

Bath & North East Somerset Council		
MEETING	Children and Young People Policy Development and Scrutiny Panel	
MEETING DATE:	18 September 2018	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Elective Home Education	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None		

1 THE ISSUE

- 1.1 The PDS panel is informed that there has been a rise in the number of children and young people who are electively home educated (EHE) in Bath & North East Somerset. This rise is reflected nationally and concern is growing that this rise is due to increasing numbers of vulnerable children and young people who are EHE and potentially out of sight of the education system and possible support services.

2 RECOMMENDATION

- 2.1 That the PDS panel notes the rise in elective home education in B&NES and notes the level of concern regarding the increase of its apparent use to remove vulnerable children from the education system
- 2.2 That the PDS panel is made aware that EHE is now a national concern and that the Department for Education (DfE) has carried out a consultation on EHE that will have possible implications on the legislation and guidance that oversees this matter and that this could in turn have resource implications for B&NES services.
- 2.3 The PDS panel is asked to note and comment on the report and the recommendations made by the LSCB which has been looking at this issue locally

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Not applicable

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 Not applicable

5 THE REPORT

Introduction

- 5.1 Elective home education is the term used by the DfE and Bath & North East Somerset to describe the educational provision made for children whose parents decide to educate them at home instead of sending them to school. This is different to home tuition provided by a local authority or education provided by a local authority other than at a school.
- 5.2 Children whose parents elect to educate them at home are not registered at mainstream schools, special schools, independent schools, academies, free schools, pupil referral units (PRUs), colleges, children's homes with education facilities or education facilities provided by independent fostering agencies. 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.
- 5.3 For the majority of children receiving EHE the option, as chosen by their parents, is a positive and suitable experience.
- 5.4 For some children, this is not a positive experience or a suitable arrangement and may foreclose their future options due to not achieving their educational potential. We need to be mindful that some children may not be known to the local authority.
- 5.5 In a recent Ofsted social care commentary paper: 'hidden children – the challenges of safeguarding children who are not attending school', highlighted the following concern. Children who do not attend school can become hidden, which means that we are less able to help and protect them. Some of these children may experience risks within their families, such as abuse and neglect. There may also be risks outside their family, such as radicalisation or exploitation.

The Growing National Concern

- 5.6 The DfE does not collect data for children who are EHE and no clear picture of this cohort of learners exists. It is known that authorities across the country monitor and support this group of children in a variety of different means and ways. There is a conservative estimate that there may be in the region of 40,000 children & young people in England being EHE.
- 5.7 All local authorities are reporting experiencing a rapid growth in numbers of children who are EHE, especially children removed from registered schools in key stages 3 and 4. A concern is the challenges for EHE parents of children coming out of Year 11 to arrange exams, with limited access to post 16 options, with no qualifications and high risk of becoming NEET (Not in Education, Employment or Training).
- 5.8 Nationally the most common reason given by parents for choosing to electively home educate their children are philosophical or lifestyle choices and 'unknown'

as parents had chosen not to share this information. A general dissatisfaction with the school system was also noted. This may include unresolved issues with the school or academy relating to dissatisfaction due to poor response around anxiety, emotional or behavioral difficulties, bullying or SEND.

5.9 Many local authorities report through professional membership bodies and networks that parents opt for EHE to avoid permanent exclusion or non-attendance legal action. It has been reported nationally in October 2017 through a survey conducted by the Association of Directors of Children's Services (ADCS) that there has been a developing practice of schools who will proactively encourage parents to remove their children from school. There is also a view that parents also choose to home educate whilst waiting for a place at the preferred school.

5.10 In response to the growing national concern, the DfE has carried out a formal consultation on EHE. The consultation was in 2 parts. The first was a call for evidence on issues connected with elective home education. In particular; registration of children educated at home, monitoring of home education provision, support for home educators.

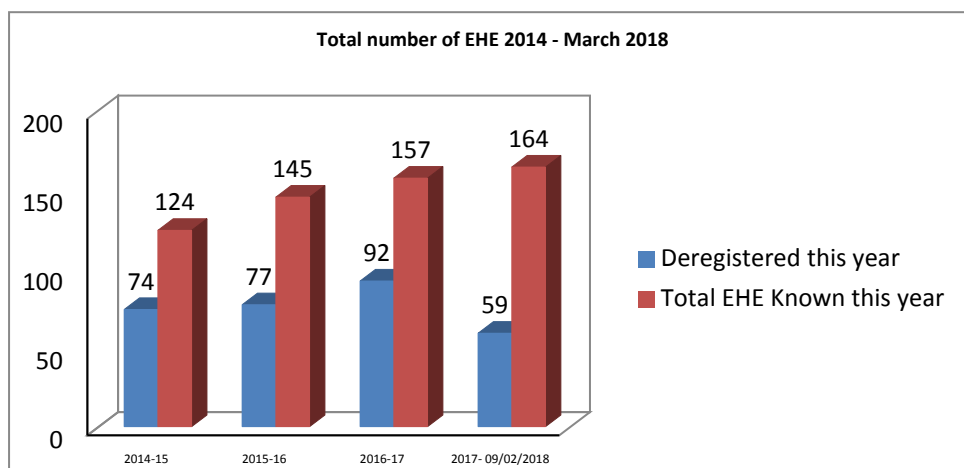
5.11 The second part was seeking comments on draft versions of two DfE guidance documents about EHE. One is designed for local authorities and the other for parents. The new EHE guidance draft indicated that local authorities should monitor the increased numbers of home educators more robustly.

5.12 The consultation closed on 2nd July 2018; the date for the feedback outcome is yet unknown but may have an impact on the DfE guidance that will be published. If additional guidance or duties are introduced the PDS panel is advised that this is likely to have additional resourcing requirements.

The Local Picture in Bath and North East Somerset

5.13 For many years, the numbers of EHE children remained fairly stable with the majority being a parental informed choice where children never entered the formal education system.

5.14 There has been a definite upward trend in numbers over the last few years of pupils coming out of the school system across the authority. The data for this academic year 2017- March 2018 is already showing a higher forecast than previous years. This is highlighted below;



5.15 Elective home education in B&NES is overseen by the Children Missing Education Service (CMES). The service employs an Elective Home Education Co-ordinator (EHECo) and a Home Visiting Teacher to oversee the EHE notifications the service receives from parents. The B&NES Ofsted inspection of children's social care services (24 April – 18 May 2017) published the following information relating to the EHE arrangements made by this service;

The LA makes good efforts to stay in touch with electively home educated children and their parents. Children known to be missing education are closely tracked and monitored. A LA wide multi-agency panel maintains an active overview of all children missing education and plays a strong advocacy role to ensure that each child eventually gains access to appropriate education settings. This panel ensures that schools are held to account and that they meet their statutory responsibilities for admitting children, including children who are, or who have previously been, excluded from education.

5.16 B&NES CMES has a philosophy of positive engagement to meet the challenges of what have historically been home educators with fiercely protective private lives. Over a considerable time, the Elective Home Education Co-ordinator (EHECo) supported by the Home Visiting Teacher has built a local reputation of trust, support and fairness with the majority of home educators welcoming contact and visit reports as an endorsement of their commitment and dedication to providing an education for their child/ren.

5.17 However, over recent years, the CMES has developed an increasing concern that mirrors the national issue that more and more parents are opting to EHE as a last resort as their children struggle in education, as a coerced choice or to display their dissatisfaction at the education system

5.18 In March 2018 the CMES presented a report to the Local Safeguarding Children's Board (LSCB) highlighting these concerns. The board tasked the service with formulating a task finish group to look at the issue locally and to carry out an audit of the last 12 families who have notified the local authority that they will be electively home educating their child/ren and to report their findings back to the board.

5.19 This task finish group was formed and included a Headteacher from the LSCB, the Divisional Director for Children's Services, the CMES Manager and the Head of the Education Inclusion Service. They carried out the requested audit in June 2018 and reported back their findings to the LSCB in September 2018.

5.20 The findings of the audit demonstrated a high level of concern regarding the vulnerability of the families choosing to EHE their children. Only in one case did it seem that a parent had made this decision in an informed way. The other families, just under half of secondary school age, had removed their children from education due to a series of difficulties relating to their children's needs and their education, including exclusions, dissatisfaction with support or lack of support, difficulties with meeting special educational needs and disabilities, emotional and mental health, either relating to the child, or as indicated in professional notes, relating to parental mental health. It was also clear that many parents did not understand the implications for themselves and their children in choosing to EHE.

5.21 The LSCB has supported a number of proposed recommendations in the report and added in their own additional ones, these are summarised below;

- That the local authority amends the Fair Access protocol to allow a period of 'cooling off' when the parent informs the school that they will EHE their child/ren. This 'cooling off' period would ask schools not to de-register children at the point of parental notification, but to allow time for services to discuss options with the parent fully. This protocol is agreed annually and is binding across all schools, but can only be implemented with the agreement of all headteachers.
- That the Corporate Director of People's Services and the LSCB will write to all headteachers raising concern over the increasing numbers of children who are being EHE and that they support and adopt the proposed changes in the Fair Access protocol.
- That the council explores utilising commissioned preventative services to offer additional advice and support, where appropriate and where families are accepting of this offer, to those families considering EHE during this 'cooling off' period.
- That the school nursing service will seek to work more closely with the CMES to ensure that the health needs of EHE children and young people are being met
- That the issues raised in the reports to the LSCB are raised in the regular meetings with designated safeguarding officers in schools and settings and that EHE checks are written into future safeguarding audits that are carried out in schools
- That a further EHE report be presented to the LSCB in 6 months to update on progress of its recommendations and the implications of the DfE's consultation on EHE

5.22 The PDS panel is assured that alongside these recommendations, the CMES service is proactive and vigilant in its approach to ensuring that children, young people and families are not misdirected or misinformed in choosing to EHE and that we do return many children and young people to education, where it's clear families have been coerced into this choice or that they have not been actively been providing their child/ren with a suitable education whilst EHE.

6 RATIONALE

6.1 As can be seen in this report we have taken a very deliberate approach to investigating the rising numbers of children and young people who are EHE by presenting the issue to the LSCB as the appropriate body to examine our concerns.

7 OTHER OPTIONS CONSIDERED

7.1 None considered appropriate

8 CONSULTATION

8.1 As highlighted in the report the LSCB has been approached and consulted with on issues highlighted in this report.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Christopher Wilford (01225) 477109</i>
Background papers	<i>List here any background papers not included with this report, and where/how they are available for inspection.</i>
Please contact the report author if you need to access this report in an alternative format	