

Cabinet – 18 September 2018

Elective Home Education Working Group Findings

Report by Policy and Performance Manager

Introduction

1. At the Education Scrutiny Committee on 13 December 2017, the Committee received a report about Elective Home Education (EHE) in Oxfordshire. In 2016-17 there were 558 recorded cases of EHE which represented an increase of 21%. 70 children returned to school, compared to 90 in the previous year.
2. The Committee agreed that Councillor Waine and Councillor Smith would investigate the reasons for this rise; trends in EHE including concentrations of EHE in particular localities and schools; and to meet with parents who have decided to EHE. Members considered whether there were any particular trends in relation to year groups, locality or increase over time. The data suggest that there is no particular trend by locality, however there do appear to be higher instances of EHE for SEND pupils. During the course of the investigation, the Department for Education (DfE) published revised EHE guidance for local authorities and parents for consultation and so this has also been considered as part of the investigation.
3. The Education Scrutiny Committee considered the report at their meeting on 27 June 2018. There are nine recommendations for Cabinet to consider, other recommendations were for the Committee to add additional items to their forward plan. The Committee made several amendments to the report which have been incorporated into the version presented to Cabinet.

Background

4. To gather information, Councillors Waine and Smith met with lead officers including an EHE Link Workers to understand the role of the EHE team, the national context, the powers and duties of the local authority and to commission further data to inform the investigation.
5. A second meeting was held with the lead County Attendance Officer responsible for EHE to discuss the data and the DfE Call for Evidence.
6. Finally, the working group met with two parents/carers who have elected to home educate to find out about their experiences. Both parents/carers had initially sent their children to primary school and had then pursued elective home education.

National Context

7. In April 2018, the Department for Education (DfE) launched a new call for evidence in relation to Elective Home Education including seeking comments on revised non-statutory guidance¹. The call for evidence asked a number of questions and the working group a response to the consultation on behalf of the Committee based on the evidence gathered as part of this investigation.
8. The non-statutory guidance for local authorities states that local authorities do not have a specific statutory duty to monitor the quality of home education on a routine basis but they do have a duty to make arrangements, in so far as possible, to find out whether the education pupils are receiving is suitable.
9. Local authorities also have a duty under the Education Act 2002 to safeguard and promote the welfare of children but this does not give local authorities the power to enter the home of families who EHE for the purposes of monitoring elective home education provision.
10. Parents have a duty to ensure that their children receive an education that is suitable for their age, ability, aptitude and any other special educational needs that they may have. This may be through attending school or otherwise. 'Otherwise' may include elective home education.

Trends in Elective Home Education

11. Children who have never attended school:

The revised guidance issued by the DfE states that one of the most significant issues for local authorities is the initial identification of children who are educated at home. Some children may never attend school and there is no legal duty on parents to inform the local authority that a child is being educated at home. However, the local authority does have a duty under the Education Act 1996 to identify, in so far as possible, children in its area who may not be receiving suitable education. Until a local authority is satisfied that a home-educated child is receiving suitable full-time education, then a child being educated at home could fall within the scope of this duty. The guidance suggests that "local authorities should explore the scope for using agreements with health authorities, general practitioners and other agencies to increase their knowledge of children who are not attending schools," (DfE Elective Home Education Draft Guidance, April 2018, p.9). In Oxfordshire, the Elective Home Education team have established relationships with the Multi-Agency Safeguarding Hub (MASH) and the team will also receive information from local GPs. Local GPs have also been briefed so that they are aware that local authorities do not have the ability to carry out EHE inspection but will offer home visits.

¹ DfE 'Elective Home Education: Departmental guidance for local authorities: draft for consultation' April 2018 (accessed 23.04.2018): <https://consult.education.gov.uk/school-frameworks/home-education-call-for-evidence-and-revised-dfe-a/>

12. Increase over time:

Nationally over the past three years EHE has risen from around 34,000 in 2014-15 to 48,000 in 2016-17². Oxfordshire has also seen a rise over time in EHE:

	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Number of EHE children	379	378	410	456	460	557

13. The peak years for EHE in Oxfordshire appear to be at years 5 and 9. Over the past three years at Year 5 there was an increase from 33 to 49 pupils (20% increase) and at Year 9 it increased from 51 pupils in 2014-15 to 86 in 2016-17 (25% increase). Both are key years in the schooling process. The working group learnt that there may be a trend emerging at year 9 where pupils decide to move schools to undertake vocational qualifications that are better suited to their educational needs rather than GCSEs. EHE can be used as an interim measure while this transition takes place. The working group would like further work to be undertaken to investigate the reasons why years 5 and 9 appear to be the peak areas for EHE. This information could potentially be gained through making amendments to the EHE questionnaire that the authority asks parents/carers to complete when opting for EHE.

Recommendation: That further analysis is undertaken to understand the reasons for higher numbers of EHE at years 5 and 9 through modifications to the EHE parent/carer questionnaire.

14. Variation across Key Stage:

The number of EHE children varied across key stages in 2016-17:

	Key Stage 1	Key Stage 2	Key Stage 3	Key Stage 4
Number of EHE children	82 15%	128 23%	193 35%	146 26%

15. Locality area and high EHE schools in Oxfordshire:

The percentage of EHE compared to the overall school population for each locality area is relatively low. In 2016-2017 Banbury has the highest percentage at 1.26% or 112 pupils becoming electively home educated compared to Witney, Burford and Carterton with the lowest percentage of 0.76% or 66 pupils. The data for 16-17 suggests that EHE is concentrated in the urban centres of the County with Abingdon, Banbury, Didcot and Henley and Oxford City making up 57% of the EHE population in the last year. The working group would like to understand whether there are further trends

² BBC News Home schooling in the UK increases 40% over three years (accessed 26.04.18): http://www.bbc.co.uk/news/uk-england-42624220?utm_source=LGiU+Subscribers&utm_campaign=1b7a3f1bd1-EMAIL_CAMPAIGN_2018_04_26&utm_medium=email&utm_term=0_4e47157211-1b7a3f1bd1-199239193

associated with EHE and recommend that further analysis is undertaken to understand the trends associated with EHE in locality areas to see if there links to SEND provision or social deprivation.

Recommendation: Further analysis is undertaken by officers on a school level and locality basis to understand the trends associated with EHE in locality areas to see if there are links with social deprivation, gender, adoption or SEND provision. This should be reported to the Committee in 6 months' time.

16. This section also highlights primary and secondary schools with the highest EHE figures in 16-17, special educational needs and disability (SEND) schools are discussed in a separate section.

Locality Area	Number of EHE pupils in 16-17	Total school age population in 16-17	% of EHE compared to school age population
Abingdon	59	5,530	1.07%
Banbury	112	8,865	1.26%
Bicester and Kidlington	58	7,204	0.91%
Chipping Norton and Woodstock	62	5,033	1.23%
Didcot and Henley	108	10,695	1.01%
Farringdon and Wantage	71	5,747	1.24%
Oxford City	133	16,463	0.81%
Thame, Wheatley and Watlington	58	6,694	0.92%
Witney and Burford	66	8,734	0.76%

17. In relation to high EHE schools the secondary schools compared to the total population of the school, the highest in 2016-17 schools were as follows:

Name	Total Pupil Population	EHE Students	% of EHE per total population
Banbury Academy	704	19	2.70%
Chiltern Edge School	433	7	1.62%
The Warriner School	1160	18	1.55%
Larkmead School	648	10	1.54%
Gillotts School	848	13	1.53%

18. For primary schools the schools with the highest levels of pupils being withdrawn in favour of EHE in 2016-17 were as follows:

Name	Total Pupil No.	Number of EHE Students	% of EHE per total population
Bladon Church of England Primary School	83	6	7.2%
Tackley Church of England Primary School	85	6	7.1%
Aston Rowant Church of England Primary School	58	4	6.9%
Finstock Church of England Primary School	68	4	5.9%

19. The working group learnt that officers would like to implement a 2-week cooling off period for all EHE cases but this will require sign-up from schools. The cooling-off period would allow for mediation between parents/carers and the school with a view to keeping a pupil in the school environment if it is in the best interests of the child to do so. If this could be implemented, it might prevent some instances of off-rolling, but it may require resources to undertake the mediation between the schools and parents. The working group are aware that a county conference will be taking place in July and would recommend that the concept of the 2-week cooling off period is discussed with attendees to gauge buy-in from schools.

Recommendation: That the concept of a 2-week cooling off period before taking pupils off the roll at a school is discussed as part of the attendance conference in July, or at another suitable occasion with head teachers, to gauge level of commitment from schools to understand whether it would be feasible to implement a system across Oxfordshire.

20. The working group also feel it is important that governors of local schools are kept informed about the numbers of pupils being withdrawn to home educate. This will ensure that governors can ask appropriate questions in relation to their schools' approaches to inclusion and supporting families.

Recommendation: That the authority advocates that school leaders include information about numbers of EHE children in their termly reports to governors/directors or other reporting mechanism that may exist.

The Role of the County Attendance Team

21. The draft DfE guidance recommends that local authorities should:
 - Provide parents with a named contact who is familiar with home education policy and practice
 - Contact parents who are home educating their children at least on an annual basis so that the authority may reasonably inform itself of the current suitability of the education provided
 - Have a named senior officer with responsibility for elective home education policy and procedures
 - Organise training on the law and home education methods for all officers who have contact with home-educating families
 - Ensure that staff who may be a first point of contact for potential home-educating families understand the right of the parent to choose home education and that parents are provided with accurate information from the outset
 - Work co-operatively with other relevant agencies such as health services to identify and support children who are home educated (DfE Guidance p.13)

22. Through meeting with officers, the working group felt assured that the authority has these procedures in place. Written notification is required from parents/carers. Parents/carers are required to put in writing their intention to remove their child from roll to home education. Schools will then notify the local authority when in receipt of the letter and after this point they can remove the pupil from their roll.

23. The working group learnt that the Elective Home Education Team has been restructured. There are now two part-time link workers, which equates to one full time equivalent (FTE). The link workers act as the named contact for parents who are electively home educating. As a result, a new RAG (Red, Amber, Green) rating system has been introduced based on the school exit form to indicate which cases warrant a home visit and any other further action. Prior to this, every parent who opted to EHE would be offered a home visit. A parent/carer is not under any obligation to accept a visit from the local authority but most parents welcome a meeting with attendance officers.

24. Red flagged pupils will be offered a meeting with a member of the EHE Team as soon as possible, this would include any pupil who has been identified as a vulnerable learner or where the family/child are known to social care. Amber flagged pupils will be offered a visit in due course and green pupils are not routinely offered a home visit but will be contacted by the EHE team to let them know that a visit can be arranged if requested. The RAG rating of pupils is reviewed on a regular basis and a pupil's rating may change if additional information is received.

25. The working group are supportive of the RAG rating system being introduced. The rating system will mean that parents/carers and their children who are working well in an EHE environment should feel supported and resources can be targeted. The working group are keen to monitor the impact of the restructure to ensure that there are enough resources in place to engage with parents/carers in a timely manner and to understand the impact that the RAG rating system has had.

Recommendation for the Education Scrutiny Committee: That the Committee receives an update report in twelve months' time to review the impact of the restructure to the EHE team, how the RAG rating system is working, the outcome of the Committee's recommendations and the results of the DfE consultation.

26. The team has recently updated their guidance leaflet that signposts parents/carers to useful information and feedback was sought from parents who electively home educate to ensure it is fit for purpose. Investigations are also underway to see whether more formal support such as non-financial assistance with exam registration could be offered. The leaflet currently lists educational establishments who are prepared to host private students sitting exams and explains that the costs of sitting the exams will need to be met by the parent/carer. The working group noted that currently all of the exam centres in Oxfordshire are located in Oxford, other centres are outside of the County which may present barriers to some EHE families.

Recommendation: That schools and colleges in the County are contacted and asked if they would be prepared to provide access to private candidates to expand the range of exam centres in the County for EHE pupils.

27. Information about children/families will be obtained from a variety of sources including GPs and health sector representatives, although there have been instances where partner agencies are not aware that the authority does not have any powers to undertake a visit. It was noted from meeting with officers that it would be beneficial to have a named contact at the Multi Agency Safeguarding Hub (MASH) with an interest in EHE as this would aid the flow of information. It was also felt that there may be an opportunity to brief members on the MASH to develop a better understanding of EHE and the powers that the local authority has.

Recommendation: That a named contact on the MASH is identified as a point of contact for EHE issues and concerns.

Recommendation: That a briefing is organised for representatives on the MASH about EHE and the role of the County Attendance Team in EHE.

Reasons for Electively Home Educating

28. When a parent informs a school that they wish to take elective home education, the local authority will ask the school/parent to complete a

questionnaire. The main reason given in 2016-17 for removing a child to EHE was 'unknown' meaning that a reason has not been given or parents did not wish to disclose their reasons for electively home educating. In order to improve the quality of data the local authority collects about EHE this option has now been removed from the questionnaire. From next year, the Council should be able to better understand the reasons for EHE. The working group believe this is a positive change but would also recommend that an open section is added to the questionnaire to capture more detail about why parents/carers have opted for EHE. The working group felt that this would enable the authority to build a more detailed picture of EHE and to address issues which may mean that pupils stay in school or ensure that appropriate support can be provided.

29. The second most common reason given was 'dissatisfaction with the system'. This trend is mirrored nationally, an Association of Directors of Childrens Services (ADCS) report³ also stated that this was the most common reason for parents/carers choosing EHE. The ADCS report also noted that many parents either do not give a reason or that there are often multiple reasons why parents choose EHE. Adding an additional section to allow for more qualitative data to be gathered may also enable the authority to understand where there are multiple reasons for opting for EHE.
30. The parents/carers that the working group met said EHE families are likely to have multiple reasons for choosing to home educate. From their experiences and those of others they said common reasons would be a lack of appropriate learning opportunities particularly for pupils with SEND, bullying, anxiety and other mental health issues. By building a better understanding of the multiple reasons for EHE, the authority can use this information to ensure that there is a more inclusive learning environment.

Recommendation: That the EHE questionnaire is further modified to give the ability to include a more detailed explanation from parents/carers, if they wish to share more detailed reasons for opting for EHE.

Special Educational Needs and Disability (SEND) pupils and Elective Home Education:

31. For SEND learners in a special school placement, parents cannot remove them from the school unless they have consent from the Authority. If the child is in a mainstream school and parents feel that their needs are not being met then parents can take them out to EHE. The Council will work with schools to try to identify SEND provision but the working group learnt that this is becoming increasingly difficult. Presently there are no SEND places within the county area. The lack of placements is partially a result of the growing school age population but also an increased demand for special school places and with comparatively low High Needs Funding in Oxfordshire. The parents/carers that the working group met with agreed that a lack of SEND provision meant that some families felt that they had to home educate for their

³ ADCS 'Summary Analysis of ADCS Elective Home Education Survey (October 2017)

children's wellbeing. The parents/carers also reported that access to Child and Adolescent Mental Health Services (CAHMS) had been an issue for some families.

32. The Committee has previously raised the issue of High Needs Funding in Oxfordshire in comparison to neighbouring authorities with the Secretary of State for Education. The Leader and Cabinet Member for Education have also lobbied government in relation to High Needs Funding. The working group are supportive of any continued efforts to lobby the government for further Higher Needs funding in Oxfordshire.
33. The numbers of EHE students from special educational needs schools in 2016-17 is outlined below:

Name	Total Pupil No.	Number of EHE	% of EHE per total population
Kingfisher School	73	11	15.07%
Fitzwaryn School	76	11	14.47%
Bishopswood Special School	57	7	12.28%
Frank Wise School	77	6	7.79%
Northfield School	68	4	5.88%

34. The County Attendance team will work with a SEND pupil and their family if they are considering elective home education and will provide details of the SENDIAS contact team and will try to keep the child in the school.

Views of Parents/Carers who Electively Home Educate

35. The timescales of the investigation meant that the working group were only able to meet with two parents/carers who home educate. Both parents have established good relationships with other local EHE families through a local voluntarily run home education network. The parents/carers valued the network saying that it allows EHE families to share skills and expertise. Both parents/carers are supportive of schools but felt it was not the right environment for their children.
36. Parent A has one child that has been home educated since Year 4. Their child was adopted and experienced a range of issues linked to attachment disorder. The parent/carer stated that they had tried to address concerns with the school but that the pressure of the school environment meant they had to home educate. Initially the parent/carer had intended to home educate on an interim basis until secondary school but has now decided to continue with home educating as it was in the best interests of their son. The parent/carer said that they use tutors for some aspects of their education.
37. Parent B relocated to Oxfordshire with three school age children. Both parents/carers are teachers. Initially two of the three children were enrolled at school, the parent/carer decided to home educate the third child whilst waiting

for a place to become available. The parent/carer stated that their children attending school had experienced bullying and the size of the school meant that their child could not get the educational support they needed. The parent/carer said they were particularly concerned about peer pressure facing young people in the school environment. For them, the home educating community meant that their children were learning with other young people of varying ages, abilities and interests and felt that this had a positive impact on their learning outcomes. The parent/carer said that whilst home education had intended to be an interim measure, they intended to continue but said that their children would like to access further education colleges when they are older.

38. The key message that the working group heard from parents/carers was the importance of feeling supported, not judged, by the local authority. The parents/carers felt that the County's link workers that they had met with had been supportive and were complimentary about the visits. The parents/carers valued that the link workers had experience of teaching/education and felt that it was important that any link worker had these skills.
39. In terms of support for EHE parents/carers, the working group learnt that the Home Educating community is well established across the County. The parents/carers said that if new EHE parents were signposted to the local network, they would find the support that they needed. It is noted that the leaflets produced by the Council do signpost to the local group as well as other organisations.
40. For both parents/carers, the issues for them started in the school environment. The working group feel that the Inclusion Strategy being developed by the local authority will have an important role to play in creating a culture that means the right interventions can happen whilst the child is still at school.
41. The specific issues that each family had experienced were different but both had been concerned about that their children's mental wellbeing and attainment levels. The working group feel it is important to ensuring, through the Inclusion Strategy, that schools have staff who are trained in attachment disorder and mental health awareness are important factors in creating an inclusive learning environment.

Recommendation for the Education Scrutiny Committee: The Committee would like further information about the Inclusion Strategy as it develops.

42. The working group discussed the DfE EHE consultation with the parents/carers. The parents/carers expressed concern about the revised DfE EHE guidelines. They felt the language used in the revised guidance was judgemental. Whilst the parents/carers did see that having a register would be beneficial from a safeguarding perspective, they were extremely concerned about any formal inspection regime. The parents/carers felt that it was important that local authorities understand that educational attainment for

home educated students could not be measured in the same way as mainstream education as every child's aspirations would be different.

43. The parents/carers stated that their children would like to study for further educational qualifications. The parents/carers cited New College, Swindon as a positive example. The establishment is a further education college that offers a programme for EHE pupils returning to education. Parents/carers said that they would be supportive of any similar arrangements being introduced into the County.

Recommendation: That the New College, Swindon example of good practice is investigated and any information is shared with Further Education establishments in Oxfordshire.

44. The parents/carers also noted that home educating did incur a financial outlay for families. Whilst the working group felt that this was outside of the scope of the investigation, the working group did not that once a pupil is removed from a school, Pupil Premium money also ceases. The working group stated that they mention this in the Committee's response to the DfE consultation.

Conclusions

45. The working group have identified that the reasons for home educating are often multiple and complex. The working group noted that the comparative lack of High Needs Funding in the County has meant that some families may feel that they need to home educate. The need to create an inclusive learning environment within schools is also important so that issues can be addressed within the school.
46. The working group feel that further work could be undertaken by the authority to gain a greater understanding of the underlying issues that give rise to elective home education through greater data comparison and analysis.
47. The working group discovered that there is a broad range of approaches to elective home education. The working group are supportive of the RAG rating that has been introduced. The rating system should mean that parents/carers who have taken a proactive approach to home educating feel supported and intervention work can be targeted where the authority may have concerns or families need support. The working group wish to continue to monitor EHE numbers, the impact of the restructure and the introduction of the system to ensure that the right resources are in place.

Acknowledgements

48. The working group would like to thank the families who met with them for giving up their time and helping them to understand their experiences of home educating. The working group would also like to thank the Education Inclusion Manager, County Attendance Officer and Home Education Link Worker for providing evidence to support the investigation.

Financial and Staff Implications

49. There are no financial or staffing implications associated with this report. The working group have recommended that further work is undertaken to understand EHE trends, it will be for the Cabinet to determine whether they wish to accept these recommendations.

Equalities Implications

50. The working group have recommended that further work is undertaken by officers to understand equalities related trends in EHE.

RECOMMENDATION

51. The Cabinet is **RECOMMENDED** to:
- (a) consider the recommendations of the Education Scrutiny Committee Elective Home Education working group;
 - (b) agree which of the following recommendations the Cabinet will accept:
 - 1) Further analysis is undertaken to understand the reasons for higher numbers of EHE at years 5 and 9 through modifications to the EHE parent/carers questionnaire.
 - 2) Further analysis is undertaken by officers on a school level and locality basis to understand the trends associated with EHE in locality areas to see if there are links with social deprivation, gender, adoption or SEND provision. This should be reported to the Committee in 6 months' time.
 - 3) The concept of a 2-week cooling off period before taking pupils off the roll at a school is discussed as part of the attendance conference in July, or at another suitable occasion with head teachers, to gauge level of commitment from schools to understand whether it would be feasible to implement a system across Oxfordshire.
 - 4) That the authority advocates that school leaders include information about numbers of EHE children in their termly reports to governors/directors or other reporting mechanism that may exist.
 - 5) Schools and colleges in the County are contacted and asked if they would be prepared to provide access to private candidates to expand the range of exam centres in the County for EHE pupils.
 - 6) A named contact on the MASH is identified as a point of contact for EHE issues and concerns.

CA11

- 7) A briefing is organised for representatives on the MASH about EHE and the role of the County Attendance Team in EHE.
- 8) The EHE questionnaire is further modified to give the ability to include a more detailed explanation from parents/carers, if they wish to share more detailed reasons for opting for EHE.
- 9) The New College, Swindon example of good practice is investigated and any information is shared with Further Education establishments in Oxfordshire.

and;

- (c) ask the Director for Children's Services, in consultation with the Cabinet Member for Public Health and Education, to prepare a response a future meeting of the Education Scrutiny Committee.

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Background papers: Elective Home Education Annual Report presented to the Education Scrutiny Committee in December 2017.

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