### **Public Document Pack**

Gareth Owens LL.B Barrister/Bargyfreithiwr Chief Officer (Governance)

Prif Swyddog (Llywodraethu)



Contact Officer: Jan Kelly / 01352 702301 janet.kelly@flintshire.gov.uk

To:

Councillors: Marion Bateman, Mel Buckley, Teresa Carberry, Tina Claydon, Bill Crease, Paul Cunningham, Jean Davies, Carol Ellis, Gladys Healey, Dennis Hutchinson, Dave Mackie, Gina Maddison, Hilary McGuill, Ryan McKeown, Debbie Owen, Andrew Parkhurst, Carolyn Preece, David Richardson, Jason Shallcross, Linda Thomas and Arnold Woolley

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

Lisa Allen, Lynn Bartlett and Wendy White

Friday 23<sup>nd</sup> June, 2023

Dear Sir/Madam

# NOTICE OF HYBRID MEETING JOINT EDUCATION, YOUTH & CULTURE AND SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE THURSDAY, 29TH JUNE, 2023 at 2.00 PM

Yours faithfully

Steven Goodrum

Democratic Services Manager

Please note: Attendance at this meeting is either in person in the Lord Barry Jones Council Chamber, Flintshire County Council, County Hall, Mold, Flintshire or on a virtual basis.

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. A recording of the meeting will also be available, shortly after the meeting at <a href="https://flintshire.public-i.tv/core/portal/home">https://flintshire.public-i.tv/core/portal/home</a>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

#### AGENDA

#### 1 **APPOINTMENT OF CHAIR**

**Purpose:** To appoint a Chair for the meeting.

#### 2 APOLOGIES

**Purpose:** To receive any apologies.

# 3 <u>DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)</u>

**Purpose:** To receive any Declarations and advise Members accordingly.

#### 4 **LOOKED AFTER CHILDREN IN FLINTSHIRE** (Pages 5 - 16)

Report of Chief Officer (Social Services) - Cabinet Member for Education, Welsh Language, Culture and Leisure, Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing

**Purpose:** To provide an update on the provision for Looked After

Children. And to provide an update on the challenges, positive working and how young people were supported through the pilot to provide funding directly to looked after children leaving

care.

# 5 <u>HELP AND SUPPORT FOR LOOKED AFTER CHILDREN AND CARE LEAVERS</u> (Pages 17 – 22)

Report of Chief Officer (Social Services) – Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing

**Purpose:** To provide assurance on the help and support provided to

children and families to enable them to remain at home where safe and appropriate, support to children who become looked after, support for care leavers and the basic income pilot.

# 6 SAFEGUARDING IN EDUCATION INCLUDING INTERNET SAFETY AND SOCIAL MEDIA (Pages 23 – 32)

Report of Chief Officer (Education and Youth) – Cabinet Member for Education, Welsh Language, Culture and Leisure

**Purpose:** To provide an update on the discharge of statutory

safeguarding duties in schools and the Education portfolio. To include information on Relationship and Sexual Education and

how this was contributing to reducing harm.

### 7 <u>ADDITIONAL LEARNING NEEDS AND EDUCATION TRIBUNAL (WALES)</u> <u>ACT 2018</u> (Pages 33 - 38)

Report of Chief Officer (Education and Youth) - Cabinet Member for Education, Welsh Language, Culture and Leisure

**Purpose:** To outline the approach to the identification and

commissioning of post 16 education for Flintshire young

people.

#### 8 **SUPPORTING REFUGEES IN SCHOOLS** (Pages 39 - 48)

Report of Chief Officer (Education and Youth) - Cabinet Member for Education, Welsh Language, Culture and Leisure

**Purpose:** To provide information and an overview of support service

provided to support refugees in schools.

Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours





### **EDUCATION, YOUTH & CULTURE OVERVIEW AND SCRUTINY COMMITTEE**

Date of Meeting	Thursday 29 <sup>th</sup> June 2023
Report Subject	Provision for Children who are Looked After (CLA/LAC)
Cabinet Member	Cabinet Member for Education, Welsh Language, Culture and Leisure
Report Author	Chief Officer (Education & Youth)
Type of Report	Operational

#### **EXECUTIVE SUMMARY**

The report provides Members with an overview of the support provided for Children who are Looked After during the academic year 2021/2022.

Please note that Flintshire Education and Social Services Departments have recently agreed a change in terminology from Looked After Children (LAC) to Children who are Looked After (CLA). This follows feedback from the young people themselves who do not wish their looked after status to define them as individuals. It also aligns Social Services and Education terminology.

RECO	MMENDATIONS
1	For Members to actively engage as Corporate Parents for children who are looked after, promoting awareness and challenging provision within Flintshire educational settings.
2	For Members to actively encourage all educational staff to promote the educational welfare of children who are looked after within Flintshire establishments at a 'whole school level'.

#### **REPORT DETAILS**

# 1.00 EXPLIANING THE PROVISION FOR FLINTSHIRE CHILDREN WHO ARE LOOKED AFTER (CLA)

1.01 The definition of Children who are Looked After (children in care) is found in the Children Act 1989. A child is looked after by a local authority if a court has granted a care order to place a child in care, or a council's children's services department has cared for the child for more than 24 hours.

The lead responsibility for the educational support of children who are looked after within the Education & Youth Portfolio sits within the Inclusion & Progression Service which has oversight of children meeting the definition above and also previously looked after children as per the definition below:

A previously looked after child is one who is no longer looked after in England and Wales because s/he is the subject of an adoption, special guardianship or child arrangements order which includes arrangements relating to with whom the child is to live, or when the child is to live with any person or has been adopted from 'state care' outside England and Wales.

#### 1.02 **Data**

Whilst the overall number of CLA pupils remains relatively constant across the school year, the cohort of children identifiable as CLA can vary from month to month. As can be seen in the table below, the entire CLA cohort within Flintshire has reduced slightly over the last 3 years (from 263 to 255). However, the individual circumstances and resulting needs vary significantly over time.

Reports are collated on a monthly basis to ensure accurate and up to date information. For the purposes of this report, data has been taken from a fixed point in time (October).

The figures below show the caseload over the last 3 years:

Date	Number of CLA (0-18)	Number of CLA (statutory school age 5-16)
October 2020	263	166
October 2021	258	178
October 2022	255	157

The following tables give an overview of numbers within each school category.

Flintshire School Information	Oct 2021	Oct 2022
Total number of children in FCC Schools	124	106
FCC Primary mainstream	57	37
FCC Secondary mainstream	56	54
FCC Special schools	5	7
FCC Pupil Referral Unit (PRU)	6	8

Page 6

As can be seen from the data above, the overall number of CLA pupils in Flintshire schools has reduced, predominantly in the primary age range.

Out of County Settings (OOC)	Oct 2021	Oct 2022
Total number of children in OOC Schools	54	51
OOC Primary mainstream	20	20
OOC Secondary mainstream	18	19
OOC Special schools	0	0
OOC Independent	16	11
OOC PRU	0	1

It is positive to see from the data above that the number of CLA children in independent out of county settings has also reduced, whilst the number attending OOC mainstream has increased slightly.

# Year groups/phases – percentage of CLA attending in each phase in 2021 compared to 2022:

National Curriculum Year	No. of CLA October 2021	No. of CLA October 2022	% Increase / decrease
Reception	8	9	+12.5%
Year 1 & 2	27	21	-22.2%
Years 3 - 6	45	50	+11.1%
Years 7 - 9	54	46	-15%
Years 10 & 11	44	31	-29.5%

As can be seen the number of pupils being taken into care during their secondary years has decreased, whilst the primary numbers are increasing. Future analysis is required to determine whether or not this is an ongoing trend.

#### 1.03 Outcomes

Under the New Curriculum for Wales and due to previous restrictions on data collection during COVID the only outcome data available relates to school leavers.

#### Year 11 school leaver data 2022:

There were 27 CLA who left Year 11 in July 2022. Of those 13 (48%) had either a Statement of Special Needs (SEN) or an Education and Health Care Plan (EHCP). The largest category (6/13) of additional need was Behaviour Emotional and Social Difficulties (BESD).

The Cognitive Ability Tests (CATS) for pupils are taken in year 7 and provide schools with an indicator of expected targets for GCSE results at the end of year 11. This data is only available for pupils who were attending Flintshire schools in Year 7 (14/27 pupils).

Of the 14 children for whom this data is available, 8 (57%) achieved the expected outcomes. The remaining 6 did not achieve their predictions, but 5/6 did achieve some level of qualification.

Page 7

Where pupils did not meet expectations, this was largely due to emotional and social needs with 3/6 (50%) having a statement of either BESD or ADHD. In some instances, placement breakdown had led to school moves and breakdowns in educational placement. In two instances the pupils struggled with their mental health, resulting in significantly reduced engagement with school.

Of the 27 CLA, 24 (89%) left Year 11 with some qualifications and 12/27 (44.4%) achieved a minimum of 5 GCSEs. Due to the COVID restrictions on data collection there is no comparable figure for 2020 and 2021.

Of the 27 CLA, 1 attended a special school, 9 attended independent specialist placements, 14 attended mainstream and 3 attended PRU or EOTAS provision. As to be expected, the GCSE results are significantly better for pupils attending mainstream with 11/14 (79%) of mainstream pupils achieving 5 GCSEs. Only 1/9 (11%) of pupils attending the more specialist settings achieved 5 GCSEs. This reinforces the knowledge that we need to ensure as many of our young people as possible are retained within the mainstream setting.

#### **Destination Data:**

As can be seen from the table below, of the 27 school leavers in 2022, 4 left school and did not transfer to education, employment or training (NEET). This means that 85% had a positive destination. This compares favourably to the data from 2021 when only 10/16 learners had a positive destination 62.5%. This increase in figures is partly due to the impact of COVID in 2022, but also as a result of increased communication and support between the Local Authority (LA), Personal Assistants (PAs) and the educational settings.

As can be seen from the data below, the percentage of pupils having an appropriate destination is higher when they are placed in a mainstream school. This reinforces our understanding that mainstream education offers the best chance of success for CLA.

Placement Type in year 11	No of pupils	Destination	No. of pupils	%age
Mainstream	14	Coleg Cambria	10	71.4%
		FCC 6 <sup>th</sup> Form	1	7.1%
		OOC College	2	14%
		NEET	1	7.1%
		Total Mainstream non- NEET	13	93%
Independent	9	Coleg Cambria	2	22%
		Independent 6th Form	4	44%
		OOC college	2	22%
		Page 8	1	11%

		Total independent non - NEET	8	88%
PPRU/EOTAS	3	OOC college	1	33.3%
		NEET	2	66.6%
		Total PPRU non - NEET	1	33.3%
Special school	1	School 6 <sup>th</sup> form	1	100%
All pupils	27	Non NEET	23	85.2%

#### 1.04 | Attendance and Exclusion

**Attendance Data:** Average attendance for Children who are Looked After is 85.45% for the academic year 2021-2022. This compares to 87% to the previous year's which was estimated due to the impact of COVID 19 on attendance data collection. However, 64% of CLA have good attendance of over 85%. Where attendance is poor this predominantly due to placement breakdown resulting in school moves or poor mental health /social and emotional development.

**Exclusions:** 21 CLA had one or more fixed term exclusions from Flintshire Schools during 2021-2022, amounting to a total of 229.5 days in total. This is concerning and significantly above the average for all pupils. 2 CLA were permanently excluded from Flintshire schools. When we consider the data above relating to leaver outcomes, it is essential that schools and pupils are supported to maintain their placements and that exclusions are minimised. Only as a last resort should a CLA face exclusion.

To try and improve these figures, fixed term exclusion data is now analysed termly and support for schools and pupils is provided to try and prevent further incidents. A working party is being developed to improve the quality assurance of the Personal Education Plans (PEPS) which will provide a vehicle for early identification of need, so that timely intervention can reduce the need for exclusion. This is a significant area for improvement for the Local Authority.

#### 1.05 **ALNET**

The Additional Learning Needs and Educational Tribunal (Wales) Act 2018 (ALNET) came into force in September 2021. This provides additional responsibilities and duties for local authorities in response to the looked after children they are responsible for.

The legislation calls for children who are identified as having additional learning needs (ALN) to have an Individual Development Plan (IDP) to outline their needs and the additional learning provision (ALP) that will be put in place to support the child. For children who are looked after and living in Wales, the local authority responsible for the child is now responsible for making decisions about whether the child has ALN and maintaining the IDP for that child irrespective of where the blive in Wales. This differs from the process

for children who are not looked after where these responsibilities may lie with directly with a school.

In order to support this new legislation Flintshire have employed an additional ALN Learning Advisor specifically to work with our CLA. This post has made significant progress towards achieving the objectives of ALNET during 21-22 and 22-23, and we are on target for completion in line with Welsh Government prescribed time scales.

The process of reviewing all children with ALN to determine their needs and ascertain whether or not an IDP is required has been staggered by Welsh Government. In 21- 2022, only children who were previously recognised as being at School Action (SA) or School Action Plus (SAP) in years Nursery, 1, 3, 5, 7 and 10 were required to be considered under the new system. Children with Statements of Special Educational Need (SEN) and all other year groups were not considered this academic year.

In 2022 there were 78 CLA learners in total across the mandated year groups (N, 1, 3, 5, 7 &10). Of those, 19 were recognised as being SA or SAP. The ALN officer completed these 19 conversions which resulted in a total of 4 Individual Development Plans (2 previously SA, 2 SAP) This represents a 21% conversion rate from the old SA/SAP onto IDP.

In addition, a further 2 CLA pupils were brought to the attention of the LA for consideration of IDP assessment. These were new nursery pupils and as such had no previous ALN history. Both of these were issued with an IDP.

Of the 19 pupils that went through conversion during 2021-2022, 1 attended an OOC PPRU, 1 OOC mainstream secondary, 1 OOC primary, 6 FCC mainstream secondary and 10 FCC mainstream primary.

Due to the transient nature of the caseload a mapping exercise is completed on the new monthly LAC data collection by the LACE (Officer for Looked after Children in Education) and the CLA ALN Learning Adviser to identify potential IDP conversions.

1.06 New Projects to Support Vulnerable Learners including CLA
A number of new projects have been developed to support vulnerable learners including CLA. These are outlined below.

**Alternative Curriculum Project**: 21 CLA have accessed this support designed to improve self-esteem, friendships and a sense of belonging via community-based projects, forest school, equine therapy, arts and other activities. Feedback from schools and pupils has been positive with significant improvements in well-being for some pupils. The data below was collected for all of the pupils accessing the project (not just CLA) and gives an indication of the impact of the provision. The project has continued into 2022-2023:

School staff have indicated that of the pupils who have taken part 62.7% have seen an improvement in engagement in lessons, 59% improvement in self-esteem, and 66% have seen an improvement in their overall happiness.

Pupil evaluation indicated that 80.5% of them felt that they had made new friends, 77.8% said they felt happier, 63% said they felt calmer and 64.8% said they found it easier to try new activities.

Parents views indicated that 56.3% of pupils had improved mood and overall well-being.

**Nurture Support Practitioner:** A nurture support practitioner has been employed to work under the Nurture Support team, specifically with vulnerable learners including CLA. She has offered nurture support and advice and 'Drawing and Talking' sessions to a small number of CLA who have been referred via schools.

Digital Developmental Portrait (DDP) - Nurture International Tool for measuring confidence self-esteem and wellbeing: The DDP is a new tool which measures Concentration and Focus, Sensory Needs, Social Skills and Emotional Resilience. Practitioners answer 16 questions about the presentation/behaviours of the learner in class, which then enables them to dig deeper into areas of need. The resulting profile suggests a range of strategies that can be used at both universal and targeted support levels. We have piloted this tool as part of our new Forum for Delegated Leads for CLA which has met termly. Nurture staff have provided training on the neuroscience behind trauma and brain development and have been provided with an opportunity to pilot the tool.

The profile was completed for 158 CLA and previously CLA pupils, representing over 90% of the entire CLA cohort both in and out of county. As a result, school staff had access to the relevant strategies for all of these pupils, and LA staff were able to reach out to children who were struggling to offer additional support. The project is ongoing.

1.07 The Personal Development Grant (PDG) is funding allocated on an annual basis by the Welsh Government (WG) to raise the attainment of children and young people from low-income households. PDG funding is also allocated separately to specifically support CLA. The table below provides a breakdown of the CLA PDG received by Flintshire which is allocated via the GWE regional consortium:

2022-2023	Budget
GWE LAC PDG local bursary	£ 165,900
Learners outside Wales	£19,658.47
Local schemes	£23,000.00
Total:	£ 208, 558.47

GWE distributes the grant in line with the WG Terms and Conditions. Local Authority budgets are determined based on the numbers of CLA children within the school age range and OOC school placements. Figures were calculated using the October 2021 Children Receiving Care and Support Census (CRCS) data that was published in March 2022.

The main funding stream (£165,900) is held within the GWE consortium and is applied for via a cluster approach. School clusters apply to GWE directly via an online dashboard. GWE are responsible for allocating this, ensuring effective use of the grant and measuring the impact of the funding on learners.

The remaining sum (£19,658.47 and £23,000= £42,658.47) is allocated directly to the local authority and can be used to support local initiatives such as the Digital Developmental Portrait described above. The grant also allows for individual bursary to a maximum of £1150 for children who are identified by schools as requiring additional support.

We have successfully used our allocated budget on specific projects. Developments within schools supported by CLA PDG grant for 2022-2023 have included:

#### Training

- Nurture International Digital Developmental Portrait, data tool (FCC and OOC schools)
- Positive Power of Play (FCC and OOC schools)

#### Bespoke Interventions:

- Sensory room
- Garden Project
- Ice Hockey membership
- Kingswood Residential
- Equine Therapy
- 1-2-1 Transition support
- Forest School
- Bespoke 1-2-1 Nurture Provision
- Food therapy
- Additional Maths and English tutoring
- Know How Project
- CPOMs Safeguarding system
- NCY 6 to 7 transition package

#### 1.08 Views of children

Pupils are engaged with regularly and are invited to engage with the Participation officer and to attend the Children's Services Forum (CHSF). Pupils are also invited to attend their CLA review, and views of the pupils are shared by IROs (Independent Reviewing Officer) with the LACE (Officer for Looked After Children in Education). All recommendations are shared and completed accordingly. The LACE officer is contacted regularly by Social Workers, Schools, and carers to discuss individual cases.

### 1.09 | An integrated approach to improving educational outcomes for CLA

In December 2019, Sir Alasdair McDonald was commissioned by Welsh Government to carry out a scoping exercise focusing on developing an integrated approach to improving educational outcomes for CLA. The report was published in 2020 (link below) and provided a number of recommendations, including the development of a virtual school model.

During the financial year 2021-2022, Welsh Government invited Local Authorities to apply for a £40,000 start-up grant to pilot the introduction of these recommendations, inc Paint Pappointment of a Virtual School Head

Teacher. Flintshire submitted an expression of interest for this funding based on a sustainable, and proactive model that would enable benefits to all vulnerable learners. This was refused by Welsh Government.

Since then, significant work has been completed to look at models across Wales and the UK, including an appreciative enquiry involving Neath Port Talbot and The Vale of Glamorgan. This work has placed us in a stronger position to move forward with the recommendations. A working party consisting of Education and Social Services Leads has been established to consider this further.

In line with the recommendations, resources have also been allocated to ensuring in-depth training for Trauma Informed practice is available to our delegated leads for CLA (£95,000 for financial year 2023-2024).

The ECLIPSE system, which is currently being used to support schools through the development of Individual Development Plans (IDPs) for all pupils with ALN, has been trialled for use with the Person Education Plans (PEPS) and it is hoped that this can be rolled out during academic year 23-24. Discussion between Social Services and Education is ongoing to identify sufficient capacity and resources are allocated to this with the aim of improving the quality and quality assurance of these plans.

2.00	RESOURCE IMPLICATIONS
2.01	As outlined above, considerable action planning and research into other authorities has highlighted a number of areas that need to be developed in order to ensure Flintshire have an optimum integrated model of support in line with Sir Alasdair's recommendations.
	Central funding for CLA currently funds a 0.6 FTE (3 days per week) Coordinator. However, this post has insufficient capacity to develop the PEPS and other areas to ensure maximum impact. In the absence of Welsh Government Funding, additional resources are required to ensure Flintshire can address the areas for development highlighted above.
2.02	A number of CLA require specialist provision which is often only available through the specialist independent sector. The increasingly complex needs exhibited by some individuals and the increasing costs of provision does impact on the Out of County budget. Both the Education and Social Services Portfolios are exploring and developing ways to reduce the expenditure in this area, including the expansion of in-house provision and alternative forms of intervention.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	Impact assessment is not required as the report is for information only.
3.02	Risk monitoring is a regular feature of Portfolio Senior Management meetings to ensure senior officers are sighted in relation to these.

3.03	Expenditure on specialist non-maintained 'Out of County' provision
	constitutes an ongoing financial risk to the both the Education & Youth and
	Social Services Portfolios. This is monitored on a monthly basis and the
	findings reported to relevant members of the Council's Senior Leadership
	Team.

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	Not required

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	WG Guidance - Making a Difference a guide for the designated person for looked after children in schools  Sir Alasdair McDonalds Report:
	https://www.gov.wales/sites/default/files/publications/2020- 07/integrated-approach-improving-educational-outcomes-looked- after-children.pdf

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Jeanette Rock Telephone: 01352 704017 E-mail: jeanette.rock@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
	EOTAS: Education other than at school (Tuition etc)
	PPRU: Portfolio of Pupil Referral Units
	<b>Pupil Development Grant</b> : Welsh Government funding to improve outcomes for learners eligible for free school meals (eFSM) and Looked After Children (LAC). It is intended to overcome the additional barriers that prevent learners from disadvantaged backgrounds achieving their full potential.
	GwE: Regional school improvement service
	Out of County provision (OOC): Specialist education/residential provision which is not maintained by Painte County Council. This could include

mainstream provision maintained by an alternative authority or specialist independent provision.

Additional Learning Needs and Education Tribunal Act (Wales) 2018: New Welsh legislative system relating to the support given to children and young people aged 0 to 25 who have additional learning needs and are receiving education and/or training.





## JOINT EDUCATION, YOUTH & CULTURE AND SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY SCRUITNY

Date of Meeting	Thursday 29 <sup>th</sup> June 2023
Report Subject	Supporting looked after children
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing
Report Author	Chief Officer (Social Services)
Type of Report	Operational

#### **EXECUTIVE SUMMARY**

Flintshire support an average of 250 looked after children at any one point in time. Our strategic and service focus bring together a continuum of services that include:

- targeted 'edge of care services' that seek to prevent children entering the care system where family resilience and parenting can be safely and appropriately enhanced
- focussed support for children who become looked after to promote and secure positive well-being, developmental and educational outcomes
- the development of in house residential care and expansion of fostering services so that we can offer looked after children high quality local placements
- reunification services to rebuild families to enable children to safely exit the care system
- the use of alternative court orders to enable children to be supported in arrangements that complement the care system
- care leaver services to support children as they move into adulthood

This report provides an overview of the core service provided for looked after children and the priorities for service development over the next 18-24 months.

RECOMMENDATIONS	
1	To review that range of services that are provided to support looked after children and the priorities for service development which centre on:  i) implementing an App to support engagement and the voice of looked after children
	ii) refreshing our Corporate Parenting Strategy with an action plan for

	service support and delivery across portfolios and
iii)	developing a Charter for parents in and leaving care

iv) producing proposals for the further expansion of inhouse residential care and fostering to support children locally

### **REPORT DETAILS**

1.01	The number of children supported through the looked after system changes as children enter and leave the care system. The average
	number of looked after children in Flintshire has remained constant over the last 3 years at an average of 252 children. This figure excludes children who are supported through national asylum schemes (currently 18 young people).
1.02	The number of looked after children in Flintshire follows an increase of 17.9% over a 5-year period compared to a Welsh average increase of 21%. Nationally, data tools have been developed to predict care rates. They take into account multiple factors. The most important is level of deprivation. Flintshire's predicted looked after care rates are lower than predicted, based on level of deprivation (circa 20% lower). This data aligns to a significant focus and development of services that support children and young people to be safely and appropriately supported through community-based support often referred to as 'edge of care' services.
1.03	Edge of care services in Flintshire include:
1.04	Adolescent Strategy Support where workers support families with teenagers through direct work, breaks, advice, support, and information.
1.05	Parenting Support including specific courses on parenting and guidance for staff on responding to behaviours
1.06	A range of Family Support Services that bring together services for parents with children at specific ages including Early Years Support and services for children aged 11+ through Y Teulu Cyfan
1.07	Respite support for families with disabled children including overnight support at Arosfa Care Home, direct payments to enable families to employ PA's or services that will support them.
1.08	Family Project work commissioned through Action for Children to provide therapeutic support to identified children and families
1.09	MST (Multi Systemic Therapy) providing intensive 24/7 support to parents for up to 20 weeks to enable them to effective support their children.
1.10	Collectively these services provide bespoke and targeted services to build and sustain family resilience. 'Edge of care' is an integral part of our looked after service approach.  Page 18

Page 18

1.11	Services for looked after children includes:
1.12	Allocation of a social worker to support the child including regular visits to check how they are in their placement and reviews of how effective services are achieving the child's individual assessed outcomes.
1.13	Allocation of an IRO (Independent Reviewing officer) who works to defined timetable of ensuring that a child' plan is reviewed with the child and the relevant adults and agencies involved in their lives.
1.14	A Looked After lead practitioner in Flintshire CAMHS service providing a specific focus on supporting looked after children who need support through the local CAMHS service.
1.15	An active offer of an independent advocate should the child/young person want an independent person to support them in discussions about their care or to raise concerns / complaints. The service is provided by TGYP who are a specialist independent advocacy services for looked after children and they have a contract with the 6 local authorities in North Wales.
1.16	Listening and hearing the voice of looked after children
1.17	We have a well-established Participation Group for looked after children and care leavers, known as Young Voices Out Loud. The group meet regularly and identify areas for discussion about services, support, their experiences, aspirations as well as developmental activities to make the group fun! The Group provide regular feedback to Children's' Services Forum on themes that are important to them which leads to focussed agenda items to review how effective the offer is to looked after children across Council portfolios as well as other agencies. The Group are also very active in providing responses to national consultations and have formed part of the interview process for senior appointments with Social Services.
1.18	We have recently secured grant funding that has enabled us to procure a bespoke App and web-based system for engaging with looked after children to enable us to set out their views at a time and in a format that is convenient to them. The App is called Mind of My Own and provides a platform to engage about individual issues as well as enabling to consult on specific topics with our looked after children. The App is visual, with simple pictures and child-friendly words, designed for children and young people to share experiences, feelings and views on topics that reflect important moments in their lives. It is a safe digital space where young people can be confident that their information is private and secure. The App can be found at this link: <a href="https://mindofmyown.org.uk/social-care/">https://mindofmyown.org.uk/social-care/</a>
1.19	Corporate Parenting
1.20	Corporate Parenting is the term used to describe the collective responsibility of the Council towards looked after children and care leavers. A Corporate Parenting Strategy was developed in 2018 and endorsed in January 2019. The Strategy reflected the areas of support that looked after children identified as important to them.

1.21	➤ Home To provide looked after children with good quality, stable placements where they feel save, value and cared for by excellent carers.
1.22	➤ Education and learning Looked after children will have the best possible educational outcomes and have opportunities to fulfil their potential.
1.23	➤ Health and well-being: To improve the health outcomes of looked after children in Flintshire and to provide them with appropriate health care and advice.
1.24	➤ Leisure Supporting and encouraging looked after children to enjoy a wide experience of leisure, cultural, sport and social activity to fulfil their potential.
1.25	➤ Employment Opportunities We will provide opportunities to help looked after children and care leavers develop the skills and experience to pursue employment.
1.26	In the Autumn of 2023, we will review the Corporate Parenting Strategy to assess impact and the next iteration of our commitments to looked after children. Some new themes that have already emerged from children are the importance of accessible and responsive mental health support (linked to the impact of the pandemic and feelings of isolation, anxiety and selfworth) as well as changing the terminology that professionals frequently use in their interactions with, and about, looked after children.
1.27	Care Leavers
1.28	There are specific categories of care leavers set in legislation aligned to the amount of time a child has spent in the care system. Broadly, a child who has been looked after for more than 13 weeks will be entitled to care leaver support between the ages of 18 -25. This support is predominately provided through Personal Advisors (PA)'s who support young people as they move through adulthood and the systems that young adults have to navigate including finding accommodation, further education/ training, employment, driving, and budgeting.
1.29	We currently have 190 eligible care leavers in Flintshire. Not all care leavers choose to engage in services and support and have developed independent lives. However, others require intensive and consistent support as they seek to adapt to adulthood and the rights and responsibilities this brings. We have a dedicated Team of PA's who support a high number of care leavers.
1.30	As corporate parents we are committed to supporting mothers and fathers who are in care, or in the process of leaving care. We have commenced work to explore a Welsh Charter that was developed with care-experienced parents and professionals. The Charter sets out a series of commitments to help care experienced people plan for being a parent, how we will support them when they become a parent and what we will do to challenge stigma and disadvantage. Our intention is to recommend that

we adopt this Charter once we have developed the infrastructure to ensure that we are able to deliver the pledge.

2.00	RESOURCE IMPLICATIONS/ CHALLANGES
2.01	There is both a human and financial cost relating to the care system. Undoubtedly children become looked after because they need to be supported and, often, protected through this system. However, research has shown that the outcomes and life chances for looked after children have been unacceptable when compared to their peers. This is particularly stark when considering the financial investment that is often made in high-cost placements and specialist services. Flintshire Council's focus on realigning in house provision and support through local residential care, enhanced fostering and building our workforce will support both financial and quality investments over the medium/long term.
2.02	It is important that the narrative relating to the overall outcomes for look after children does overlook the many looked after children who grow into fulfilled, valued and successful adults. However, we cannot be complacent about our role as Corporate Parents to create a system that invests in local placements, provides good quality education and learning and builds the independent living skills and resilience of young people as they move to adulthood. This requires investment in the infrastructure that supports looked after children through a skilled workforce, continuous engagement, co-production with children, strong multi-agency working and a relentless focus on impact and outcomes. These elements will be taken forward through the 4 development priorities identified within this report.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	There is a strong focus from Welsh Government in securing a reversal of a national trend of increasing numbers of children entering the care system. A failure to ensure sustained investment and delivery is services that are effective in safely and appropriately reducing care numbers will lead to reputational risks for the authority and the missed opportunity for children to be supported within their family context.

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	<ol> <li>The 4 priorities for service development identified in this report:</li> <li>implementing an App to support engagement and the voice of looked after children</li> <li>refreshing our Corporate Parenting Strategy with an action plan for service support and delivery across portfolios and</li> <li>developing a Charter for parents in and leaving care</li> <li>producing proposals for the further expansion of inhouse residential</li> </ol>
	care and fostering to support children locally.
	Page 21

Will all need to involve comprehensive engagement and consultation with
looked after children and carer leavers to ensure that they are relevant,
meaningful and focus on the outcomes that matter to young people.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None.

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Craig Macleod – Senior Manager Children's Telephone: 01352 701313 E-mail: <a href="mailto:craig.macleod@flintshire.gov.uk">craig.macleod@flintshire.gov.uk</a>

8.00	GLOSSARY OF TERMS
8.01	None.



# JOINT EDUCATION, YOUTH & CULTURE AND SOCIAL & HEALTH CARE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Thursday 29 <sup>th</sup> June 2023
Report Subject	Safeguarding in Education including Social Media and Internet Safety
Cabinet Member	Cabinet Member for Education, Welsh Language, Youth and Culture
Report Author	Chief Officer (Education & Youth)
Type of Report	Operational

#### **EXECUTIVE SUMMARY**

This report has been developed to provide elected members with an update on the discharge of statutory safeguarding duties in schools and the Education and Youth Portfolio following the previous report given in 2022. This report also includes social media and internet safety and Relationships and Sexuality Education (RSE).

#### **RECOMMENDATIONS**

That members note the content of the Safeguarding in Education report and provide their feedback to officers on the strategies used by the Portfolio to effectively discharge its duties.

### REPORT DETAILS

	<u> </u>		
1.00	EXPLAINING THE SAFEGUARDING IN EDUCATION REPORT		
1.01	Safeguarding reporting arrangements and lines of accountability within the Portfolio		
	The Education and Youth Portfolio has continued to embed its Safeguarding Panel to maintain a strategic overview of the Portfolio's responsibilities in relation to safeguarding.		
	The panel meets each half term, chaired by the Chief Education Officer. It includes manager representatives from School Improvement, Inclusion and Progression, Youth Justice and Children's Services.		
	The panel ensures the Portfolio is operating effective management and assurance processes and drives continuous improvement in safeguarding. The panel maintains effective joint working arrangements between the Portfolio and other Council departments and partner agencies, including working arrangements with the North Wales Safeguarding Children Board.		
1.02	Monitoring of Compliance and Review		
	The purpose of completing the safeguarding audit tool is to support all schools to review their safeguarding arrangements in line with the Welsh Government guidance <b>Keeping Learners Safe (2022).</b> The audit tool is intended to help schools identify strengths and weaknesses in their safeguarding arrangements. As well as checking whether the school has robust safeguarding policies and practices in place, the tool asks Headteachers/ Designated Safeguarding Persons (DSPs) to make professional judgements on how effective and comprehensive they are by using the Red/Amber/Green (RAG) rating. By undergoing this process schools will have a benchmark against which to work to continually develop and improve.		
	All Flintshire schools were asked to complete the audit tool, in addition to the Safeguarding Children Annual Report, in spring term 2022.  The annual report is completed by schools for monitoring and includes review of DBS checks, staff training and policies. 74 out of 78 schools returned a completed audit tool and all 78 completed the annual report. Individual schools were followed up by the LA primary officer and provided with support as required.		
	All data was reviewed in the summer 2022 and results discussed with headteacher federations in the autumn term 2022. Individual schools were approached where further clarification or attention was required. The Chief Officer wrote to all headteachers in the spring term 20233 to highlight the common themes that were identified upon review of the audit tool/annual reports. Support has been prioritised accordingly either on an individual school level or through a broader approach, including training or policy development or updates.		

The audit tool will be requested for submission every two years with schools encouraged to update on an ongoing basis.

The request for the Safeguarding Children Annual Report will continue every 12 months. Submissions received prior to the Easter break 2023 for this year are 27 from 78 schools at this point in the academic year, which is a decrease from previous years and in the main can be attributed to national action short of strike. The annual reports are under review and the findings will be shared in the autumn term.

#### 1.03 | **360° Safe Cymru Tool**

The 360° Safe Cymru Tool is hosted on the national learning platform, Hwb, and allows schools to self-assess their online safety provision. The 360° Safe Cymru Tool is used by over 95% of schools in Wales, supporting them to:

- review their online safety provision
- develop or review their online safety policies
- benchmark their provision against good practice and compare with national averages
- produce action plans
- access a range of relevant resources and example policy templates
- collaborate on developing their provision and practice

Analysis from 22/23 showed 76 from 78 schools had engaged with the tool within the last two years. The level at which schools engage with the tool depends on their school improvement planning cycle and priorities. Officers continue to promote the tool to schools and support as required.

#### 1.04 | Hwb Keeping Safe Online - Updated content

Keeping Safe Online is a dedicated area on the national Hwb platform for the latest news, guidance, resources, and training on a range of online safety, cyber resilience and data protection issues to help schools, staff, parents and children stay safe and secure online. Updated content includes:

- New online sexual harassment training module which aims to equip professionals who work with children and young people with the understanding needed to help prevent or respond to any instances of online sexual harassment within their school or setting.
- New cyber security awareness training module produced by the National Cyber Security Centre (NCSC) which is designed to support school staff to help improve their school's cyber resilience.
- New and updated app guides provide parents and carers with key information about the most popular social media and gaming apps children and young people are using today.
- Resources to explain the Dark Web can help support practitioners and parents / carers have informed conversations and support a young person if they are concerned.
- New guides for governors including:
  - A governor's guide to responding to incidents of nudes and seminudes being shared

- A governor's guide to misinformation and bias
- A governor's guide to understanding the role of the internet in radicalisation and extremism

### 1.05 | **Professional Development – Safeguarding 2022-2023**

During the 22/23 academic year 371 staff have accessed Levels 2 and 3 safeguarding training from 23 courses. We have seen this figure steadily increase year on year from 262 staff in 20/21 from 15 courses to 299 staff in 21/22 from 17 equivalent courses.

The level 2 and 3 courses (including refresher and full course for new safeguarding leads) continue to be delivered online and do not exceed 3 hours – which includes a break and opportunities to participate in various discussions using virtual break out rooms. The number of participants per course is still limited to 20 to ensure the quality of the delivery and maximise opportunities for engagement. This academic year we have reintroduced the input from colleagues in social services which has been incredibly valuable to ensure key messages and local context is very much part of the content.

When combining training from governor awareness courses, Digital Resilience and Harmful Sexualised Behaviour for 22/23, the total number of staff trained is 423 staff from 29 courses. This figure is in line with 20/21 (422 from 17 courses) however lower than 21/22 (530 from 30 courses).

#### 1.06 | Relationships and Sexuality Education (RSE)

In response to the 'Everyone's Invited' website and the subsequent review by Estyn We don't tell our teachers - Experiences of peer-on-peer sexual harassment among secondary school pupils in Wales (December 2021) we developed an action plan prioritising this area of work which includes Relationships and Sexuality Education (RSE) in the new Curriculum for Wales.

Relationships and Sexuality Education (RSE) is a statutory requirement in the Curriculum for Wales framework and is mandatory for all learners from ages 3 to 16. The RSE Code sets out each strand of teaching and learning in three broad developmental phases as follows:

Phase 1: from age 3 Phase 2: from age 7 Phase 3: from age 11

The content is based around three broad learning stands:

- 1. Relationships and identity
- 2. Sexual health and well-being
- 3. Empowerment, safety and respect

The strands allow RSE leads to design and develop a curriculum tailored to their learners, making connections and developing authentic contexts for learning across the curriculum. RSE should be inclusive and reflect diversity and developmentally appropriate for each learner. The following themes are interwoven into the learning strands above: relationships; rights and equity;

Page 26

sex, gender and sexuality; bodies and body image; sexual health and wellbeing; and violence, safety and support.

#### 1.07 Safeguarding in Relationships and Sexuality Education (RSE)

Teaching children and young people about healthy relationships in an important part of keeping children safe. Learners should be taught to recognise and report different types of abuse, including emotional, physical and sexual. This will include focusing on boundaries and privacy so that children understand that they have rights over their own bodies and know how to ask for help when they suspect or know something is wrong. There should also be opportunities to teach learners about boundaries with their peers, including when they are online.

It is essential that teachers and support staff delivering RSE are aware of any potential issues and know how to deal with any concerns that do arise. Teaching staff should speak to the Designated Safeguarding Person (DSP) or RSE lead ahead of lessons; schools should ensure that all staff are aware of their safeguarding policies and procedures.

#### 1.08 **Professional Development - Relationships and Sexuality Education** (RSE)

Historically, RSE has been a theme within the Welsh Network of Healthy Schools Schemes criteria addressed under the banner of 'personal development and relationships'. At a local level, officers have supported most schools in the county to deliver a programme of sex and relationships education in line with the previous government guidance.

The introduction of RSE in the Curriculum for Wales has since seen RSE identified as one of three key priorities for the Welsh Network of Healthy Schools and officers were well placed to continue to support schools going forward with this area. They have supported schools by commissioning experts in the field, sourcing training and resources, policy development and establishing platforms to share information.

For many schools, the introduction of the RSE Code has meant reviewing what they have delivered previously and refining the content to ensure it is developmentally appropriate and enhancing this provision further to ensure all the mandatory content is met. A comprehensive programme of staff training for RSE has been fundamental to raise teachers' confidence with this area of the curriculum over the last two years.

To support RSE leads in primary schools they were invited to attend 3 x 2.5hr workshops each delivered online between Jan-March 2022 by an independent provider working across the GwE region. RSE leads in all secondary schools in Flintshire were also invited to attend 4 x 2.5hr workshops delivered online between January- April 2022. As part of this training RSE leads were given access to a variety of bilingual materials to enable them to:

- undertake a whole school RSE audit
- consult with learners
- plan a whole school RSE programme Page 27

- map the RSE programme for each school year
- identify staff training needs for those with responsibility of teaching various aspects
- establish whole school RSE.

Staff from 49 primary schools attended the workshops. An additional 2 hour briefing session summarising the previous workshops was delivered in September 2022 for schools that did not attend / or required additional staff training. Staff from 22 primary schools were in attendance.

The secondary workshops were attended by RSE leads from 9 secondaries. 1 special school and 1 PRU.

Schools that have not accessed training have received access to these resources when support for RSE has been sought.

#### 1.09 Further Professional Development opportunities – Relationships and **Sexuality Education (RSE)**

During 21/22 and 22/23 through the Welsh Government's Wellbeing grant, a pilot of an integrated scheme of learning for personal, social and health education has been carried out, of which RSE is a key feature. 11 schools in year 1 and a further 16 schools in year 2 have accessed the scheme which has received very positive feedback. Staff from 13 of the schools have attended one of two 90-minute RSE focused training sessions. 2 x 2 hour workshops - 'Working towards an inclusive school' - were held in January 2023 for RSE leads in primaries to explore how information is presented, values and beliefs around gender and identity and why this matters. Staff from 27 schools have attended.

Understanding how to communicate with children and young people about relationships and sex can be challenging. A full day face to face course was held in February 2023 to give clear guidelines to secondary RSE leads with the opportunity to practice skills and increase confidence. There was attendance from 7 secondaries and 1 secondary special school.

As part of the RSE training we have included information about the period dignity grant and have supported teachers to be better informed about menstruation and be familiar with the sanitary products available. Training about reusable / disposable products has been delivered to equip staff with the tools and confidence to support learners in making the right choices for them. 4 x 90-minute courses were delivered Jan- March 2023 with attendance from 18 primary/ Secondary schools.

Refresher training for the existing 'Tyfu i Fyny' / 'Growing Up' resources used by many primary schools was also delivered in Feb-March 2023. 3 x 90min sessions were held attended by staff from 29 schools.

The county Secondary PSE / Healthy Schools forum continues to meet on a regular basis attended by representatives from all secondary schools including special and PRU. A follow up to the workshops held in spring term 2022 was undertaken at the December 22 meeting to identify how schools were progressing in planning their RSE programmes and this continues to be a regular agenda item at meetings. Page 28

For future RSE training, we intend to deliver this through the clusters. This approach has been advocated as good practice and is the preferred model for all local authorities in North Wales – in line with GwE advice.

#### 1.10 | Consent Project

In partnership with Theatre Clwyd, Flintshire Youth Service delivers annual project around "Consent".

The Consent Project aims to:

- raise awareness regarding consent and sexual health
- create a safe and accepting environment to discuss sex and relationships
- promote access to sexual health advice
- provide a real-life environment for learning
- explain the legal process relating to Consent and the consequences of sexual assault and rape
- provide a safe environment to challenge "toxic" views and opinions.

Consent delivers interactive workshops, using live performance, to explore the issues arising from sexual consent which is in line with the RSE Curriculum. In a safe and supportive environment, young people explore what makes a healthy relationship, the effects of alcohol and drugs on decision making, and finally, how the law works in relation to Consent. The young people are presented with a scenario, performed by professional actors, of a night out that gets out of hand, and the consequences for all those that are involved.

The Consent Project is delivered bi-lingually to all schools and entirely through the medium of Welsh in Flintshire's Welsh Language secondary.

In the school year 22-23 the Consent Project has been delivered in 10 mainstream secondary schools, targeting year 9 learners.

2.00	RESOURCE IMPLICATIONS
2.01	Safeguarding is a core responsibility of everybody who works for the Council. Delivering the commitments contained within this report are within existing human and financial resources.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	The risk for the Local Authority is the potential to breach of statutory legislation related to safeguarding and the wellbeing of children. This includes the Social Services and Wellbeing (Wales) Act 2014 and the Wales Safeguarding Procedures. There is also potential for reputational damage and negative press coverage if there are significant breaches of policy involving learners or Flintshire employees in relation to internet and/or social media activity and findings from Estyn Inspections.

This risk is mitigated by the Council having named officers with specific responsibilities for safeguarding in schools. The Council also provides firewall and web filtering services to schools via a service level agreement. A rolling safeguarding training programme for head teachers / designated safeguarding leads is in place. The dissemination of relevant information to schools is undertaken, alongside the monitoring of self-evaluations and annual reporting by schools on the implementation of relevant policies including Safeguarding, and Acceptable Use.

The Education Portfolio has a detailed risk assessment which outlines key risks related to the delivery of education services and method statements which describe how these risks are managed. These are regularly reported to the Education, Youth and Culture Overview Scrutiny Committee.

There will continue to be ongoing monitoring of the portfolio and schools in discharging of statutory safeguarding duties.

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	None required for this report.

5.00	APPENDICES
5.01	There are no supporting documents for this report.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Sexual harassment training module
	Sexual Harassment Training Module for all school staff
	Cyber security training module
	Cyber security awareness training for school staff
	App Guides for families
	New and updated app guides for families
	The Dark Web explained
	Factsheet for practitioners
	Factsheet for parents and carers
	New guides for governors:
	A governor's guide to responding to incidents of nudes and semi-nudes being shared

A governor's guide to misinformation and bias

A governor's guide to understanding the role of the internet in radicalisation and extremism

• RSE Code

https://www.gov.wales/sites/default/files/publications/2022-01/curriculum-for-wales-relationships-sexuality-education-code.pdf

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Vicky Barlow, Senior Manager for School Improvement Telephone: 01352 704019 E-mail: vicky.barlow@flintshire.gov.uk
	Contact Officer: Claire Sinnott, Learning Advisor – Health, Wellbeing & Safeguarding Telephone: 01352 704054 E-mail: Claire.h.sinnott@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
8.01	<b>Safeguarding</b> - safeguarding means preventing and protecting children and adults at risk from abuse or neglect and educating those around them to recognise the signs and dangers.
	<b>DSP</b> – Designated Safeguarding Person. The role of the DSP is to take lead responsibility for managing child protection issues and cases. This involves providing advice and support to other staff, making referrals to and liaising with the local authority and working with other agencies.
	<b>RSE</b> - Relationships and Sexuality Education. Relationships and Sexuality Education is part of the Curriculum for Wales and all schools in Wales must teach RSE from September 2022 on a phased basis.





# JOINT EDUCATION, YOUTH & CULTURE AND SOCIAL & HEALTH CARE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Thursday 29 <sup>th</sup> June, 2023
Report Subject	Additional Learning Needs and Education Tribunal (Wales) Act 2018
Cabinet Member	Cabinet Member for Education, Welsh Language, Culture and Leisure
Report Author	Chief Officer (Education & Youth)
Type of Report	Operational

#### **EXECUTIVE SUMMARY**

The report provides an overview of the duties placed on the Council by the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (ALNET) in relation to post-16 education and training along with an outline of the systems that are being implemented in response to these.

The financial model for allocating funding to support the provision for post-16 learners remains under consideration and review by Welsh Government.

RECOMMENDATIONS	
1	Members recognise the revised duties placed on the Council by ALNET and the actions undertaken to implement the new system.
2	Members note the potential financial pressure due to the revised post-16 funding model and support officers in their engagement with Welsh Government.

### REPORT DETAILS

1.00	EXPLAINING THE ADDITIONAL LEARNING NEEDS AND EDUCATION TRIBUNAL (WALES) ACT 2018
1.01	The Additional Learning Needs and Education Tribunal (Wales) Act 2018, known as ALNET, seeks to create a unified system for supporting children and young people with additional learning needs (ALN) from 0 to aged 25. The Act brings together several separate systems and legislation into one for those who access their education in schools, pupil referral units, via elective home education or in further education institutes (FEIs). The changes within the Act also bring about an extension of the Council's responsibilities for those over the age of 16. Under the previous legislation, the duties were to those who had a Statement of Special Educational Need and continued to attend a school placement up until the age of 19 (school year 14), either in a maintained or independent setting. As outlined, ALNET has extended the age range to 25 and now includes provision within FEIs, i.e. local college provision. The starting point is that a young person is entitled to up to two years of further education or training. Beyond that, a local authority may determine that a young person has reasonable needs for education or training in particular circumstances. The individual must meet the definition for ALN (see glossary) and as such will have an Individual Development Plan (IDP) outlining their needs and the additional learning provision (ALP) to be made. The IDP will either be developed by the FEI, or in cases where the young person's needs require ALP that it is unreasonable for the FEI to provide, it will be written and maintained by the Council and referred to as a local authority IDP.  A further significant change is shift of responsibility from Welsh Government (WG) to the Council with regards to both decision-making and
1.02	the funding of provision at independent special post-16 institutions (ISPIs).  It is also important to note that ALNET brings with it legal protection for all
1.02	those within the ALN process, unlike previous legislation where it was restricted to those with a Statement of Special Educational Need. Young people over compulsory school age also have the right to object to the Council making an assessment of ALN or the drafting of an IDP (assuming they have not been identified as lacking capacity to do so) at which point the duties on the Council will cease.
1.03	The implementation of ALNET commenced in September 2021 with children and young people being gradually transitioned from the old to the new system. A 'flow through' approach is being adopted for post-16 as indicated by the WG timescale below:
	<ul> <li>Those in Year 11 in 2022 -2023 will move to the ALN system by 31 August 2023 (local authorities are expected to make decisions and secure placements for these young people during 2022-2023 in preparation for their transition to post-compulsory education in September 2023).</li> <li>Those in Year 11 in 2023-2024 will move to the ALN system by 31 August 2024 (local authorities are expected to make decisions and secure placements for these young people during 2023-2024 in</li> </ul>

- preparation for their transition to post-compulsory education in September 2024).
- Any young person not yet in the ALN system at the end of the 2024-25 school year will move to the ALN system at that point.

Until ALNET applies to a young person, the Education Act 1996 and the Learning and Skills Act 2000 will continue to apply and they will continue to benefit from the support available via the existing systems, i.e. WG will continue to secure and directly fund placements until they have completed their programmes of study.

- 1.04 As indicated, the Council is responsible for making decisions around appropriate provision for year 11 learners this academic year (2022-23). Previously, Careers Wales held responsibility to assess need and draft a Learning & Skills Plan which would outline the individual's needs and inform post-16 decision making. They had a duty to explore and discount all local options prior to making a request to WG for funding for ISPIs. WG would then consider the request and decide whether to support it or not. Under the new legislation, Careers Wales no longer has the remit to draw up a plan and the responsibility to assess individual need for specialist provision has now moved to the Council.
- 1.05 The process being implemented in Flintshire for post-16 mirrors that for all learners under ALNET, in that it starts with a person-centred review where the individual's strengths, needs and aspirations are identified along with the ALP that may be required to enable the learner to engage with education. Where possible, representation from local FEIs will be at the meeting to support decision making at this local level. There has been a high level of engagement with the local colleges to develop a shared understanding of the provision that can and cannot be made in response to the presenting needs. A post-16 specific role has been established within Flintshire's ALN Team in response to the new duties. This officer is attending the review meetings and working as part of local, sub-regional and national groups to ensure processes are in place and are in line with the ALN Code and legislation. Whilst the Act and the associated ALN Code are comprehensive documents, there are some aspects that are open to interpretation and a national task and finish group is working to provide greater clarity on these for all councils.
- 1.06 Where the review meeting and subsequent process has determined the absence of suitable local FEI provision, the information is presented to the Council's joint commissioning panel for agreement to place in an ISPI. This panel is already in existence and agrees placements that are referred to as 'out of county', namely those in non-Flintshire Council maintained provision; geographically, some of these may be located within Flintshire. The panel has managerial representation from Education, Social Services and Health to support financial decision making.
- 1.07 From September 2023, although the decisions will have been made by the Council, the budget will be retained by WG. Councils will be reimbursed for placement costs via the Local Authority Education Grant. A schedule of returns has been determined by WG to ensure the financial information is accurate and appropriate payment is made to councils and providers. This

	is a 2-year interim arrangement pending the transfer of the budget to councils, planned for September 2025.
1.08	The model for allocating the funding by WG is under review. A proposed model has been shared with the Association of Directors of Education in Wales (ADEW) and several concerns have been raised as this would see a significant reduction in the level of funding received by a number of councils including Flintshire. Funding is currently allocated to the placements agreed by WG of which Flintshire has a comparatively high number; as indicated earlier, this process has not previously involved Flintshire officers with all decisions having been made by WG. The proposal is to transfer the budget over a 4 year period of time from September 2025 to support a period of adjustment for those councils who will see a negative impact.
	Given the potential financial impact for Flintshire, the proposed model has been challenged by a number of officers with regards to its suitability to respond to the very individual needs of a relatively small cohort and there has been agreement to pause and consult further prior to implementing the budget transfer. A meeting between WG and Chief Officers of those councils adversely affected in the North is planned for September.

2.00	RESOURCE IMPLICATIONS
2.01	The revised duties for the Council has made it necessary to appoint an ALN officer with responsibility for post-16. This has been an internal appointment from within the team and the WG ALN Implementation grant of £70k is being used to cover the cost of backfilling via a secondment. It is anticipated that the grant funding will be available for the next financial year 2024/25. The cessation of the grant will bring the secondment to an end and this will have implications for the ALN team in terms of capacity to respond to the additional workload around Statement conversion if the funding is not available for 2024/25. WG have recognised the potential implications around the published timescales for conversion and have extended the initial 3 to 4 years however, this remains extremely challenging given the number of Statements to be converted.
2.02	The proposed financial model from September 2023 to August 2025 will see the continuation of the budget being held centrally by WG, with a commitment to fund the placements agreed by councils. As indicated above, should the proposed model of budget transfer be implemented, there is potentially a financial pressure on the Council from September 2025.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	Impact assessment is not required as the report is for information only.
3.02	Flintshire has representation at a number of forums to raise the concerns regarding the post-16 funding model including ADEW, ADEW Finance Page 36

meetings and the National ALN Steering Group to ensure the impact is clearly understood and to influence a change of approach.

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	None carried out as part of this report.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Welsh Government Guidance - Additional Learning Needs and Education Tribunal (Wales) Act 2018: guidance for local authorities on interim arrangements for funding for specialist post-16 additional learning needs (ALN) placements <a href="https://www.gov.wales/additional-learning-needs-and-education-tribunal-wales-act-2018-guidance-local-authorities-interim">https://www.gov.wales/additional-learning-needs-and-education-tribunal-wales-act-2018-guidance-local-authorities-interim</a>

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Jeanette Rock Senior Manager Inclusion & Progression Telephone: 01352 704017 E-mail: jeanette.rock@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
8.01	Additional learning needs (ALN): Section 2 of ALNET defines ALN as -
	A person has additional learning needs if he or she has a learning difficulty or disability (whether the learning difficulty or disability arises from a medical condition or otherwise) which calls for additional learning provision.
	A child of compulsory school age or person over that age has a learning difficulty or disability if he or she –
	<ul> <li>a) has a significantly greater difficulty in learning than the majority of others of the same age, or</li> <li>b) has a disability for the purposes of the Equality Act 2010 which prevents or hinders him or her from making use of facilities for education or training of a kind generally provided for others of the same age in mainstream maintained schools or mainstream institutions in the further education sector</li> </ul>

- 3) A child under compulsory school age has a learning difficulty or disability if he or she is, or would be if no additional learning provision were made, likely to be within subsection (2) when of compulsory school age.
- 4) A person does not have a learning difficulty or disability solely because the language (or form of language) in which he or she is or will be taught is different from a language (or form of language) which is or has been used at home.

**Additional Learning Provision:** Section 3 of ALNET defines the term 'additional learning provision' (ALP), as -

- 1) "Additional learning provision" for a person aged three or over means educational or training provision that is additional to, or different from, that made generally for others of the same age in
  - a) mainstream maintained schools in Wales,
  - b) mainstream institutions in the further education sector in Wales, or
  - c) places in Wales at which nursery education is provided.
- 2) "Additional learning provision" for a child aged under three means educational provision of any kind.
- 3) In subsection (1), "nursery education" means education suitable for a child who has attained the age of three but is under compulsory school age.

**Young person:** for the purposes of ALNET and the ALN Code, a young person means a person over compulsory school age but under the age of 25.

The Association of Directors in Wales (ADEW): ADEW is the professional group of local authority officers accountable for statutory education functions in each of the local authorities in Wales. There are a number of ADEW sub groups including a finance group attended by lead education finance officers.

National Additional Learning Needs Steering Group: A national group established by WG to oversee and inform the implementation of ALNET. Membership includes representation from ADEW, Inclusion officers, ESTYN, Education Wales Tribunal, National Leadership Academy and Health alongside WG representatives.



# JOINT EDUCATION, YOUTH & CULTURE AND SOCIAL & HEALTH CARE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Thursday 29 <sup>th</sup> June, 2023
Report Subject	Supporting Refugees in Schools
Cabinet Member	Cabinet Member for Education, Welsh Language, Culture and Leisure
Report Author	Chief Officer (Education & Youth)
Type of Report	Operational

#### **EXECUTIVE SUMMARY**

Flintshire County Council has now welcomed over 150 refugees into its schools via the Ukrainian Sponsorship schemes, the Afghan Relocations and Assistance Policy (ARAP) and the Syrian Vulnerable Persons Relocation Scheme (SVPRS).

This report provides information about the core principles and values adopted by Flintshire when providing educational provision and support for learners along with information about the multi-agency, holistic approach that has been implemented to consider the needs of the whole family. Detail is also provided about the support and training that has been provided for school staff and other professionals to ensure a deeper understanding of the needs to adapt provision appropriately.

The cost of the provision for refugees is currently cost-neutral to the Council due to the availability of Home Office funding under the terms and conditions of the schemes. This is however time limited, and concerns remain regarding the longer term needs of this vulnerable group of learners.

# **RECOMMENDATIONS**

1

Members consider the positive actions undertaken by officers and schools to support the refugee learners and families living in Flintshire.

# REPORT DETAILS

1.00	EXPLAINING THE SUPPORT FOR REFUGEES IN SCHOOLS
1.01	The UK Government has initiated refugee support schemes over the last few years in response to several international crises. Councils have been required to make provision for families who have sadly been displaced by the instability within their own countries. Flintshire County Council has responded proactively to the requirements placed on it across a number of Portfolios; this report focuses on the provision and support provided in relation to education.
1.02	Flintshire has received families under the Ukrainian Sponsorship schemes, the Afghan Relocations and Assistance Policy (ARAP) scheme and the Syrian Vulnerable Persons Relocation Scheme (SVPRS) in recent years. Information about numbers of learners for each of the schemes is outlined in the sections below. This information has been taken at a point in time, April 2023, as the numbers are regularly changing in response to new arrivals and departures.
1.03	Ukrainian Sponsorship schemes Families entering Wales under this scheme were either accommodated by sponsors or housed initially in hotels. In Flintshire, 4 hotels were used by Welsh Government to support refugees namely the Holiday Inn (Northop Hall), Springfield Hotel (Holywell), The Village Hotel (Ewloe) and The Stamford Gate (Holywell).
	As of April 2023 there were 84 Ukrainian children in Flintshire aged 3 - 18. Of these, 68 learners are accessing Flintshire mainstream schools across 22 primary settings and 7 secondary settings. There is 1 learner accessing a specialist school and another engaging in early entitlement provision. Four learners are attending schools in other counties and 6 have engaged in post 16 education either in a school 6th form or local college provision. A further 4 children have recently arrived and are in the admissions process. An additional 8 children and young people have been supported into education but have now returned to Ukraine.
1.04	Afghan Relocations and Assistance Policy (ARAP) scheme As of April 2023, there were 29 children and young people from Afghanistan aged 4 - 18 attending mainstream schools across 5 primary settings and 4 secondary settings. The Council has accommodated a further 17 children and young people who have since moved to larger cities (Birmingham) with their families. We are anticipating the arrival of a new family in early June.
1.05	Syrian Vulnerable Persons Relocation Scheme (SVPRS) As of April 2023, there are 19 children who have arrived via the SVPRS attending Flintshire mainstream schools across 6 primary settings and 3 secondary settings. The authority has accommodated a further 6 children, who have relocated out of Flintshire with their families.
1.06	The response from the Council has been guided by a set of core values and principles to ensure that the support and provision offered was

responsive to the plight of the children and families. These are outlined below:

#### 1. Holistic and Person Centred.

Research by psychologists such as Tina Rae indicates that support for the children and young people needed to consider their wider circumstances, individual journeys and the needs of the family. Officers recognised that the educational and lived experiences of each child is unique with some arriving with no English and very little previous schooling, compared with others who have experienced excellent educational opportunities. Similarly, some have experienced significant upheaval and trauma, having lost or become estranged from parents and other close family members. whilst others have had minimal upheaval given the circumstances. All have different personalities, likes, strengths and support needs and as such, there was a recognition that bespoke packages of intervention were required to support families and schools.

#### 2. Multi – Agency.

A multi-agency, collective response was recognised as an essential requirement to address the cultural, housing, social, health, emotional and academic needs of the families and systems have been implemented to facilitate this.

#### 3. Education within the local school.

Considerable discussion was undertaken to establish the best model of support for learners. In some counties (such as Cardiff) bespoke educational packages were implemented within the hotels however, given the spread of hotel accommodation, houses and sponsors across Flintshire it was recognised that the best provision for young people would be within local schools. It was determined that this could be achieved without placing too much additional pressure on any one educational establishment and the approach enabled children to have full access to the curriculum, and the range of social and emotional opportunities our schools provide. The only exception to this was for Ukrainian families who arrived at the hotels during May, June and July 2022. Placing these children into school during the summer term, when accommodation moves were imminent would have placed too much pressure on local schools and would have caused further disruption to the families. These children were offered input from the English as an Additional Language (EAL) team. Forest School and other learning opportunities over the summer months, and all were placed within local schools in September 2022.

## 4. Knowledgeable, empathetic and trauma informed practitioners. Training and advice for school staff on a range of topics including the impact of trauma and cultural values was integral to the approach.

Examples of training resources are provided in Appendix 1.

5. Continuity of support across accommodation and school moves. A particular challenge of the Ukrainian schemes has been the unavoidable accommodation moves that the families have experienced. Some have moved twice, from hotel, to sponsor, to private accommodation. Careful consideration has been given to ensuring continuity of support for the children and young people. This has been achieved through the appointment of additional central EAL teachers and support staff who

support transition. Close working with school transport has enabled children to temporarily remain in schools until new provision is appropriate and available, reducing gaps in education.

### 6. Adaptable and flexible to meet changing need.

The needs of the families and the cohort have changed over time and the multi-agency approach has ensured that the support and provision on offer has been able to respond to the presenting needs in a timely manner.

- 1.07 As indicated, the priority has been to admit and establish learners within educational settings as quickly as possible. To ensure these are appropriate to need, all families access home visits by either caseworkers. the Red Cross or members of the EAL service prior to admission to help ascertain any individual needs. There is further support in admission meetings such as translation services to ensure parents and learners can fully engage in the process. Regular visits to families and communication via WhatsApp have ensured that families were kept informed of developments around matters such as admissions and transport. Support is also offered in other areas such as uniform, free school meals and general understanding of the education system in Wales.
- 1.08 All schools have responded extremely positively and welcomed learners and families into their school communities. A named member of the EAL service is allocated to each school who provides advisory support, language tuition for pupils where required and a valuable home-school liaison. A range of training packages have been developed and are delivered face to face or on-line for teachers and other professionals who would be supporting the schools/learners. These include information on supporting learners who were new to English along with more cultural information. An e-learning package has been used for the on-line modules which ensures that the information remains live and can be updated as required. Examples of information for professionals and parents is included in Appendix 1. Additional support has also been offered via services such as the Counselling Service, Additional Learning Needs Team, Nurture Outreach and the Education Psychology Service as appropriate. Access to alternative education provision has also been offered where required.
- 1.09 Support for the whole family has been an important part of the offer in Flintshire. An Emergency Management Response Team (EMRT) led by the Chief Executive was quickly established in response to the Ukrainian Refugee Crisis and weekly meetings were held initially to ensure all relevant internal and external services and agencies were involved in decision making. This model ensured that managers were provided with up-to-date, relevant and timely information. It also facilitated a rapid response to changing need and the ability to address key issues relating to housing, health, education and access to benefits. A separate Education & Youth Response Team was also established which linked to the EMRT. This multi-agency group focused on the wider family needs as well as the individual learner matters which resulted in several additional activities to enable the families to settle into their new environment. These included:
  - Play Provision Support was provided to access the Summer of Fun activities. Specific events were also organised in response to Page 42

cultural need, e.g., Ukrainian Christmas event and play support for Afghan boys. Forest Schools - This was organised by Youth Services and provided an opportunity for families from the same culture to meet and create bonds and friendships. Summer activities - Community activities delivered via Groundworks for teenagers across various locations in Flintshire during the summer months. Adult Community Learning - Opportunities for adults to access accreditation, work experience and paid employment. Some of the Ukrainian parents accessed a teaching assistant qualification and are now working to support learners across Flintshire schools. 1.10 There have been a number of challenges for the Council in responding to the refugee schemes. In Education, these involved the need for multiple moves between hotels, hosts and private accommodation. Some of our schools are oversubscribed which resulted in added pressure in relation to the sourcing of placements in some locations. The varying needs of the children and their families has necessitated the implementation of the flexible, person-centred approach as highlighted within the core values and principles outlined in the report which can be time and labour intensive. Despite this, there has been a real sense of success with evidence of true multi-agency working resulting in a positive experience for refugee families and learners in Flintshire. There is a sense of pride around what has been

achieved in such a short window of time for these families who due to desperate circumstances, have had to relocate to another country.

2.00	RESOURCE IMPLICATIONS
2.01	Home office funding for the schemes has been allocated to the Council based on the number of pupils supported. The impact to Flintshire of the additional educational support provided has so far been cost neutral, though it has taken considerable time from existing staff resources, particularly the Learning Advisor for EAL, Travellers and Children Looked After (CLA) who is the lead officer for this work.
2.02	The funding for SVPRS and ARAP has now ceased for most learners as this was only available for the first 2 years after arrival. Ukrainian funding is only available for one year. The support needs of some learners will continue past the availability of allocated Home Office funding streams, potentially placing additional pressure on central services and additional learning needs (ALN) systems.
2.03	The decision was taken to retain the Home Office funding centrally as opposed to allocating it on a per pupil basis to schools. This follows the model utilised for other vulnerable learners within Flintshire's education services and allows the funding to be targeted at those in most need. This has proved to be an appropriate decision given the level of learner movement between schools and the variable presenting needs. The funding has been used in the following ways:

- 2 additional full time English as an Additional Language teachers (funded until August 2024)
- 1 additional refugee support worker (until August 2024)
- 4 part time Ukrainian teaching assistants
- Additional funding given directly to schools where ALN is identified
- Youth Service Forest School family learning
- Play provision and cultural events (e.g Ukrainian Christmas)
- Transport costs for short term transport needs to ensure continuity in education
- Uniform and FSM (until benefits have been agreed)
- Access to residential and other educational activities which require parental donation
- Bilingual resources

All families have been provided with IT equipment under the council's digital strategy. Work with schools has ensured the most appropriate equipment has been provided to meet educational need.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	Impact assessment is not required as the report is for information only.
3.02	The main risk associated with the provision is the time limited Home Office funding which will cease for all refugees in August 2024. It is anticipated that some learners may have ongoing individual needs that require additional support and these will have to be met either through the funding available to schools or central services.

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	None carried out as part of this report.

5.00	APPENDICES
5.01	Appendix 1 - Examples of on-line training and information documents.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None.

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Jeanette Rock Senior Manager Inclusion & Progression Telephone: 01352 704017 E-mail: jeanette.rock@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
8.01	Ukrainian Sponsorship Schemes: Two schemes were operated namely the Ukrainian Family Scheme and the Homes for Ukraine scheme. The first allowed for people in Ukraine to join a family member in the UK. Under the second scheme, Wales operates as a super sponsor, supporting visa applications and committing to providing accommodation for at least 6 months. Accommodation was offered either by hosts in their own homes or in hotels pending availability of private accommodation.
	Afghan Relocations and Assistance Policy (ARAP) scheme: Support for Afghan citizens who worked for or with the UK Government in Afghanistan in exposed or meaningful roles and may include an offer of relocation to the UK for those deemed eligible by the Ministry of Defence and who are deemed suitable for relocation by the Home Office.
	The Syrian Vulnerable Persons Resettlement Scheme (SVPRS): A UK Government-managed refugee resettlement scheme supporting those displaced by the Syrian Civil War.



#### Appendix 1 - Examples of on-line training and information documents

Multiple training opportunities both online and in person have been made available to teachers and other professionals working with refugees. The use of Articulate software has enabled us to ensure all the appropriate materials are accessible by copying and pasting the following links into a browser. The links are live, and as such, information is updated as required. Examples of the different modules/information is included in the link below:

#### Information for parents -

https://rise.articulate.com/share/aBSKZykLiGKl3XpKltmTHXuvGXZsZz3n

Guidance for Admitting and Welcoming Ukrainian Citizens into Flintshire Schools - https://rise.articulate.com/share/lhwZwnaWczLUzl-3uhrDmvzEOcCatu3H

**Supporting EAL – Knowledge, Theory and Strategies** – https://rise.articulate.com/share/4qF82ZFhF1C5AL5OZTkgWfistqd-xsZf

Supporting pupils who are new to English -

https://rise.articulate.com/share/00omJ8KmpJN8LDFR46el26ygT\_Dps5UW

Interpretation, Translation and Other Methods for Communication - https://rise.articulate.com/share/zk\_sle8siEijmt0Blf0OP4L3volfq3an

Welcoming Afghan Refugees into our Schools- Flintshire EAL Service - <a href="https://rise.articulate.com/share/knBVf9Yb2C\_JHZfo7AOBpSqpOA-bdK29">https://rise.articulate.com/share/knBVf9Yb2C\_JHZfo7AOBpSqpOA-bdK29</a>

Welsh Government Needs Assessment Survey for EAL - https://rise.articulate.com/share/Ao8yi821cwA4Pb89tyVTXZjuckRga6Ng

