

19th April 2021

Agenda Item: 5

REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND SKILLS

PROPOSAL FOR CHANGE TO ELECTIVE HOME EDUCATION DELIVERY MODEL

Purpose of the Report

1. To seek approval for changes to the delivery model of Nottinghamshire County Council's Elective Home Education (EHE) service by the permanent establishment of 3 full-time equivalent (FTE) EHE Professional Practitioner (Grade 5, subject to Job Evaluation) posts to the existing staffing structure. This change would ensure that statutory duties can continue to be met in the current context with the highest regard for child safeguarding and welfare and ensure the service operates in the most cost-effective way possible.

Information

The current position

2. As of 25th February 2021, there were 1,144 young people aged 5-16 years registered as home educated in Nottinghamshire. The comparable figures at this time in the previous three years are 898 in 2020, 777 in 2019, and 619 in 2018.
3. The peak of registrations was seen at the start of the 2020-21 academic year; 220 new intentions to home educate were received from 1st – 30th September 2020. This represents an increase of 134% in comparison with the same time period in 2019. There has been a steady pattern of increased referrals since this time. Many parents have reported electing to deregister their child from school and home educate as a result of the Covid 19 pandemic.
4. The Local Authority has a duty to make arrangements to identify children of compulsory school age not receiving education at school or otherwise, as set out in the Education Act 1996, Section 436a. Government guidance published in April 2019 'Elective home education, Departmental Guidance for local authorities' gives further guidance on the role of the Local Authority in responding to children who are home educated. Nottinghamshire's Elective Home Education Policy agreed in February 2020 details how the Council sets out to meet its duties in respect of children who are home educated.

5. Elective Home Education moved into the management of the Fair Access Team in September 2019 following a restructure of the Education, Learning and Skills department. The Senior Practitioner for EHE, under the line management of the Fair Access Team Manager, directs the work of 15 highly skilled self-employed education advisers, contracted by the Council to undertake direct work with children and families in order to make a judgement on the suitability of home education.
6. There is no legal obligation on parents to accept support offered from the Local Authority and no right incumbent on the Local Authority to insist on the engagement of the parent and/or child, including requiring the parent to accept a Local Authority visit or allow a representative access to the child. Where parents do not consent to an adviser visit a decision about whether home education is supported is made upon the review of a yearly report requested from parents and is based on any information available from other agencies.

Reasons for change

7. The current commissioning system for the 15 independent associate elective home education advisers has limitations and does not allow advisers access to Council systems or training or require them to undertake regular support and supervision with the EHE Senior Practitioner. Historically the delivery model was effective as most parents electing to home educate were doing so for philosophical reasons and were committed to the delivery of a suitable education. This is no longer the case.
8. There has been a year on year increase in intentions to home educate, with an increase in intentions received for children with mental health, medical and special educational needs, as evidenced in the latest EHE update report to Children and Young People's Committee in November 2020. Of the 1,144 young people recorded as EHE on 25th February 2021 in just 417 cases parents had cited the reason for the decision to home educate as being their preferred choice. Although it is not the case that all home educated children are vulnerable it is the case that home education increases vulnerability for a number of children.
9. Data available now shows that most parents are choosing home education for other reasons, including relationship breakdown with schools, attendance concerns and a perception that schools are unable to meet the special educational needs, including social, emotional and mental health needs, of their children. In situations where families have elected to home educate their children for more negative reasons there is an increased responsibility on the Local Authority to ensure that education is being delivered, that there are no safeguarding concerns, and to have effective pathways to support EHE pupils to return to an appropriate education setting if parents subsequently cease the delivery of EHE or if the EHE delivered is deemed unsuitable.
10. An internal review of Nottinghamshire Elective Home Education processes, commissioned in August 2019, identified recommendations for change that cannot be implemented under the current arrangements. The report acknowledged the limitations of the current structure in relation to safeguarding practice and this change in the operating model would allow increased lines of accountability within the service. The proposed change in operating model would ensure that more timely and relevant conversations can be had, where required, with families and schools to understand their needs and work with them to enable positive change to be made. The most recent EHE update report to Committee in November

2020 further highlights the changing and increasingly complex stories of families who are choosing to home educate. The proposed operating model would enable more effective joined up working between Fair Access, School Admissions, the Family Service and Children's Social Care, to support the progress of learners where there are concerns about the welfare of children and the suitability of home education.

11. EHE update reports presented to Children and Young People's Committee in November 2020, December 2019, June 2019 and April 2018 highlight worrying trends of young people with complex social, emotional and mental health needs being deregistered from school to be home educated, and an increase in children for whom contextual safeguarding concerns have been raised being educated at home. In these situations, extensive training and supervision can be required to provide effective support to enable progress. The creation of permanent appointments with the EHE service would enable access to a tailored package of training for these staff from within the current Council offer and regular supervision to ensure staff wellbeing in line with Council process.

Proposed change

12. Taking into consideration the recommendations of the Independent Review it is proposed that the permanent establishment of 3 FTE EHE Professional Practitioner (Grade 5, subject to Job Evaluation) posts into the Fair Access Team structure. These post holders will specifically undertake additional work in relation to safeguarding and to support the return of children and young people into appropriate educational provision once EHE has ended or been deemed unsuitable. This work will most appropriately be undertaken by Local Authority employed staff so that they can access essential data systems such as Mosaic and issue School Attendance Orders when appropriate. It is proposed to make the changes within the existing budget allocation that currently funds the Associate Education Advisers. It is anticipated that the Associate Education Advisers will continue to be commissioned to support and advise EHE families and to ensure that the pupils are receiving an appropriate education. The transfer of the education enforcement and school transition element of the work to Local Authority employed staff would mean that the work is not being commissioned inappropriately from independent education associate advisers and therefore releases money from within the current budget to fund three permanent posts.
13. It is proposed that the Local Authority continues to commission independent associate education advisers to assess written reports provided by home educators and to continue to make targeted visits to families referred by the EHE Senior Practitioner.
14. The specialist skills of education advisers would additionally be used appropriately to support the set-up and maintenance of a new online resource for Nottinghamshire home educators and for the children and young people, addressing programmes of study, appropriate education resources and pupil wellbeing.

Other Options Considered

15. The current structure remains in place. This is not believed to be the most effective model to promote the educational attainment, safety and wellbeing of home educated students and would increase the pressure to use the funding available to pay the Associate Education Advisers to undertake education enforcement tasks that are outside their area of expertise and which is not cost effective.

Reason/s for Recommendation/s

16. The proposed model carries the same financial implication as the current EHE budget and proposes using this in a way that ensures that the greatest regard is given to the safety and wellbeing of the increasingly vulnerable cohort of young people known to be home educated in Nottinghamshire.
17. The recommendation for the permanent establishment of 3 FTE EHE Professional Practitioner (Grade 5, subject to Job Evaluation) posts increases the ability of the service to promote the education attainment and wellbeing of students and prioritise safeguarding more effectively by enabling direct access to the Council's systems and providing greater flexibility for ongoing work requirements. The skill set of staff recruited to these posts would more closely match the needs of home educated children in Nottinghamshire.
18. By moving to the provision of more online resources and support to set up a suitable programme of study specialist advice can be provided in the most cost-effective way to the greatest number of families and ensure that those families who are committed to the delivery of effective education have access to appropriate support.

Statutory and Policy Implications

19. 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

20. The cost of the establishment of 3 FTE EHE Professional Practitioner (Grade 5) posts is £98,526. In addition to this there is a one-off cost for equipment of £4,332, ongoing monthly costs totalling £540 per year and travel expenses of £5,700 per year. The total cost in 2021-22 is £109,098 and £104,766 thereafter.
21. It is proposed the current EHE budget of £251,814 is reallocated to cover the cost of these posts, with £142,716 being used to fund commissioned adviser support as detailed within the body of the report.

Human Resources Implications

22. The proposed posts will be recruited to in accordance with the Council's agreed recruitment and selection policies.

Safeguarding of Children and Adults at Risk Implications

23. Vulnerable EHE children will be better supported through increased joint working between Local Authority staff.

Implications for Service Users

24. EHE families will have access to online education and wellbeing resources currently unavailable to them. There will be improved pathways to support families who are considering Elective Home Education and also to support children and young people back into appropriate education settings when EHE is discontinued.

RECOMMENDATION/S

- 1) That approval is given for the permanent establishment of 3 FTE Elective Home Education Professional Practitioner (Grade 5, subject to Job Evaluation) posts in the Fair Access Team structure.

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Constitutional Comments (KK 07/04/21)

25. The proposal in this report is within the remit of the Children and Young People's Committee.

Financial Comments (SAS 01/04/21)

26. The cost of the establishment of 3 FTE EHE Professional Practitioner (Grade 5) posts is £98,526. In addition to this there is a one-off cost for equipment of £4,332, ongoing monthly costs totalling £540 per year and travel expenses of £5,700 per year. The total cost in 2021-22 is £109,098 and £104,766 thereafter. This cost will be met from the EHE budget of £251,814 with the balance of the budget, £142,716, being used to fund commissioned adviser support as detailed in **paragraphs 12 to 14** of the report.

HR Comments (BC 08/04/21)

27. The staffing implications are contained within the body of the report. The posts will be subject to the agreed job evaluation process and recruited to in line with the vacancy control and recruitment procedures.

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.

Nottinghamshire's Elective Home Education Policy agreed in February 2020

Education Act 1996

Elective home education, Departmental Guidance for local authorities, April 2019

[Elective Home Education update - report to Children & Young People's Committee on 23rd April 2018](#)

[Elective Home Education update - report to Children & Young People's Committee on 17th June 2019](#)

[Elective Home Education update - report to Children & Young People's Committee on 16th December 2019](#)

[Elective Home Education update - report to Children & Young People's Committee on 30th November 2020](#)

Review of Elective Home Education September 2019, Angela Child. A review commissioned by Nottinghamshire County Council.

Electoral Division(s) and Member(s) Affected

All.

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