



Northumberland

County Council

Families and Children Overview and Scrutiny

5th July 2018

Elective Home Education

Report of Executive Director of Children's Services, Cath McEvoy

Cabinet Member for Children's Services, Cllr Wayne Daley

Purpose of report

To inform the Cabinet and the community about elective home education, the rise in parents choosing to home educate in Northumberland since September 2016 and the actions taken by officers to ensure children are well educated and safeguarded.

Recommendations

It is recommended that members

1. Note the concerns regarding potential impact on safeguarding and education outcomes for children
2. Understands the resource implications of proposed changes to national policy.

Link to Corporate Plan

This report is relevant to the "Learning" priority included in the NCC Corporate Plan 2018-2021.

Key issues

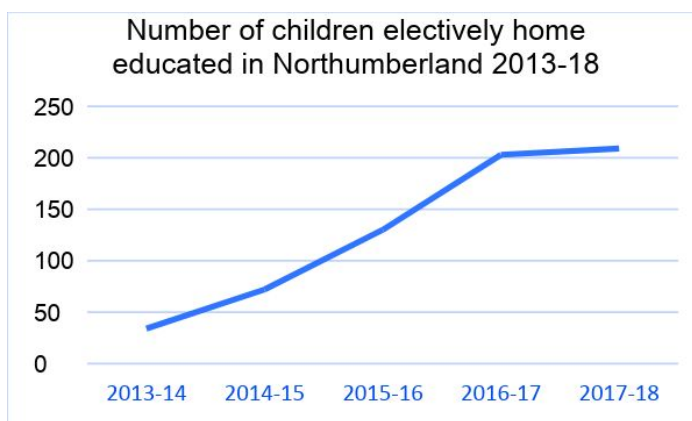
1. This report highlights that with the sharp rise in the number of children being withdrawn from school places to be electively home educated, the local authority faces a number of challenges in ensuring that statutory duties are fulfilled regarding the safeguarding of vulnerable learners and the provision of suitable full-time education for all pupils. The key issues are summarised below.
 - 1.1 The number of electively home educated pupils in Northumberland peaked in July 2017 at 203. We are aware of 219 pupils currently being educated at home.
 - 1.2 The local authority only knows of those pupils who were on a school roll and then removed, and might never be made aware of those children who have moved into

Northumberland from other local authorities or who have never been educated at a school.

- 1.3 Currently the Education Welfare team has responsibility for ensuring that the local authority's duties are fulfilled with regard to Elective Home Education (EHE) and provides support to parents who are considering EHE as an option for their child(ren). The local authority receives no funds from central government to support elective home education and cannot accept any responsibility to plan or provide resources which parents may require, or organise or fund access to public examinations.
- 1.4 Nationally, pupils who are electively home educated are considered to be at an increased risk of harm as the usual protective factors provided by school are not in place, and because some parents might refuse to allow professionals into the home to see the child.
- 1.5 There is no assurance that all children are protected from the risk of being radicalised through their education and there is a need for further information on this subject.
- 1.6 Although in Northumberland the designated Education Welfare Officer usually gains access to the home of pupils being electively home educated, no assessment of the quality of education is legally required to take place and the child might not be seen on the visit.
- 1.7 Children who are home educated are at risk of missing out on additional services delivered through schools such as health input, and may miss out on opportunities for child development through social interaction.
- 1.8 Pathways for pupils previously electively home educated who want to progress to further education at age 16 are not clearly defined.
- 1.9 Parents who choose to home educate often change their minds and want their child(ren) returned to a school roll. These children are referred to the Pupil Placement Panel to be allocated a school place but are sometimes resisted by schools who feel they cannot meet the needs of children who have been out of the system for a period of time. This may put them at risk of going missing from education.

2. Who is being electively home educated in Northumberland?

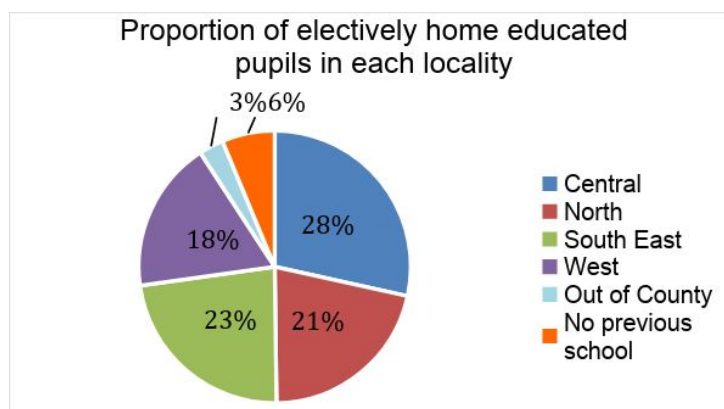
2.1 Nationally it is thought that there are approximately 45 500 children being electively home educated which represents a growth of 25% over the last two years. Although no official data is available nationally, we do know that in the 11 neighbouring authorities of Northumberland that a similar trend is being reported.



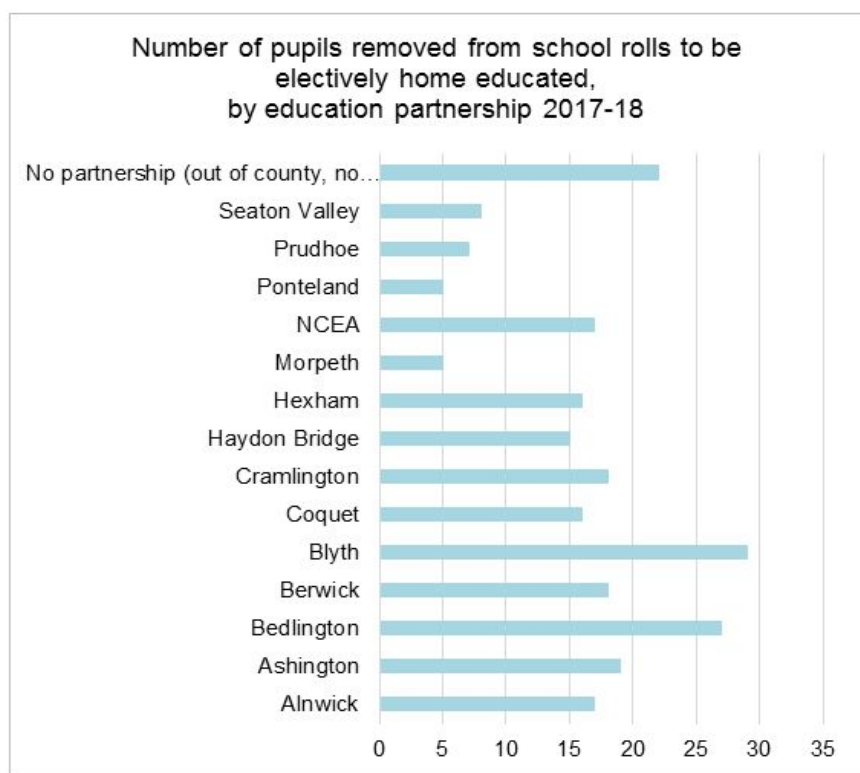
- 2.2 There has been an upward trend during the last 5 years in Northumberland in the number of parents known to choose to home educate their child(ren), with growth of over 50% since 2016.
- 2.3 Between September 2017 and April 2018 there were 125 new cases, all of whom were offered a visit from the EHE Education Welfare Officer and of which 41 were accepted and took place. Only 5 families submitted a report to the local authority on the education provision and achievement of their children.
- 2.4 209 individual pupils are known by the local authority to be electively home educated at the moment. The profile of that group of pupils is:

Number with Education Health and Care Plans	12
Number requiring SEND support	39
Number open to social care – Children in Need	19
Number open to social care – Child Protection	2
Number with an Early Help Assessment	9
Referrals to children’s social care after decision to home educate	0
Gender	Male 53, Female 38
Ethnicity	Predominantly White British followed by White Gypsy/Roma
Number known to be attending registered providers	2
Number known to be attending college	10
Number of children who were permanently excluded and then home educated	0
Number of children who have now returned to school.	25
Number of parents served with a school attendance order/school attendance notice for not providing suitable education to their child(ren).	0

- 2.5 The current group of electively home educated pupils left the roll of schools in the following areas of Northumberland, with the majority residing in the South East and West localities:



2.6 The localities can be broken down further into school partnerships:



2.7 The age range of the pupils being removed from school rolls to be electively home educated are shown in the table below. There is a clear trend of withdrawing pupils of secondary school age, with a significant number from Year 11 (GCSE year) in 2017-18.

Year Group	20/13/14	2014/15	2015/16	2016/17	2017/18
Nursery	0	0	2	5	2
Reception	0	3	1	3	6
Year 1	4	1	2	7	13
Year 2	4	4	4	3	2
Year 3	4	7	8	6	6
Year 4	1	6	10	13	11
Year 5	8	4	8	17	14
Year 6	14	9	9	15	22
Year 7	11	16	20	18	21
Year 8	10	13	19	31	31
Year 9	17	12	17	24	42
Year 10	1	17	22	38	35
Year 11	19	0	24	35	52

3. Why are the numbers rising?

3.1 The sharp rise in numbers is being attributed to:

- a. parents applying for specific schools and being refused places;
- b. a view that EHE might be best the option when the preferred school place is not available;
- c. schools allegedly coercing/putting pressure on parents with children at risk of permanent exclusion/who they don't want in school;
- d. view that EHE might be the best option when waiting for a special school place after statutory assessment for an EHCPlan;
- e. view that EHE might be the best option when parents are dissatisfied with their current school;
- f. parents withdrawing children due to unresolved bullying issues
- g. parents withdrawing children for medical/health reasons;
- h. parents wanting term time holiday.

4. Why is there so much interest in elective home education?

4.1 The DfE is taking an interest in elective home education and is listening to the views of professionals and parents about safeguarding and standards for children who are home educated, and there is a growing demand for clearer advice on respective roles and responsibilities.

4.2 It is acknowledged that, in some cases, home education can often be good; however the current arrangements do not provide assurance that this is the case for all children. For example, no one knows for certain how many children are electively home educated in England and no one knows for certain whether they progress successfully to further/higher education, training or employment. Crucially, there is no specific provision for individual children to express their views on being educated at home.

4.3 The Home Education (Duty of Local Authorities) Bill (which is an amendment of the Education Act 1996) is currently being read in parliament and is designed to make provision for local authorities to monitor the educational, physical and emotional development of children receiving elective home education, and for connected purposes. The new duty includes:

- a duty on parents to register with their local authority and provide information when required;
- a requirement on the local authority to assess the educational, physical and emotional development of children being home-schooled;
- a suggestion that this assessment may include a home visit, an interview with the child, observation of the child's work and an interview with the child's parent;
- a suggestion that a statutory register should be set up and develop a common methodology of assessing provision in the home;

- an update of existing guidance to better articulate expectations around reading, writing and numeracy, which takes into account the child's age, ability, aptitude and SEND needs.

4.4 It is widely acknowledged that more evidence is needed about elective home education and, in November 2017 during the second reading of the Bill, the government made a commitment to consult on draft revised non-statutory guidance for local authorities and a call for evidence was launched which will close on 2nd July 2018. The outcome of the consultation is likely to lead to revised guidance for local authorities and parents, as already drafted by the DfE and available to download [here](#).

4.5 Some suggestions are already being considered eg financial penalties for schools who pressurise parents into home educating, or that a school place remains available to a child who becomes electively home educated so that they can return if the parents decide it is not the appropriate choice for their child.

5. What are the implications for the local authority?

5.1 The infrastructure to accommodate these new duties is already in place in Northumberland, including a type of registration and monitoring system with recourse to the issue of attendance orders/notices if education is deemed to be 'not suitable'.

5.2 The rise in numbers of children being home educated has already put pressure on the Education Welfare team – currently there is a designated EHE Education Welfare Officer which is a part time post.

5.3 Transition arrangements for children back into schools when their parents change their minds are not currently resourced, although professionals do provide a service depending on capacity and the level of need.

5.4 Currently the EHE Education Welfare officer makes a judgement about whether or not the education being provided at home is suitable. If an assessment of the quality of education becomes statutory then additional skills will be required by the Education Welfare Service, for example those of a qualified teacher.

Background

6. What is elective home education?

6.1 In England, education is compulsory but school is not. The responsibility for a child's education rests with their parents.

6.2 Elective Home Education (EHE) is the term used by the DfE to describe a parent's decision to provide education for their children at home instead of sending them to school.

6.3 Children whose parents elect to educate them at home are not 'on roll' at schools/academies/colleges/Pupil Referral Units. Some parents may choose to

engage private tutors or other adults to assist them in providing a suitable education, but there is no requirement for them to do so. Learning may take place in a variety of locations, not just in the family home.

- 6.4 The local authority has duties under the Education Act 1996, with regard to Elective Home Education. It has to ensure that pupils of statutory school age (5-16) receive their entitlement to full time education and are educated in accordance with the wishes of their parents.
- 6.5 Under Section 175(1) of the Education Act 2002 local authorities also have a duty to safeguard and promote the welfare of children. This includes ensuring that agencies that work with and have contact with children educated at home by their parents are aware of their responsibility to consider whether children are being adequately safeguarded within those settings and, where appropriate, to notify other agencies of their concerns. Section 175(1) does not give local authorities powers to enter the homes of children undertaking elective home education.
- 6.6 Parents' right to educate their child at home applies equally where a child has SEND. Where a child has an Education Health and Care Plan (EHCP) and is home educated, it remains the local authority's duty to ensure that the child's needs are met and the local authority ensures there is compliance with the SEND Code of Practice which also gives information about SEND in relation to home education.
- 6.7 The most recent DfE guidance - [Elective Home Education, Guidelines for Local Authorities](#) - was published in November 2007.
- 6.8 Northumberland's comprehensive **guidance for parents** who are considering Elective Home Education for their child(ren) is updated regularly and is available on the [Virtual School page](#) of the Council's website.

Implications

Policy	If new duties are introduced through legislation then the council's current approach will have to be reviewed as outlined in this paper.
Finance and value for money	
Legal	New duties will affect statutory safeguarding and education provision requirements.
Procurement	
Human Resources	Additional resourcing is likely to be required to meet new duties relating to the assessment of education provided at home.
Property	
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Not applicable – this report does not request a key decision,
Risk Assessment	Level of risk to some children being electively home educated, risk to positive education outcomes, adverse publicity for the Council
Crime & Disorder	
Customer Consideration	The Council believes it is in the best interests of every child in Northumberland child that they have the opportunity to receive an education that is judged to be good and that education outcomes at 16 allow progression into further education, training and employment
Carbon reduction	
Wards	All

Background papers:

DfE guidance - [Elective Home Education, Guidelines for Local Authorities](#) - November 2007.

Northumberland's guidance for parents who are considering Elective Home Education for their child(ren) - available on the [Virtual School page](#) of the Council's website.

Report sign off

	initials
Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	CMc
Chief Executive	
Portfolio Holder(s)	

Author and Contact Details

Jane Walker, Virtual School Headteacher/Head of Inclusion, Education & Skills Service
Jane.Walker@northumberland.gov.uk