

## **EDUCATION SCRUTINY COMMITTEE – 13 DECEMBER 2017**

### **Elective Home Education**

#### **Report by the Director for Children's Services**

#### **Introduction**

1. The aim of this report is to provide information to advise the Education Scrutiny Committee of the causes of the rise in the number of children being Electively Home Educated (EHE), and the challenges this may present for the Local Authority. This report draws upon information in the EHE Annual Report 2017.
2. The EHE team has recently been through a re-structure, and a new rag-rating system has been developed to ensure the limited resources within the team are utilised effectively, and that those children and families identified receive the appropriate support quickly.
3. The team consists of 3 officers, equalling 2 full-time equivalent posts. 2 of these officers are qualified teachers, and visit the EHE families at home to support and offer advice as well as assess the level of education taking place.

#### **Trends**

4. There were 558 recorded cases of EHE within the last academic year, an increase of 21%. 70 children returned to school, compared with 90 the previous year (see Annex 1).
5. The main reason given for removing from school roll to home educate is 'other/unknown'; where parents have, either been unable to identify the reason from those offered or have refused to let the Local Authority know.
6. The second most common reason is 'dissatisfaction with the system'. This also applies nationally (see Annex 3)
7. There has been a drop in the number of students who are EHE and have a statement or Education Health Care Plan (EHCP) - 23 compared to 28 the previous year.
8. 43.88% of EHE children had school attendance of 90% or less and 8.67% of students had exclusions, either fixed term or permanent.

## Key Stages

9. The number of EHE children in the various key stages are as follows:

	Key Stage 1	Key Stage 2	Key Stage 3	Key Stage 4
No of EHE children	82 15%	128 23%	193 35%	146 26%

10. There were 9 children known to the Local Authority who were EHE and of non-statutory school age.
11. There are spikes in years 5, 7 and 9. There is still work to be done to establish the correlation between these spikes, SEN need, fixed term exclusions and the pressure on families due to the threat of legal intervention to increase poor attendance.
12. Information from secondary schools may suggest there is inadequate information being shared between schools at transition stages to ensure the child's needs are being met.

## Statistical neighbours

13. The analysis report from the Association of Directors of Children's Services which is the result of a survey carried out in October 2017, gives relevant information from a national perspective on a wide range of issues regarding EHE (see Annex 3).

## Safeguarding

14. Parents/carers are required to put in writing their intention to remove their child from roll to home educate. Schools notify the Local Authority when in receipt of this letter and at this point, they can then remove the child from their roll.
15. A school exit form is required by the Local Authority. In completing this, schools are asked to provide information that may question the child's safety, and indicate any known risks to them, that may be associated with being educated at home. The form also asks for information regarding any agencies that are involved with the child.
16. If there is any known social care activity around the child, EHE officers will follow this up with the social worker, and attend any Team Around the Family or Child Protection meetings. If the child has an EHCP, the Annual Review may be brought forward. If the child attends a special school, he/she cannot be removed from roll until an Annual Review has been held and the SEN team are satisfied that appropriate provision will be made.

17. When information around the home education is requested from the family, the Local Authority now asks for permission so that we may share information with the child's GP. It has been acknowledged that if the family chooses not to engage with the Local Authority, health professionals may be the only professionals to see the child. Work with the School Health Nursing Service is being developed, to promote and address the health issues of the children within the EHE community.
18. Training and information has been disseminated to the Clinical Commissioning Group, outlining the limited obligations of the Local Authority and EHE families.
19. A new rag-rating system has been introduced on the basis of the school exit form, to indicate to the EHE team which cases warrant a home visit and any further action.
20. Only if the Local Authority has been made aware of the parent's decision to home educate prior to coming off roll, are we able to challenge their decision. If the school are made aware of the parent's intention, the Local Authority may have an opportunity to discuss this with parents and address any issues which may be affecting their decision. Ideally, parents should be able to have a 'cooling off' period prior to their child being removed from roll, to allow time for discussion. However, legislation prevents this and schools can remove immediately. Too often parents decide to home educate without a full understanding of what this involves, and in some circumstances, schools have been proactive in the encouragement of EHE.
21. Plans are being discussed to enable EHE families to receive generalist safeguarding training, delivered by the Local Authority.
22. It is worth noting that Elective Home Education is not a risk in itself.

### **Local Authority responsibilities**

23. Local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis. However, under Section 437(1) of the Education Act 1996, local authorities shall intervene if it appears that parents are not providing a suitable education. This section states that:

*"If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education."*

Local authorities also have a duty under section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. This section states:

*"A local education authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children."*

Section 175(1) does not extend local authorities' functions. It does **not**, for example, give local authorities powers to enter the homes of, or otherwise see, children for the purposes of monitoring the provision of elective home education. (see Annex 2)

### **Financial and Staff Implications**

24. The re-structure of the team only had implications on the systems and processes. Although 2 members of staff took redundancy, the FTE within the team remained the same. However, the rise in the number of EHE cases suggests that the current staffing level may need to increase to ensure home visits are made to those that need them, particularly if there are any changes to legislation in future, which may alter the statutory status of this work.

### **LUCY BUTLER**

Director for Children's Services

Contact Officer: Rachael Etheridge, Education Inclusion Manager

December 2017