

Cabinet

8 July 2020

**Overview and Scrutiny Review of
Elective Home Education in County
Durham**



Report of John Hewitt Corporate Director of Resources

**Councillor Heather Smith, Chair of Children and Young People's
Overview and Scrutiny Committee**

Electoral division(s) affected:

None

Purpose of the Report

- 1 The purpose of this report is to present for comment the Children and Young People's Overview and Scrutiny Committee's review report focusing on Elective Home Education in County Durham. A copy of the report is attached at appendix 2.

Executive Summary

- 2 The Children and Young People's Overview and Scrutiny Committee agreed at its meeting on 2 July 2018 to undertake a scrutiny review looking at elective home education in County Durham. The following terms of reference were agreed by the committee at its meeting on 1 July 2019:
 - a) to understand the level of EHE in County Durham and examine the demographics of children home educated;
 - b) to consider whether children who are home educated receiving a suitable education;
 - c) to consider whether children home educated supported, safeguarded and protected from harm;

- d) to review how the local authority works in partnership with other agencies to support children who are electively home educated.
- 3 The review group gathered evidence from DCC officers; colleagues working in health service; Durham Police; and parents who are or have home educated their children.
- 4 The executive summary of the review report can be found on pages 2 – 5 of the appended report and makes conclusions relating to:
- a) the number of children in County Durham who are home educated;
 - b) there is currently no national framework in place for local authorities so support may differ from one local authority to another;
 - c) the education at home panel has worked with three further education colleges to provide opportunities for EHE children of year 10/11 age group to have access to core GCSE subjects and vocational courses.
 - d) all schools should have a high level of understanding of special educational needs and disabilities and where necessary training should be given to staff;
 - e) parents should be asked the reasons why they chose to remove their child from the school roll and this should be included in the Head Teacher report and discussed at governor meetings.
 - f) Parents suggested an annual event should be held that would enable them to meet with other families who home educate; officers from the service and for children to meet up too.
- 5 The report will be considered by the Children and Young People's Services Management Team and the service will be asked to provide a response to the report.

Recommendation(s)

- 6 Cabinet is recommended to:
- a) Agree the recommendations contained in the review report:
 - i. Recommendation One
That Cabinet lobby regionally and nationally for a common framework to improve oversight of the quality of education and safeguarding of children and young people who are Elective Home Educated. That such a framework should include a national register of all children and young people who are home

educated; and the reasons why children are home educated are recorded.

- ii. Recommendation Two
The Corporate Director of Children and Young People's Service continue to work with the Principals of Further Education Colleges in County Durham to provide places to enable access to vocational and core GCSE courses for year 10 and 11 pupils who are electively home educated and develop capacity to ensure all children and young people who are electively home educated have the opportunity to access these courses.
 - iii. Recommendation Three
The Corporate Director of Children and Young People's Services work in partnership with all County Durham's schools to promote a high understanding of Special Educational Needs and Disabilities including autism and encourage all schools to provide appropriate training to staff so that children and young people with a special educational need or disability receive the appropriate level of support whichever school they attend.
 - iv. Recommendation Four
That the Corporate Director of Children and Young People's Services develop a reporting model that will encourage all schools to include within their Head Teacher report to the Governing Body on an annual basis:
 - i. Discussion of reasons given for Elective Home Education
 - ii. Where bullying is cited as a reason that this is discussed
 - iii. Ensure that anti-bullying policies are continuously reviewed.
 - v. Recommendation Five
The Corporate Director of Children and Young People's Services to hold an annual event for families who home educate their children to engage with the service, meet other families in a similar position to themselves and for the children to have an opportunity to interact and socialise with other children who are home educated.
- b) That a review of the progress made against the recommendations contained in this report will be undertaken six months after the report is considered by Cabinet.

Background

- 7 Elective home education is a term used to describe a choice by parents to provide education for their children at home or in some other way they choose instead of sending them to school.
- 8 The Children and Young People's Overview and Scrutiny Committee (CYPOSC) agreed at its meeting on 2 July 2018 to undertake a review on Elective Home Education (EHE) in County Durham following concerns being raised at the rise in numbers of children being educated at home. A scoping report for the review which included the terms of reference was agreed by the committee at its meeting on 1 July 2019.
- 9 Members of the committee had raised concerns at the rise in the number of children being educated at home and wanted to gain a better understanding of the reasons for this.
- 10 The Education Act 1996 provides that: "The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable –
 - a) To his/her age, ability and aptitude, and
 - b) To any special educational needs, he/she may have. Either by regular attendance at school or otherwise."This means that the responsibility for a child's education rests with their parents. In England, education is compulsory, but going to school is not.
- 11 There is currently no legislation that deals with home education as a specific approach, but it is a form of 'education otherwise than at school' for the purposes of section 7 of the 1996 Education Act.
- 12 The Department for Education recommends that local authorities have a written policy statement on elective home education which is clear and transparent; offer guidance to all known home educating families; regularly review their home education policies and provide clear details of their complaints procedure that deals with complaints in a sensitive and timely manner. Some local authorities operate a voluntary registration scheme to provide support more readily. However, it is not a legal obligation for either local authorities or parents.
- 13 Durham County Council provides a guide to EHE that explains what the local authority must do if parents choose to home educate their child and what parents must do. It explains that the local authority will work in partnership with parents throughout if they choose to home educate their child.

Conclusions of review

- 14 The review group looked in detail at the policies and practices the service has in place to support children and their families who choose to educate at home. They clearly set out the rights and responsibilities of parents and the responsibilities of the local authority. In addition to this information there is a specific guide for parents and carers that provides signposting to help and support them.
- 15 When a parent chooses to home educate their child, they are not required to inform the local authority of their decision although government guidance does strongly recommend that parents notify the local authority.
- 16 There is no legislation relating to the support local authorities are required to give, and this has led to different levels of support provided by local authorities throughout England. Members of the review group felt that a common national framework and a review of national guidelines would ensure that local authorities were providing a similar support to families.
- 17 Members learned of multi-agency partnership working that has led to the formulation of the education at home group which has representatives from DCC services and external partners from Police and Health. The safeguarding and information sharing arrangements through the education at home group are as robust as they can be without a national regulatory and legislative framework. The group work together to ensure EHE children are seen and to establish a family link officer best suited to the needs of that family. Through the education at home group work has been done with local further education (FE) colleges to provide access to core GCSE and vocational courses. Members felt that discussions should take place with the remaining colleges in the county to develop a similar offer.
- 18 Primary research was carried out with parents who chose to home educate their child. Parents indicated in their experience there were differing levels of support for children with special educational needs and disabilities (SEND) within schools. Members suggested that all schools should have a similar high level of understanding of SEND and that appropriate training should be provided to all staff where necessary.
- 19 Although there was a low response to the survey with only 7% of consultees returning the questionnaire, most of those returned highlighted bullying as a reason why a child was removed from a school. Members felt that schools should ask parents the reasons why they are removing their child from the school roll and this should be included in the Head Teachers report for discussion with the governing body and anti-bullying policies should be continuously reviewed.

- 20 Many parents who responded to the questionnaire and in face to face interviews highlighted the benefit of engaging with the service and with other parents in a similar situation. The service also states the importance for children who are home educated to be seen. Therefore, members suggested that an annual engagement event should be arranged so that parents and children can have access to officers for support and advice as well as each other and that children can interact and socialise with other children.

Service Response

- 21 In relation to recommendation one, the service recognises that the DfE guidance issued to Local Authorities in April 2019 emphasises the proactive duties of Local Authorities to identify and deal with children who are not receiving efficient, suitable full-time education and to serve notice on parents who are not carrying out their duties. The guidance also provided some clarity on oversight by the Local Authority.
- 22 Between April and June 2019, the DfE consulted with Local Authorities to seek views on proposed legislation to establish a register maintained by Local Authorities of children not attending mainstream school and duties on parents and the proprietors of certain educational settings. It also consulted on proposed legislation to establish a duty to support parents who educate children at home and seek support from the Local Authority in doing so. The DfE continue to analyse feedback from the consultation and have not yet published a response.
- 23 Locally, the Local Authority work closely with school health and other colleagues in order to ensure that the statutory duty to identify compulsory school age children who are not in receipt of an efficient, suitable full-time education is met and this requires identification of how children are being educated. Officers meet with parents to identify the reason(s) for electing to home educate and regularly scrutinise data to consider any potential trends in order that the Local Authority may continue to structure and target support and intervention activity to meet need.
- 24 In relation to recommendation two, locally there is a good breadth of arrangements in place with two local 14-16 colleges who offer GCSE Maths, English and Science plus one vocational option for young people who are year 10 and 11 and educated at home. There are also other local 14-16 provisions who offer part-time arrangements for educated at home pupils. The Progression and Learning Team are continuing dialogue with other 14-16 colleges and other providers in the local area to consider capacity for electively home educated young people where possible whilst being mindful about balancing this alongside the promotion of the inclusion and prevention agenda within schools.

- 25 In relation to recommendation three, Children and Young People's Services work in partnership with schools to ensure that the training offer relating to Special Educational Needs and Disabilities is accessible, comprehensive and well communicated. The service will ensure that all schools are encouraged to provide appropriate training to staff to ensure those with SEND continue to receive an appropriate level of support.
- 26 In relation to recommendation four, children and young people's services will develop a good practice reporting tool / template to encourage schools to include in Head Teacher's reports to the governing body the reasons provided for elective home education (if reasons are provided by parents), good practice guidance that if bullying is cited as a reason for elective home education this is discussed and that school policies including anti-bullying policies are regularly reviewed.
- 27 In relation to recommendation five, the service intend to plan regular events for families who home educate alongside other professionals. There is also ongoing dialogue with local library services and culture and sport services about potential opportunities for those educated at home.

Conclusion

- 28 This report provides an overview of activity undertaken, key findings and recommendations within review group report contained in appendix 2.

Background papers

- None

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Appendix 1: Implications

Legal Implications

None

Finance

None

Consultation

None

Equality and Diversity / Public Sector Equality Duty

An Equality Impact Assessment is attached as Appendix 3.

Human Rights

The United Nations Convention on the Rights of the Child have formalised that all children have the right to an education.

Climate Change

None

Crime and Disorder

None.

Staffing

None

Accommodation

None

Risk

None.

Procurement

None.