



Report To:	OVERVIEW PANEL
Date:	26 September 2022
Reporting Officer:	Sandra Stewart – Chief Executive
Subject:	ASSURANCE REVIEW OF LGSCO FOCUS REPORT – ENSURING CHILDREN OUT OF SCHOOL RECEIVE A GOOD EDUCATION
Report Summary:	To receive for information, the Executive and service response to Scrutiny on shared learning detailed within the LGSCO focus report – Out of school, out of sight? Ensuring children out of school get a good education. Scrutiny Panels will routinely review LGSCO decisions, with shared learning reported to the Council's Executive and services in order to gain assurances of practice, delivery and outcomes for residents and service users.
Recommendations:	That Overview Panel is asked to note the content of the report and ongoing activity of the Scrutiny Panels to review LGSCO decisions to inform and improve local service delivery.
Links to Corporate Plan:	The work of Scrutiny is closely linked to the Council's Corporate Plan Priorities. Scrutiny activity seeks to support effective decision making and improvement outcomes across Tameside.
Policy Implications:	Scrutiny work programmes comprise activity that seeks to check the effective implementation of the Strategic Commission's policies and if appropriate make recommendations to the Executive with regards to development, performance monitoring, outcomes and value for money.
Financial Implications: (Authorised by the Section 151 Officer)	There are no direct financial implications arising from the Scrutiny work programme. Where decisions or policy changes are considered or actioned as a result of the information considered by Scrutiny Panel, separate decisions and consideration of specific financial implications will be required.
Legal Implications: (Authorised by the Borough Solicitor)	The attached review provides helpful learning and reflection for the council to assist the continued performance improvements and service development.
Risk Management:	Regular updates to Overview Panel provide assurance that Scrutiny is progressing with an effective work programme, supporting good decision making and service improvement.
Access to Information:	The background papers relating to this report can be inspected by contacting Paul Radcliffe, Policy and Strategy Lead by:  Telephone: 0161 342 2199  e-mail: paul.radcliffe@tameside.gov.uk

1. BACKGROUND

- 1.1 The Local Government and Social Care Ombudsman (LGSCO) is the final stage for complaints about councils and other organisations responsible for the provision of public services. The LGSCO also investigates complaints about adult social care providers including care homes and home care agencies. A complaint about an organisation or partner acting on behalf of a council or authority should also be signposted to the ombudsman.
- 1.2 LGSCO Focus Reports highlight subjects or systemic issues arising from case work. This routinely takes the form of shared learning opportunities and methods aimed to improve the approach and management of complaints. The reports make recommendations on good practice to help other authorities and care providers to review internal process and address areas where improvements can be made. The focus reports contribute to public policy debates and has more recently included information and tools for elected members to scrutinise local services and to inform work priorities.
- 1.3 Complaints raised by the public and service users can be an important source of information to help councillors identify issues that are affecting local people. Complaints can therefore play a key part in supporting the scrutiny of public services. In addition to current methods used to inform work priorities, Scrutiny will review decisions made by the LGSCO on a regular basis, to inform in-year work priorities. This will also contribute to the evidence gathered throughout the municipal year when developing the annual work programmes.

2. SUMMARY

- 2.1 The Children's Services Scrutiny Panel made a formal request to the Executive Member for Education & Achievement, to review a newly published LGSCO Focus Report and to collate a service response to a number of questions aimed to improve local accountability.
- 2.2 The report titled – Out of school, out of sight? Ensuring children out of school receive a good education, was published in July 2022.
- 2.3 Councils may make alternative arrangements for a child or young person who is not of compulsory school age, but they do not have a duty to do so. This report focuses on council duties to children of compulsory school age. The council must consider the individual circumstances of each child and take account of any medical evidence or advice when deciding what arrangements to make.
- 2.4 In all cases, councils must consider the individual circumstances of each particular child and be able to demonstrate how they make their decisions. They must take account of all available evidence, and record the reasons for decisions. They may need to make decisions in cases where they do not have all the evidence they would like.
- 2.5 The focus report includes case studies and the experiences to highlight the breadth of investigation and identifies common issues and themes associated with the following areas:
 - Taking responsibility for ensuring pupils receive suitable full-time education
 - Making decisions based on the evidence available
 - Providing suitable full-time education
 - Reviewing plans and amending the approach
 - Restricting alternative provision: the meaning of 'otherwise'
- 2.6 Focus reports promote local accountability and include a comprehensive set of questions for Scrutiny to seek assurance at a local level. The Children's Services Scrutiny Panel received the response (**Appendix 1**) and update report (**Appendix 2**) at the panel meeting on 21 September 2022. This responds directly to the focus report and questions listed on page 11 of **APPENDIX 3**.

3. RECOMMENDATIONS

3.1 As set out on the front of the report