



9 February 2015

Agenda Item: 06

REPORT OF THE SERVICE DIRECTOR, EDUCATION STANDARDS AND INCLUSION

ELECTIVE HOME EDUCATION UPDATE

Purpose of the Report

1. To provide the Committee with an update on the policy and procedures in place to ensure that the County Council fulfils its statutory duty in relation to electively home educated children and young people. Committee is also asked to note that the Local Authority's arrangements for Elective Home Education (EHE) will be inspected as part of the expected Ofsted Inspection of safeguarding services.

Information and Advice

2. The Local Authority has a duty to ensure that all children of compulsory school age in its area are being suitably educated and must act if it appears that any child is not receiving such an education. Parents have a duty to provide an education for their child during compulsory school age, currently age 5 to 16 years. Most parents choose to provide this education by sending their child to school but, for a variety of reasons, some decide to educate their child themselves. This is called opting for Elective Home Education which is very different from alternative provision provided by the Local Authority because the child will not appear on any school roll. As of 12 November 2014 the number of children being home educated was 424 which excludes post-16 EHE students. This data changes on a daily basis.
3. In England, education is compulsory; schooling is not and therefore EHE is a legal choice. Parents are not required to have formal qualifications to educate their child at home. It is, however, a major responsibility for a family, requiring qualities such as dedication, patience, enthusiasm and flexibility.
4. Some parents choose to educate their children from the outset and never apply for a school place. Other parents decide to withdraw their children from school. Whatever the case, the decision should be a well-informed one and an active and positive step in the best interests of the child. No parent should ever feel under any pressure to educate their child at home and the Local Authority advises parents not to make such a decision as a result of unresolved conflict at school.
5. It has been noted over the recent past, however, that unresolved issues within schools are resulting in parents removing their children from school to educate at home. In a

minority of cases, it has also been noted that parents of children at risk of exclusion or with poor attendance have been advised by schools to home educate. Headteachers have been made aware that this is illegal and is in effect a 'grey exclusion'.

6. Advice and protocols are currently in place to ensure all headteachers ensure that parents are not pressurised in any way to electively home educate when issues arise at school. These protocols include receiving written confirmation from the parent that the child is to be electively home educated and notification sent to the EHE team which ensures that the Local Authority's EHE policy is implemented.
7. Particular attention is given to those pupils with Special Educational Needs and Disability (SEND) who must seek the agreement of SEND professionals if electively home educating. If a child known to children's social care is presented by a parent to be electively home educated, the relevant social worker is informed to ensure any assessment of the educational provision is in addition to any further safeguarding assessments.
8. The Local Authority continues to fulfil its statutory duties in relation to EHE and is committed to a partnership with parents who express a desire to home educate. The County Council has a team of experienced EHE advisers who visit individual families. Once notified of the decision to provide home education, the EHE Service's administrator will contact the family to offer an Adviser visit. In most cases this meeting is arranged at this first point of contact. Currently the strategic responsibility for EHE is with the Group Manager for the Support to Schools Service. Monitoring of applications for EHE and monitoring of existing EHE families is overseen by a Team Manager, 2 senior officers with home visits allocated to 14 highly experienced Associate EHE Advisers. It should be noted that all EHE Associate Advisers are appropriately qualified with most being ex headteachers. DSB checks are undertaken for all associate and NCC Advisers involved in EHE. On-going supervision and training are provided to all Associate EHE Advisers.
9. Most parents are happy to meet with an adviser in their home although an alternative venue can be agreed if preferred. The EHE adviser will arrange an introductory meeting when all matters relating to the home education provision can be explored. The advisers offer advice and guidance to support parents to put a suitable programme of home learning in place and arrange a follow up visit after three months to support the parents to achieve this. The adviser then considers with the parents whether or not the provision is suitable and a written report is made and copied to the parents. This will state whether the Local Authority has any concerns about the education provision, will specify what these are and give the parents an opportunity to address these concerns, and make recommendations to the parents. The adviser will return again within another three months to determine whether or not the recommendations have been implemented. If the provision is considered suitable, an annual cycle of review will be established.
10. Advisers can recommend a return to school should the initial and follow up visit raise concerns. In such cases, these children are immediately considered for a school place in line with Nottinghamshire's Fair Access Protocol.
11. If parents exercise their right not to meet with a Local Authority adviser, the EHE programme manager will ask for parents to provide information on their child's education through samples of work, diaries, reports from parents or independent tutors or a

description of their educational philosophy or in some other appropriate agreed form. Whilst parents are under no duty to respond to such requests or indeed to accept a visit from an EHE Adviser, case law and Department for Education (DfE) Guidance suggests it would be sensible for them to do so.

12. There are currently 424 EHE pupils in Nottinghamshire. As there is no published regional or national EHE data, it is not possible to confirm whether the number of EHE is larger or smaller in Nottinghamshire than that regionally and nationally.
13. A policy for EHE was ratified by the Children, Families and Cultural Services Leadership Team in July 2011, implemented in September 2011 and reviewed in September 2013. This policy will be reviewed in September 2015 or earlier if national legislation changes in any way the Local Authority's responsibility for EHE.

Other Options Considered

14. No alternative options have been considered.

Reason/s for Recommendation/s

15. Children who are not accessing education are at risk of failing to achieve their educational, social and emotional potential. This report provides information and advice to ensure that elected Members are informed of the policy for EHE and can monitor it appropriately.

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

That:

- 1) the update on the policy and procedures in place to ensure that the County Council fulfils its statutory duty in relation to electively home educated children and young people be noted.
- 2) the Local Authority's arrangements for Elective Home Education will be inspected as part of the expected Ofsted inspection of safeguarding services be noted.

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Constitutional Comments

17. As this report is for noting only, no Constitutional Comments are required.

Financial Comments (SS 22/01/15)

18. There are no financial implications arising directly from this report.

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.

Policy for Elective Home Education

Electoral Division(s) and Member(s) Affected

All.

C0560