

17 December 2018**Agenda Item: 5****REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND
SKILLS****ELECTIVE HOME EDUCATION - UPDATE****Purpose of the Report**

1. The report provides the second six monthly report on electively home educated (EHE) pupils to enable Committee to monitor trends in numbers and reasons for elective home education.
2. The report also seeks the approval to continue to report to the Committee on a six monthly Basis.
3. The report additionally seeks approval for the Service Director, Education, Learning and Skills, to commission a university to commission a piece of post graduate research into the academic outcomes achieved, and the employment secured, by young people who have been electively home educated.

Information

4. Parents' legal rights and duties are set out in the Education Act 1996. The parent of every child of compulsory school age must ensure that he/she receives an efficient, full-time education, suitable to his/her age, ability and aptitude and any special educational needs that he/she may have, either by regular attendance at school or otherwise.
5. A parent/carers has the legal right to withdraw a child from school by delivering written notification of that fact to the school. The school then has a duty to notify the local authority (LA) and to remove the child's name from the school register. The local authority registers the child as EHE. Once registered, parents/carers can choose whether or not to engage with the LA. On 2nd November 2018, 500 (of the 699 children in Nottinghamshire registered as EHE) were receiving adviser visits, while parents/carers of 199 children refused Local Authority involvement.
6. From that point, a child acquires elective home educated status and the parents/carers are elective home educators. The parent/carers then becomes completely responsible for the costs, provision and management and delivery of the education of that child, while the LA ceases involvement. There are no curricular or other requirements incumbent on elective home educators, who are free from any educational regulation.

7. All parents registered as elective home educators in Nottinghamshire are offered regular EHE adviser visits and are able to be reconnected to LA and other services should they wish to stop elective home education, or where there is evidence of a safeguarding concern or education is deemed to be unsuitable by the EHE adviser. If no engagement is chosen, parents/carers are under no legal obligation to see an EHE adviser, to allow their educational provision to be monitored or to provide written reports of their provision. They are free from any regulation.
8. The LA fulfils its duty to ensure that all children of compulsory school age in its area are being suitably educated and to act if it appears that any child is not receiving such an education through these well-established working practices. These are generally very well received because they have been influenced by the views of electively home educating families in Nottinghamshire. The details of these arrangements were included in the report to Committee on EHE on 23rd April 2018.
9. It should be noted that there is an unknown number of parents who have always electively home educated and never enrolled their child/ren on a school roll. These children are not registered with the LA.
10. The Council's EHE associate adviser team meets termly with the EHE Programme Manager. The purpose of this meeting is to ensure that all EHE advisers access relevant training to fulfil their role effectively, in line with the Council's policies and procedures. At the last meeting, on 25th September, the Programme Manager invited 2 members of the EHE parent community in Nottinghamshire to attend and begin work on establishing effective links between the EHE parental community and the advisers providing support to home educating families. This meeting was welcomed by all parties. It was agreed that this will become a standard agenda item at each termly meeting as it will ensure regular opportunities for consultation and feedback, which it is hoped will benefit EHE learners.
11. The EHE team of associate advisers has been increased by 6 advisers, through the Council's procurement process, to ensure that the team's capacity is sustainable. New advisers will benefit from the experience of shadowing existing, experienced advisers.
12. The Association of Directors of Children's Services (ADCS) conducts an annual survey of Elective Home Education. Nationally, 106 (of 152) LAs recorded a total of 40,359 children and young people known to be electively home schooled in their localities on school census day, 4th October 2018. The ADCS estimates that there were 57,873 children and young people being home schooled across the 152 LAs in England on 4 October 2018. This represents an increase of approximately 27% from 5 October 2017.
13. In Nottinghamshire 699 children were registered as EHE on 2nd November 2018, an increase of 150 since the same time in 2017. It is expected that by June 2019, before Year 11 students leave the cohort, the EHE population may reach the high 700s, based on previous patterns of registration.
14. The dashboard for EHE (**Appendix 1**) identifies groups of electively home educated children and the reasons behind the parental decision to become EHE. The EHE Programme Manager uses the dashboard to inform discussions and decisions taken by a local authority multi-agency panel, the 'Vulnerable Children in Education Commissioning'

Panel (VCEC). This group ensures rapid action is taken by appropriate services to return these vulnerable children to a suitable education as quickly as possible.

15. Of the 699 children registered EHE in Nottinghamshire on 2nd November 2018, numbers were virtually equally divided between male and female. 219 were of primary school age and 480 were of secondary school age. Of the secondary age pupils, 239 were in Years 10 & 11.
16. The age at which children became EHE shows that there is a small spike at age 5, when pupils enter primary education. Of the 219 primary age children, 29 became EHE by age 5. This number remains fairly constant in each year group, until just before transition into secondary school, i.e. Year 5/Year 6. Parents/carers of this group often report 'inability' of school to meet their child's Special Educational Needs, with autism frequently cited as a common factor in the decision to EHE. Primary schools will almost always work very effectively with parents, agencies and the EHE team to secure an appropriate solution for the child during this phase. A significant proportion of primary aged EHE children will return to school at some point before age 12.
17. Much higher spikes occur from age 11, as children enter secondary phase, with 59 children registered as EHE in the Year 7 cohort of 2018/19. These peaks tend to increase with age, with 123 students in Year 10 and 116 students in Year 11 electively home educated on 2nd November 2018.
18. 482 were White British and 56 were of Gypsy, Roma or Traveller ethnicity, with the remainder being either from other ethnic groups or unknown. 3 children were on a Child Protection Plan and 5 had Children In Need status. 30 children had an Education Health and Care Plan (EHCP) indicating a significant level of identified Special Educational Need (SEN).
19. Reasons for withdrawal from school to home educate as stated by the parent or the school at the time of withdrawal were:
 - 7 - school phobic or refuser
 - 14 - response to legal attendance proceedings or prosecution
 - 34 - bullying at or around school
 - 49 - dissatisfaction or conflict with school
 - 199 - unknown reasons
 - 109 - emotional reasons, e.g. anxiety and mental health issues
 - 287 - preferred method – i.e. parental choice.
20. The number of children recorded as withdrawn from school by Year 7, i.e. the first year of secondary school, continues to exceed those registered as EHE for each of Years 1, 2 and 3. The secondary school number rises considerably during Years 8 and 9. Parents or carers of children withdrawn in Years 7, 8 and 9 often report 'lack of understanding' of school in meeting their child's Special Educational Needs as the reason for EHE. Autism (by this stage usually diagnosed) is frequently quoted as a major contributor; 'bullying' and associated low attendance and behavioural issues are often mentioned; while 'anxiety' and mental health conditions are increasingly described as influential. Safeguarding concerns, often within a family or social context of domestic violence, addiction, adult mental health needs and sexualised behaviour are prominent as children advance through their early

and mid-teens. Young people displaying symptoms of disengagement from an academic, as opposed to a vocational, education sometimes refuse to attend school. A large proportion of secondary aged EHE children will not return to school if they are withdrawn after the age of 12. There is evidence that some secondary academies encourage or persuade parents/carers, unlawfully, to remove a child to home educate. This is challenged by the EHE team, whenever the team becomes aware. In such circumstances, senior officers intervene directly with academies to ensure that such children are not lawfully removed from roll.

21. A final impetus towards EHE appears in the final year of secondary education, during Years 10 & 11, where numbers have been consistently the highest in the total cohort for several years. Here, as well as the causal factors above, an academic, GCSE-based curriculum is often described by parents/carers and young people themselves as too 'hard', 'rigorous' and 'demanding' as the final intensity of the exam year is reached. Elective home education is sometimes chosen as a solution and some parents then take up the offer from FE colleges in Nottingham, Mansfield and Worksop of part-time, pre-16 courses for home educated students.
22. All Year 11 EHE students who engage with EHE advisers were offered a summer term meeting to discuss and identify post-16 provision to ensure continuity of provision at Year 12. Those EHE students who have no post-16 destination were referred to the NEET (Not in Education, Employment or Training) Team within the Family Service.
23. Currently the Council does not hold quantified data on the academic outcomes and career pathways for EHE children post-16 or later. This is a critical area that would justify further investigation, since information on the outcomes for home educated children might have a significant influence on future decisions to withdraw from school made by parents and carers.
24. EHE adviser visits and reports in the financial year 2018/19 to date (1st April 2018 – 2nd November 2018) show that there were 550 adviser visits to children registered as EHE. In 40 of these, the education was deemed to be unsuitable, requiring LA intervention and a return to school. 510 adviser visits deemed education to be suitable. A further 62 adviser visits were made to clarify reasons for withdrawal from school, prior to possible registration of child(ren) as EHE or remaining in a school provision.
25. At the start of November 2018, there were 435 Nottinghamshire students, aged between 5 and 16 years, on roll at a school or alternative provision, who had at some point previously been registered as electively home educated.

Other Options Considered

26. The Council remains statutorily responsible for ensuring that all children and young people of statutory school age access full time education. Therefore, the Children Missing Education Strategy endorsed by the Children and Young People's Committee on 23 April 2014 and Policy Committee on 7 May 2014 continues to be implemented to ensure that every school aged child should be on a school roll, with the exception of those who are electively home educated. No other options have been considered.

Reason/s for Recommendation/s

27. Members will wish to be assured that the Council's statutory duty to provide full-time education for all children and young people of statutory school age is being fulfilled.

Statutory and Policy Implications

28. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

29. It should be noted that the increasing number of electively home educated children means that the budget required to monitor the suitability of the education and to enable the LA to fulfil its statutory safeguarding duty is increasing. The £77,000 LA budget will be subsidised from the School Improvement grant in 2018/19. In the 2017/2018 financial year the subsidy required was £70,000.
30. Although the cost of the work to be commissioned is not yet known it is assumed to be relatively minor. This will be contained within the Education, Learning & Skills budget.

RECOMMENDATION/S

That the Committee:

- 1) requests a further six monthly report on Elective Home Education.
- 2) gives approval for the Service Director, Education, Learning and Skills, to commission a university to commission a piece of post graduate research into the academic outcomes achieved, and the employment secured, by young people who have been electively home educated.

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Constitutional Comments (LM 16/11/18)

31. The Children and Young People's Committee is the appropriate body to consider the contents of the report.

Financial Comments (SAS 19/11/18)

32. The financial implications of the report are contained within paragraphs 29 and 30 above.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Association of Directors of Children's Services (ADCS) initial findings of the ACDS Elective Home Education Survey, October 2018

Children Missing Education Strategy – report to Policy Committee on 7 May 2014

Elective Home Education update – report to Children and Young People's Committee on 23 April 2018

Electoral Division(s) and Member(s) Affected

All.

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