

Written evidence submitted by Twinkl to The Children's Wellbeing and Schools Bill Committee (CWSB249).

1. This document outlines Twinkl's response to the Children's Wellbeing and School's Bill, focusing on key clauses related to child protection, school provisions, and children not in school. Twinkl supports measures that enhance safeguarding and data sharing between agencies, but also raises concerns about potential privacy risks and the need for robust data protection safeguards. While recognizing the benefits of free breakfast clubs and standardized uniforms, Twinkl emphasizes the importance of adequate funding and cost considerations for families. The response also highlights potential challenges with the proposed local authority consent mechanism for school withdrawal and the requirement for a register of children not in school, emphasizing the need to prioritize parental rights and avoid unnecessary intervention. Overall, Twinkl advocates for a balanced approach that strengthens child protection while respecting family autonomy and ensuring that all children have access to a quality education.

2. Part One: Children's Social Care

Child Protection

Clause 2 - Require education and childcare providers to be included in an area's safeguarding arrangements

Clause 3 Require local authorities to establish multi-agency child protection staffed by people from education, social work, health and the police

3. Twinkl has the honour of working closely with many stakeholders in the education system and over 15 years has been passionate about raising the profile of the important role schools play in the development and wellbeing of the children and young people in their care. This is
4. The working together guidance of 2023 stipulates that Safeguarding Partners are:

(a) the local authority

(b) an integrated care board for an area any part of which falls within the local authority area

(c) the chief officer of police for an area any part of which falls within the local authority area

(Working Together Guidance 2024)

5. As highlighted in the review of social care by Josh MacAlister MP in May 2022 teachers spend more time with young people than any other professionals and yet they are not represented as a statutory safeguarding partner in the local partnership arrangements. This means that the voice of education is potentially missing from crucial conversations around how best to safeguard children and young people. Whilst schools are often cited as relevant agencies in the multi-agency safeguarding arrangements we believe making this a legal requirement will increase the quality of decisions made around safeguarding arrangements with a true reflection of the needs of children and young people in that area.

Clause 4 Allow for the creation of a single unique identifier for children and introduce new duties around data sharing

6. True multi-agency working must have schools at the centre as they are often best placed to understand the whole young person and their strengths and challenges.

7. When we reflect on many of the Serious Case reviews a common theme is lack of multi-agency working which leads to children and young people being left in often dangerous contexts. This was tragically demonstrated in the cases of Star Hobson and Arthur Labinjo-Hughes who lost their lives at the hands of the people who were meant to keep them safe in 2020.

https://assets.publishing.service.gov.uk/media/628e262d8fa8f556203eb4f8/ALH_S_H_National_Review_26-5-22.pdf) The serious case review pertaining to the deaths of these children contended that that multi-agency arrangements for protecting children are more fractured and fragmented than they should be.

8. Potential Opportunities:

* **Improved data sharing and coordination:** A unique identifier could streamline information sharing between schools, social services, and healthcare providers, potentially leading to more effective interventions and support for children.

* **Enhanced safeguarding:** Better tracking could help identify children at risk of harm or neglect more quickly, allowing for timely intervention.

* **More personalized support:** A unique identifier could help build a more comprehensive picture of a child's needs, enabling tailored support and interventions.

* **Research and policy development:** Anonymized data linked to unique identifiers could be used to track trends and evaluate the effectiveness of interventions, informing policy development and resource allocation.

9. Potential Challenges:

* **Privacy concerns:** Storing and sharing sensitive data about children raises concerns about privacy and potential misuse of information.

* **Data security risks:** Centralized databases could be vulnerable to hacking or data breaches, putting children's personal information at risk.

* **Potential for misuse:** There are concerns that a unique identifier could be used for purposes other than intended, such as surveillance or discriminatory practices.

* **Increased bureaucracy:** Implementing and managing a unique identifier system could create additional administrative burden for schools and other agencies.

10. Important Considerations:

* **Data protection safeguards:** Robust data protection measures, including encryption, access controls, and clear guidelines on data sharing, are essential to mitigate privacy risks.

* **Transparency and consent:** Children and their families should be informed about how their data will be used and have the opportunity to provide consent.

* **Ethical oversight:** Independent oversight is needed to ensure that data is used responsibly and ethically, and to address any potential concerns about misuse

Although a UIN could improve multi-agency collaboration, we believe that resources should be prioritized for enhancing existing multi-agency practices, as agencies are currently overburdened. Having extensive data on a young person is futile if professionals lack the time to analyze it and collaborate effectively to make "genuinely joint, challenging, rigorous decisions every time there are concerns that a child may be suffering harm," as emphasized in the report following the tragic deaths of Star and Arthur. Failing to do so could lead to similar tragedies in the future.

11. Part Two: School's Bill

12. Breakfast clubs and school food standards

Clause 21 - Require state-funded primary schools to provide free breakfast clubs

13. Twinkl supports a provision that enables all children and young people to have access to a healthy breakfast. Research cited in the Family Action and Magic Breakfast literature review (July 2020) indicates a correlation between eating breakfast and higher academic achievement and increased wellbeing.
14. Careful thought should be given to what constitutes a 'healthy' breakfast and all institutions should be expected to follow the same standards to ensure consistency of access for all children.
15. State-funded primary school breakfast clubs would be a positive step forward for many families. However, full funding would be essential to ensure appropriate and

qualified staffing, high-quality food and hygiene standards, and to cover increased energy costs for lighting and heating.

16. School uniforms

Clause 23 - Place statutory limits on the number of branded items of uniform statefunded schools can require

17. Twinkl recognises the important place uniform can play in engendering a sense of belonging for young people but sees this in the context of increasing costs for families across the board and lack of hard evidence that this sense of belonging cannot be achieved in alternative ways.
18. The Children's Society report of 2020 highlighted the burden that branded uniform can place on families in lower socio-economic, building on their 2014 report 'At what cost? Exposing the impact of poverty on school life' which found, 'that the cost of school uniform was putting families under unnecessary strain, resulting in bullying or children being sent home from school and disrupting learning,' In their 2020 report the Children's Society outlined the need for legislation that ensure all families can afford the cost of uniforms.

19. Potential Opportunities:

Increased affordability for families: By limiting the number of required branded items, schools could significantly reduce the cost of uniforms, making them more accessible for families from all socioeconomic backgrounds.

Reduced financial burden: This could alleviate the financial strain on parents, especially those with multiple children, who often struggle with the high costs of school uniforms.

Promotion of equality and inclusion: Standardized uniforms with fewer branded items could create a more equitable environment, reducing the visibility of

socioeconomic differences between students and minimizing the potential for discrimination based on clothing.

Increased competition and lower prices: Limiting the requirement for branded items could open up the market for school uniforms, encouraging competition among suppliers and potentially leading to lower prices for families.

20. Potential Challenges:

Difficulty in enforcement: Monitoring and enforcing statutory limits on branded items could be challenging for local authorities, requiring additional resources and oversight.

21. Children Not In School

Clause 24 - Introduce a local authority consent mechanism for the withdrawal of certain children from school, including those at special schools

22. Twinkl acknowledges that safeguarding children is of utmost importance. For most children, school is the best place for their education, not only for academic achievement but also for social development with peers. Any mechanism for considering consent for school withdrawal must be developed with parents, young people, and schools to ensure that the processes do not create barriers for families who believe home education is the best option for their child and can offer the necessary support and education to meet the needs of their child, particularly those with Special Educational Needs. As outlined in the 2014 Code of Practice, parents

and young people must be central to decisions about their education, and home education can be a successful option for many young people.

23. Potential Opportunities:

Increased Safeguarding: Local authorities having a role in school withdrawal decisions could potentially identify cases where children are at risk of harm or neglect, and intervene to ensure their safety and well-being.

Support for Vulnerable Children: The consent mechanism could help identify children with special educational needs or disabilities who may require additional support to succeed in a home education environment, and connect them with appropriate resources.

Improved Data Collection: A consent mechanism could provide valuable data on the reasons families choose to home educate, which could inform policy and support services.

24. Potential Challenges:

Bureaucratic Delays: Introducing a consent mechanism could create additional administrative processes, potentially delaying families' ability to start home educating and disrupting children's education and impacting on their mental health and wellbeing.

Subjectivity and Bias: Decisions made by local authorities could be influenced by personal biases or misunderstandings about home education, leading to unfair treatment of families.

Infringement on Parental Rights: Requiring local authority consent for school withdrawal could be seen as an infringement on parental rights to choose the most appropriate education for their child.

Increased Workload for Local Authorities: Implementing and managing a consent mechanism could place a significant administrative burden on local authorities, potentially diverting resources from other essential services.

Clauses 25 - 59 and schedule 1 - Introduce a requirement for local authorities to maintain a register of children not in school, with duties for parents and related requirements for school attendance orders to be issued in some cases

25. While a register is logical, it could also be misused to target families who homeschool, especially since the requirement for in-person meetings with local authority staff could be very distressing for a young person with special educational needs. We believe that parents and families should be at the centre of these discussions and developments. It is essential that local authorities have an ongoing working relationship with local home education groups and are given the opportunity to fully explore the experience of the child in school and the opportunities home education could present.

26. Potential Opportunities:

Improved tracking of children's educational engagement: A register could help local authorities identify children who are not receiving an education and intervene to ensure they are enrolled in school or other suitable educational provision.

Early identification of safeguarding concerns: By monitoring children who are not in school, local authorities could potentially identify cases where children are at risk of harm or neglect, enabling timely intervention.

Support for home educators: A register could facilitate communication and support between local authorities and home educating families, ensuring that children receive a suitable education.

27. Potential Challenges:

Administrative burden: Creating and maintaining a register of children not in school could place a significant administrative burden on local authorities, potentially diverting resources from other essential services.

Privacy concerns: Collecting and storing personal data about children and families raises concerns about privacy and data protection.

Stigma around home education: A register could lead to increased scrutiny and stigmatization of home educating families, potentially undermining their right to choose an alternative educational approach.

Unnecessary intervention: If not implemented carefully, the register could lead to unnecessary intervention in families who are providing a suitable education for their children at home.

28. Recommendations:

- Prioritise enhancement of existing multi-agency practices over a new Unique Identifier system, ensuring professionals have time and resources for effective collaboration and decision-making regarding child protection.
- Mandate education professionals as statutory safeguarding partners to ensure their expertise is central to safeguarding arrangements.
- Provide full funding for state-funded primary school breakfast clubs to ensure quality staffing, food, and hygiene standards, and to cover increased energy costs.
- Implement legislation to ensure school uniform affordability for all families, thereby removing financial barriers and potential for discrimination.
- Develop any consent mechanism for school withdrawal in collaboration with parents, young people, and schools, ensuring it does not create barriers for families who choose home education, particularly those with Special Educational Needs.

- Ensure any register of children not in school prioritises parental rights, avoids unnecessary intervention, and includes robust data protection safeguards to prevent misuse and protect privacy.
- Maintain strong data protection measures, including encryption, access controls, and clear data-sharing guidelines, for any initiatives involving the collection and sharing of children's data.
- Ensure transparency and consent regarding the use of children's data, with clear communication to children and families about data usage and the opportunity to provide consent.

Establish independent ethical oversight for any data collection and usage to ensure responsible and ethical practices and address potential concerns about misuse.

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February 2025.