



# Northumberland

## County Council

### **Families and Children Overview and Scrutiny**

**4th July 2019**

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#### **Elective Home Education**

Report of Executive Director of Adult Social Care and Children's Services, Cath McEvoy-Carr

Cabinet Member for Children's Services, Cllr Wayne Daley

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#### **Purpose of Report**

To inform members and the community about elective home education (EHE) and actions taken by officers since the last report on 5th July 2018 to ensure that children receive a safe and suitable education.

#### **Recommendations**

It is recommended that members:

1. Note the improvements which have been made since July 2018 in processes to identify, monitor, support and safeguard families in Northumberland who electively home educate their children.
2. Note the on-going concerns regarding potential impact on safeguarding and education outcomes for children.

#### **Link to Corporate Plan**

This report is relevant to the “Learning” and “Thriving” priorities included in the NCC Corporate Plan 2018-2021.

#### **Key Issues**

1. This report highlights that there has been a continued rise in the number of parents in Northumberland choosing to home educate their children. The local authority therefore continues to face a number of challenges in ensuring that statutory duties are fulfilled regarding the provision of safe and suitable education for this group of learners.
2. Northumberland local authority does use its existing powers and duties effectively in relation to EHE. With regard to safeguarding, there have been improvements

made to practices and some developments nationally in the last 12 months which are summarised below.

3. There are currently 261 children known to be home educated in Northumberland, which is an increase from 219 in July 2018. There have been 162 new cases since the beginning of the academic year in September 2018. During the year some 61 children returned to school places.
4. There is generally good engagement with parents, and although numbers who choose to have a home visit by an Education Welfare Officer are quite low (53 out of the 136 new families to EHE opted to have a visit this year), the requirement to submit an annual report is responded to well. During the last 12 months only 6 formal warnings have been issued to parents who failed to submit an annual report. 3 of those children returned to school places and annual reports were subsequently received for the other 3 children.
5. A virtual tracking system for EHE children is being implemented and is being coordinated by the Education Liaison Officer who is based at the front door of children's services. The system enables the gathering of further information about EHE children when professionals have concerns about their welfare. Referrals to OneCall are made in the usual way to report child protection concerns.
6. A multi-agency strategy task and finish group has been convened to join together existing pockets of good practice in supporting the welfare of EHE children. A google survey has recently closed and provides reassurance that agencies can identify when children are EHE, deliver services to them, and they do share information about children who are EHE when they need to in the interests of safeguarding.
7. The task and finish group will meet again to draft an action plan to address some of the issues identified in the survey, which include:
  - finding out who all EHE children are
  - providing awareness raising and training for all agencies
  - addressing the consent issue when trying to engage families who EHE with early help services
  - understanding better the level of information which can be recorded and shared within current guidelines and GDPR requirements.
8. Headteachers agreed that as part of our statutory fair access arrangements that children who leave school to be EHE but want to return within 3 months can return to the same school. This has significantly reduced the amount of perceived coercion by schools of parents to home educate and has reduced what was becoming a growing tendency to 'off-roll' in Northumberland (a practice which is much more of a concern nationally).
9. Social workers tell Education Welfare team members when they know that children they are working with are EHE, and social care status is always checked by Education Welfare at the point a child comes off a school roll. Education Welfare Officers attend multi-agency meetings when the child involved is EHE.
10. All EHE pupils are given information and access to immunisation programmes, vision screening and post 16 careers guidance.

11. The Home Education (Duty of Local Authorities) Bill (which is an amendment of the Education Act 1996) has not made much progress through parliament since July 2018. The commitment to consult on revised non-statutory guidance took place and the guidance was re-published in April 2018. The law has not changed but the detail and content of the guidance has, (e.g. this is the first time the DfE has published separate guidance for parents).
12. It is reassuring to note that Northumberland has published guidance for parents for some years now, and all children known to be home educated within Northumberland are already recorded at the point that they leave a school roll, with the knowledge of parents.
13. A DfE consultation on 'children not in school' closed on 24th June 2019 and we are now awaiting feedback and proposed action. The local authority has provided a response to such issues as the requirement for all EHE parents to self identify to the local authority, whether the local authority should still fund some services such as public examinations, how the quality of education might be assessed, what consequences there should be for schools who pressure parents to off-roll, what consequences there should be for parents who do not provide a suitable education for their children at home.
14. The consequences of the outcome of this consultation will be considered by the multi-agency task and finish group and then brought to the Business sub-group of the NSCB.
15. Pathways for pupils previously electively home educated who want to progress to further education at age 16 are not clearly defined. Destination data however for 2018 shows that of the 51 EHE children of Year 11 age in 2018, 84% are now known to be in education, training or employment.
16. Cross border links with other local authorities are strong and Northumberland is represented at the Representation at Association of Elective Home Education Professionals.
17. We have taken advantage of recent staffing changes to restructure existing services, and EHE will now be monitored through the Schools' Safeguarding and Wellbeing team.

## Background

### What is elective home education?

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

1. 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.
2. 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.
3. 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.
4. 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.
5. 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. The most recent DfE guidance for local authorities and parents was published in [April 2019](#).
7. 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

<b>Policy</b>	If new duties are introduced through legislation then the council's current approach will have to be reviewed as outlined in this paper.
<b>Finance and value for money</b>	
<b>Legal</b>	New duties will affect statutory safeguarding and education provision requirements.
<b>Procurement</b>	
<b>Human Resources</b>	Additional resourcing is likely to be required to meet new duties relating to the monitoring and assessment of education provided at home.
<b>Property</b>	
<b>Equalities</b> (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,
<b>Risk Assessment</b>	Level of risk to some children being electively home educated, risk to positive education outcomes, adverse publicity for the Council
<b>Crime &amp; Disorder</b>	
<b>Customer Consideration</b>	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
<b>Carbon reduction</b>	
<b>Wards</b>	All

## **Background Papers**

DfE guidance - [Elective Home Education](#) - April 2019

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**

	Full Name of Officer
Monitoring Officer/Legal	n/a
Executive Director of Finance & S151 Officer	n/a
Relevant Executive Director	Cath McEvoy-Carr
Chief Executive	n/a
Portfolio Holder(s)	Wayne Daley

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