receipt of elective home education (EHE). In addition, due to the number of families moving into Essex from other local authority areas, we have a number of children and young people who are without a school place and where there is not evidence to suggest that parents are proactively seeking school places. The Education Compliance team within Essex County Council actions all referrals relating to children missing education and will act on any concerns regarding the provision of EHE by parents.

As at 31st December 2022, 45 (11 primary phase and 34 secondary phase) of the total 330 children and young people listed as ‘children missing education’ across Essex reside within the Tendring district (13.6%). Tendring has the fourth highest proportion of the total Essex cohort of children missing education.

As at 31st December 2022, 402 (124 primary phase and 278 secondary phase) of the total 2616 children and young people listed as ‘electively home educated’ across Essex reside within the Tendring district (15.4%). Tendring has the second highest proportion of the total Essex cohort of electively home educated children and young people.

ECC colleague/s will present the committee with an update relating to children not in mainstream education in Essex including Tendring.

DETAILED INFORMATION

What is the statutory definition of children missing education?

Children missing education are defined as; “children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school.”

Local Government Association (LGA), Children Missing Education Report 2020

The LGA report also identifies the main scenarios which occur whereby children potentially end up missing out on their entitlement to a formal full-time education, and in some of the scenarios described this outcome becomes highly likely:-

- Children who leave school at the instigation of their parent, e.g. because the parent for example doesn't believe the school is meeting the child's needs
- Children who leave school at the instigation of the school, e.g. permanent exclusions
- Children who remain in school but do not access full time, e.g. multiple or prolonged fixed term exclusions
- Children and families with poor health, e.g. children not able to attend school due to their own physical or mental health
- Children that cannot be provided with a suitable place, e.g. children on the waiting list for a special school
- Highly mobile children and families, e.g. children who have never been on a school roll - new arrivals or unknown to children's services

Nationally, there is a rising trend in numbers of children missing education. Research would suggest that this trend is not a result of one single issue, in fact it is a combination of three factors that, taken together, have given rise to this trend. These factors are:

- the changing nature of the needs and experiences that children are bringing into school
- pressures and incentives on schools' capacity to meet those needs
- the capacity of the system to ensure appropriate oversight of decisions taken regarding children's entry to and exit from schools

What is the potential impact on children missing education?

Research suggests the impact of children missing education can include the following:-

- slower progress in learning
- worse prospects for future employment
- poorer mental health and emotional wellbeing
- restricted social and emotional development and
- increased vulnerability to safeguarding issues and criminal exploitation

Children missing out on a formal full-time education can also have significant emotional and financial implications, be detrimental to communities, reinforcing stereotypes and increasing isolation.

The LGA report also highlights the complexity of trying to identify missing children; *“Children missing education can be found in a variety of both formal and informal education settings, they can be found at home receiving different forms of educational input or none at all, they can be found in employment and they can be simply unknown to those providing services in the community.”*

For further information: LGA – Children Missing Education Report 2020 –
LGA link: <https://www.local.gov.uk/publications/children-missing-education#download>

There are certain children within our communities who are more at risk of missing education which includes:-

- Children at risk of harm/neglect
- Children of Gypsy, Roma and Traveller families
- Families of Armed Forces
- Missing children/runaways
- Children and young people supervised by the Youth Justice System
- Children who cease to attend a school

RECOMMENDATION

That the Committee determines whether it has any comments or recommendations it wishes to put forward to the relevant Portfolio Holder or Cabinet.

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