

Public Document Pack



**Service Director – Legal, Governance and
Commissioning**

Julie Muscroft

The Democracy Service
Civic Centre 3
High Street
Huddersfield
HD1 2TG

Tel: 01484 221000

Please ask for: Helen Kilroy

Email: helen.kilroy@kirklees.gov.uk

Tuesday 12 October 2021

Notice of Meeting

Dear Member

Children's Scrutiny Panel

The **Children's Scrutiny Panel** will meet in the **Council Chamber - Town Hall, Huddersfield** at **2.15 pm** on **Wednesday 20 October 2021**.

This meeting will be webcast live and will be available to view via the Council's website.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Children's Scrutiny Panel members are:-

Member

Councillor Andrew Marchington
(Chair)

Councillor Elizabeth Reynolds

Councillor Joshua Sheard

Councillor Richard Smith

Councillor Paul White

Councillor Jackie Ramsay

Toni Bromley (Co-Optee)

Dale O'Neill (Co-Optee)

Linda Summers (Co-Optee)

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

To receive apologies for absence from those Members who are unable to attend the meeting.

2: Minutes of the Previous Meeting

1 - 6

To approve the Minutes of the meeting of the Committee held on the 15th September 2021.

3: Interests

7 - 8

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

4: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

5: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

6: Public Question Time

The Committee will hear any questions from the general public.

7: New Elective Home Education Policy

9 - 42

The Panel will receive an update on the key areas relating to the new Elective Home Education Policy agreed by Cabinet on the 5th October 2021.

Contact: Diane Yates, Acting Portfolio Manager (Education Safeguarding Service)

8: Children's Scrutiny Panel Work Programme and Agenda Plan for 2021-22

43 - 60

Members of the Panel will consider the work programme and agenda plan for the 2021/22 municipal year and will discuss progress and consider new issues for inclusion.

Contact Officer: Helen Kilroy, Assistant Democracy Manager

Contact Officer: Helen Kilroy

KIRKLEES COUNCIL

CHILDREN'S SCRUTINY PANEL

Wednesday 15th September 2021

- Present: Councillor Andrew Marchington (Chair)
Councillor Elizabeth Reynolds
Councillor Joshua Sheard
Councillor Richard Smith
Councillor Jackie Ramsay
- Co-optees Dale O'Neill
Linda Summers
- In attendance: Jo-Anne Sanders, Service Director, Learning and Early Support
Tom Brailsford, Service Director, Resources, Improvement and Partnerships
Elaine McShane, Service Director, Family Support and Child Protection
Charlotte Jackson, Head of Service, Family Support and Child Protection
Ophelia Rix, Head of Service (Children in Care, Children looked after and Care Leavers)
Sara Miles, Head of Service, Resources, Improvement & Partnership
- Observers: Cllr Viv Kendrick
Cllr Carol Pattison
Cllr Elizabeth Smaje
- Apologies: Councillor Paul White
Toni Bromley (Co-Optee)

1 Membership of the Committee

Apologies for absence were received from Toni Bromley and Councillor Paul White.

2 Minutes of the Previous Meeting

The minutes of the meeting of the Panel held on the 28th July 2021 were agreed as a correct record.

3 Interests

No Interests were declared.

Children's Scrutiny Panel - 15 September 2021

4 **Admission of the Public**

All items were considered in Public session.

5 **Deputations/Petitions**

No petitions or deputations were received.

6 **Public Question Time**

No questions were received from the Public.

7 **Feedback from Panel Members on issues from Corporate Parenting Board**

The Panel acknowledged that some members of the Children's Scrutiny Panel were either members of the Corporate Parenting Board or attended the meeting as an observer. The Panel considered potential duplication of work between the Corporate Parenting Board and Children's Scrutiny panel.

The Chair of the Panel, Councillor Marchington, confirmed that questions would be asked by Children's Scrutiny Panel Members at the Corporate Parenting Board meetings regarding areas of scrutiny focus, for example Performance data and any key issues would be fed back to the Children's Panel.

The Panel was informed that at the last Corporate Parenting Board concerns had been raised regarding recruitment and retention of carers and officers reported that this was a key area of focus for the Board.

Tom Brailsford, Service Director for Resources, Improvement and Partnerships advised that there was a comprehensive action plan which looked at national best practice and research on the recruitment and retention of carers. The action plan looked at how foster carers were marketed and how they targeted groups of people that would like to foster. Tom Brailsford further advised that the Action Plan also looked at how Fostering Advisers engaged with foster carers as part of the initial conversation after an expression of interest had been submitted and ensured that it turned into an enquiry in a timely manner. The Panel was informed that Fostering Advisers undertook to work closely with the Kirklees Fostering Network.

In response to a question around understanding and being able to supply retention and wrap around care, Tom Brailsford advised that there was a variety of support and offers around retention of Foster Carers and one example was remuneration and benefits. Tom advised that foster carers had access to Employee Healthcare, training, support from other Foster Carers and supervision from social workers.

The Chair of the Panel, Councillor Marchington, advised the Panel that Corporate Parenting Board looked at performance management data and scrutinised the data received. The Panel was informed that a variety of different questions were asked from Partners and Members of the Board and it was noted that Children's Scrutiny would also feed in their questions to the Board.

In response to a question regarding how difficult it was to get young people who abused substances and who were unwilling to admit it and come forward to receive the right support, Tom Brailsford advised that there was a very well established substance misuse service which ensured that young people received the right

Children's Scrutiny Panel - 15 September 2021

service which met their needs. Elaine McShane, Service Director for Family Support and Child Protection advised that it was a challenge for young people as the first step of accessing support was admitting they had a problem. The Panel was informed that there were practices in different services that helped work with young people to build trust in relationships and to help facilitate the disclosure by the young person.

Panel members who were also members of the Corporate Parenting Board advised that the main focus of the Board was to be a corporate parent to young people who were not in a family environment and were looked after by Kirklees. The Board wanted to achieve the experience of a family for looked after children through Kirklees and took the opinion that if something was not good enough for their own children then it was not good enough for looked after children in Kirklees.

RESOLVED-

1. That the feedback from Panel members and officers be noted.
2. That updates on key areas of focus for scrutiny are provided to the Children's Scrutiny Panel after each Corporate Parenting Board by relevant members of the Panel.

8

Update of Peer Review (Health Check) - Duty and Advice

The Panel considered a report relating to the Front Door Health Check that took place in May 2021 presented by Charlotte Jackson, Head of Service for Family Support and Child Protection.

Charlotte Jackson highlighted that the Front Door Health Check was a recognised contribution to the improvement through conversations, direct observations, dip sampling cases, auditing and reviewing of performance data, the self-assessment in relation to:

- Effectiveness of Thresholds; Consent; Step Up/ Step Down
- Effectiveness of decision making and management oversight
- The quality of assessments (screening)
- Strength of partnership contribution
- Effectiveness of Quality Assurance (through audit analysis)

Charlotte Jackson further explained that over two days the team of five reviewers had met with leaders, practitioners and partners. This was supplemented with an audit of approximately 40 cases. The Panel was informed that the review identified areas of strength and areas for consideration.

The Panel was informed that the key areas of strength were:

- Clear evidence of a strong and effective front door,
- Practitioners were motivated and confident,
- There was strong political support,
- The teams were well resourced, with good morale and the staff felt supported and valued,
- There was good management oversight and challenge on cases.

Children's Scrutiny Panel - 15 September 2021

Charlotte Jackson advised that the key areas of improvement identified were:

- To ensure consent was always sought before checks were undertaken and that professionals understood consent fully,
- Check whether feedback to the referrer was consistently applied,
- Consider how daily performance management was proactive in timeliness for contacts to ensure proactive oversight of contacts to prevent delay,
- To ensure that fathers were consistently included in the screening stage of contacts.

The Panel was advised that overall, a strong Front Door where good outcomes for families, by the right service was recognised.

In response to a question regarding consent not being obtained previously, Charlotte Jackson advised that consent was really understood in partners and practitioners, whereas in the past that had not been the case. Charlotte further explained that in the past Practitioners could dispense with consent, this meant there could be significant risks identified to not undertake checks which could be detrimental to a child. Parents were asked to consent to basic statutory information checks for example: school, health visitor, GP, which enabled the practitioner to decide what needed to happen next.

In response to a question regarding how the review measured to what the reviewers saw in the Service's own self-assessment and how accurate the self-assessment had previously been, Charlotte Jackson advised that feedback received from the reviewers was that it was evident that the Children's Service clearly knew itself well. The Panel was informed that the two days started with a comprehensive presentation from Charlotte Jackson and Elaine McShane and the reviewers had fed back that the information provided was an honest self-assessment.

In response to a question around consent for young people under 16, Charlotte Jackson advised that the Service always tried to work with parents and young people to gain consent. Charlotte advised that there were occasions where practitioners would speak directly to young people, for example a 16-year-old who had come through Front Door and was having difficulties, was homeless and no longer lived with parents.

RESOLVED –

1. That the report on the Front Door Review be noted and the panel thanked Charlotte Jackson and Elaine McShane for their contributions.

9 Children's Scrutiny Panel Work Programme and Agenda Plan for 2021-22

The Panel considered the Working Programme and Agenda Plan for 2020/21 municipal year.

Cllr Marchington advised that following the September informal meeting, visits would be arranged to take place throughout the municipal year. A pro-forma had been created and agreed by the Panel to help them with their questions and areas of focus at the visits.

Children's Scrutiny Panel - 15 September 2021

The Panel noted that a visit to the Youth Engagement Service had previously taken place and arrangements were being made for the Panel to re-visit.

The Panel asked when the Learning Strategy would return to Panel, Jo-Anne Sanders, Service Director for Learning and Early Support, advised that they had been co-producing a district learning strategy. The plan was to be shared wider across the partnership, firstly to be considered by Cabinet in October and then looking at implementation planning and that views and engagement with the Children's Scrutiny early in 2022 would be welcomed. The Panel agreed to receive a copy of the report on the 'Kirklees Future Commission Learning Strategy' being considered by Cabinet on the 5th October 2021.

The Panel was informed by the Cabinet Member for Children's that there was a Local Government Association (LGA) training/conference on 4th October 2021 on contextual safeguarding, making safeguarding of children everyone's business. The Panel agreed to receive the details of the conference and noted that it was free of charge to those who wanted to attend.

RESOLVED –

1. That the arrangements for the visits by the Panel be noted and thanks were given to officers for arranging the visits.
2. That the Cabinet report for Learning Strategy be circulated to the Panel when available.
3. That the details regarding the conference on Contextual Safeguarding be circulated to Panel Members.

This page is intentionally left blank

KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
Childrens Scrutiny Panel			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



Name of meeting: Cabinet

Date: 5 October 2021

Title of report: New Elective Home Education Policy

Purpose of report: To receive the proposed new Elective Home Education Policy and consider the adoption of the policy.

<p>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</p>	<p>Yes</p> <p>If yes give the reason why – affects all wards</p>
<p>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?</p>	<p>Key Decision – Yes</p> <p>Private Report/Private Appendix – No</p>
<p>The Decision - Is it eligible for call in by Scrutiny?</p>	<p>Yes</p>
<p>Date signed off by <u>Strategic Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>Jo-Anne Sanders on behalf of Mel Meggs – 16/09/2021</p> <p>Eamonn Croston – 14/09/2021</p> <p>Julie Muscroft – 21/09/2021</p>
<p>Cabinet member portfolio</p>	<p>Cllr Carole Pattison - Cabinet lead for Learning, Aspiration and Communities</p> <p>Cllr Viv Kendrick - Cabinet lead for Children (statutory responsibility for Children)</p>

Electoral wards affected: All

Ward councillors consulted: N/A

Public or private: Public

Has GDPR been considered? There are no GDPR implications.

1. Summary

In November 2017, the Children's Scrutiny Panel considered a report on elective home education. This was submitted against a background of increasing numbers of home educated children in Kirklees; a trend which was replicated in both neighbouring authorities and nationally.

The report provided background information, including an overview of the legislative framework and the current practice in Kirklees, and explained that the rights of parents that had chosen to home educate their children were fully respected. It recognised that there were many excellent examples of home education and acknowledged that learning took place in a wide variety of environments. The report explained that there was a strong commitment within Kirklees to support children, young people and their families who had chosen to home educate.

From the start, Members acknowledged that many families made a positive choice to home educate but some found themselves in that position through circumstance. They were keen to ensure that appropriate support was available to all these children. They, therefore, recommended that an Ad Hoc Scrutiny Panel should be established, to allow the matter to be considered in greater depth.

2. Information Required to take a Decision

In March 2020, following its findings from the Ad Hoc Scrutiny review, the Children's Scrutiny Panel made several recommendations including the need for a new Kirklees Elective Home Education policy, rather than a refresh of the existing policy. It was agreed by Kirklees Council Cabinet that a new policy would be produced and include:

- The Local Authority's responsibilities.
- Parents' rights and obligations.
- How a 'suitable' education is assessed.
- Responsibilities and expectations of parents.
- The process if there are concerns about the education being provided at home.
- Clarity on the support that Kirklees Council can provide.
- Complaints procedure.
- How The EHE team will communicate and seek to engage with parents.
- Position in relation to flexi-schooling.
- A mechanism for regular review of the policy.

The new policy does now cover all points listed above and is compatible with April 2019, Department for Education, (DfE), Elective Home Education guidance for local authorities.

The proposed new policy is attached in Appendix A.

In addition to the new Kirklees EHE policy, an 'Information for Parents' guide' (Appendix B), and 'Flexi-schooling' (Appendix C) guidance has been produced.

Information for Parents guidance is written in an easily accessible style and outlines how Kirklees will engage with parents, how a 'suitable' education is assessed and the process if there are concerns about the education being provided at home. As guidance, this can be kept updated with any local developments including the support Kirklees can provide, for example, access to local provision for taking GCSE examinations.

Flexi-schooling guidance has also been produced to help parents and schools understand the implications of part-time school attendance and part-time elective home education. It recommends a written agreement is drawn up so that arrangements and expectations between parents and school are clear. The guidance also makes suggestions on what the agreement could include.

3. Implications for the Council

3.1 Working with People

This report engaged with families who Electively Home Educate and other stakeholders to gather feedback on the new policy before its introduction and implementation.

3.2 Working with Partners

Children's Scrutiny Panel engaged with partner agencies, an EHE consultant, other local authorities, schools, and families who Electively Home Educate to achieve a policy that supports families whilst meeting the Local Authority's statutory duties.

3.3 Place Based Working

Families who Electively Home Educate live in all communities within Kirklees. The Elective Home Education Team can support individual families based on their needs in line with the policy.

3.4 Climate Change and Air Quality

The policy does not have any negative impact on the Council's commitment to tackle climate change.

3.5 Improving Outcomes for Children

The policy and additional guidance will support children and young people who are Electively Home Educated. It makes clear parents' responsibility to ensure their children are receiving a full-time, efficient, and suitable education. The new policy aims to improve engagement with families who Electively Home Educate and enable us to signpost to other services where appropriate, such as Calderdale + Kirklees Careers/examination centres.

This report has been written having had sight of both the draft Learning Strategy, Kirklees Futures, and the SEND Transformation plan.

3.6 Other (eg. Legal/Financial or Human Resources)

Equalities and Impact Assessment completed.

4. Consultees and Their Opinions

Scrutiny has had extensive engagement with parents and schools. This has helped shape the attached policy.

This policy has now been shared with families who Electively Home Educate and other stakeholders for comment.

We have analysed and considered the comments made and have made amendments to the policy where appropriate.

The parent comments below are an example of some of the feedback received, we have taken the majority of comments on board and revised the policy and the 'Information for Parents' documents accordingly:

- 'Every time safeguarding is mentioned, I think it's important to say, "Home Education is not in itself a safeguarding issue" because there are still many people who think it is. In this document, safeguarding is mentioned twelve times, but it is not until 7.7 that the sentence "Home Education is not in itself a safeguarding issue" appears.'

- “Not everyone will know what Fundamental British Values are, so it would be a good idea to provide a link.”
- “Please consider adjusting the wording to say, ‘If the LA is not satisfied that the child is receiving a suitable education, (insert) ‘and after attempting to support the parent with suggestions and recommendations with no success’, the LA may commence the statutory process for the issue of a School Attendance Order, (SAO), requiring the parent to register the child at a named school.”
- “Thank you for all the work you are doing to improve things in the EHE department and for home educating families in Kirklees. It is, and I’m sure will be, very much appreciated by all.”

Feedback from a Kirklees school:

“I believe the guidance to be very clear. However, I have not experienced any request for EHE in the past, nor have I have suggested it.”

Feedback from Calderdale + Kirklees Careers:

C+K Careers asked that the information relating to C+K Careers, (in the Information for Parents document), also include: “You will be provided with detailed information about post 16 options when your child is year 11 age. Careers Advisers are available to help you understand choices and make applications. Parents can access careers and progression advice at any point during their child’s education by contacting C+K Careers. The service is available to all young people up to the age of 19.” - suggestion accepted, now included.

5. Next Steps and Timelines

To publish the approved policy on the council’s website, to make copies available upon request, to inform the public that the policy has been adopted and to inform all consultees.

6. Officer Recommendations and Reasons

6.1 Cabinet is asked to:

- To adopt the proposed new Elective Home Education Policy.
- To delegate responsibility to the Director of Children’s Services in conjunction with the Portfolio Holder for Children’s Services, to review the policy and guidance annually and make technical amendments where appropriate, allowing engagement to take place with stakeholders.
- Should there be new legislative requirements, then this would require a more fundamental change and would be brought back to Kirklees Cabinet for approval.

7. Cabinet Portfolio Holder’s Recommendations

We are grateful for the valuable work undertaken by Children’s Scrutiny Panel. We would also like to thank the parents, schools and other stakeholders who engaged Scrutiny and provided valuable feedback on a draft policy.

We are happy to recommend cabinet adopts the proposed Elective Home Education Policy and delegates responsibility for maintenance of the policy to the Director of Children’s Services, subject to returning to cabinet for approval of any fundamental changes necessitated by a significant change in legislation.

8. Contact Officer

Diane Yates, EHE Lead, Education Safeguarding Service
diane.yates@kirklees.gov.uk
01484 221919

9. Background Papers and History of Decisions

[Item 11 Final Report to Cabinet.pdf \(kirklees.gov.uk\)](#)

[Elective home education - GOV.UK \(www.gov.uk\)](#)

10. Service Director Responsible

Jo-Anne Sanders, Service Director - Learning and Early Support, Learning and Skills

Children & Young People's Service

Elective Home Education (EHE) Policy

September 2021

Review date:

This policy will be reviewed annually, or as required should legislative amendments be realised.

Contents

1. Introduction
2. The Context for Elective Home Education
3. The Law Relating to Elective Home Education
4. Parental Rights and Responsibilities
5. Children's Rights
6. The Local Authority's Responsibilities
7. School and Academy Responsibilities
8. Elective Home Education and Safeguarding
9. Elective Home Education and Special Educational Needs
10. The Elective Home Education Service
11. Complaints Procedure

1. Introduction

- 1.1 Kirklees Council, the local authority, believes that high-quality education is a fundamental right for every child and aims to work in partnership with parents and carers who electively home educate and respects their right to do so.
- 1.2 Whilst the local authority supports parents who wish to enrol their child at school, it equally supports a parent's right to home educate. The local authority aims to work with parents who home educate to ensure that those children are provided with efficient full-time education, suitable to their age, ability, aptitude and to any special educational needs or disabilities which they might have.
- 1.3 The local authority seeks to build positive relationships with parents who home educate by establishing mutual understanding, trust and respect.
- 1.4 The purpose of this policy is to set out the legislative position, and the roles and responsibilities of the local authority, schools and parents in relation to children who are electively home educated.
- 1.5 Kirklees Council has a dedicated Elective Home Education Team, (EHE Team), as part of the Learning and Early Support Service.

2. The Context for Elective Home Education

- 2.1 Elective Home Education, (EHE), is the term used by the Department for Education, (DfE), to describe the education provided by parents or carers at home, rather than providing education for their children by sending them to school. This is different from the education provided by a local authority otherwise than at a school – for example, tuition for children who are too ill to attend school.
- 2.2 Article 2 of Protocol 1 of the European Convention on Human Rights states: "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions." ¹
- 2.3 This policy takes account of the DfE Elective Home Education guidance for local authorities, April 2019 and the Elective Home Education guidance for parents, April 2019.²

¹ European Convention on Human Rights: <https://www.equalityhumanrights.com/en/human-rights-act/article-2-first-protocol-right-education>

² DfE Elective Home Education Guidance: <https://www.gov.uk/government/publications/elective-home-education>

- 2.4 Whilst home education is not in itself a safeguarding issue, the policy has been developed in the context of the duty placed on local authorities to make arrangements to safeguard and promote the welfare of all children in Kirklees, (Section 175 of the Education Act 2002)³
- 2.5 The policy aims to achieve an appropriate balance between the rights of home educating parents and the responsibilities of the local authority.

3. The Law relating to Elective Home Education

- 3.1 Education is compulsory in England for children from the start of the term following the child's 5th birthday, until the last Friday in June of the academic year in which the child is 16. From June 2015, the raising of the participation age means young people are required by law to engage in education, employment or training until their 18th birthday, (Education and Skills Act 2008)⁴.
- 3.2 Parents have a legal duty, under Section 7 of the Education Act 1996⁵, to ensure their children receive efficient full-time education suitable to their age, ability and aptitude, and to any special educational needs which they may have, "either by regular attendance at school or otherwise". (The term "or otherwise" can mean 'at home')
- 3.3 The term "efficient" is defined as 'an efficient education, within the meaning of Section 7; one which achieves what it sets out to achieve'. This concept mustn't be confused with suitability. '*A wholly unsuitable education can be efficiently delivered – but would still be unsuitable*'⁶
- 3.4 The term "full-time" has no current legal definition. Children of compulsory school age normally receive around 4.5 – 5.0 hours of education a day, for about 190 days a year. However, when a parent home educates, there is often continual one to one contact; education may take place outside of 'normal school hours' and term time, and the type of educational activity can be varied and flexible.
- 3.5 The term "suitable education" is not defined in law, although it must fulfil the requirements outlined in 3.2. This means that it must be age-appropriate, enable the child to make progress according to his or her level of ability, and should take account of any specific aptitudes. There is an expectation that literacy and numeracy are learned, and the education should enable the child, when grown-up, to function as an independent citizen in the UK - and beyond

³ Section 175 of the Education Act 2002 <https://www.legislation.gov.uk/ukpga/2002/32/section/175>

⁴ Education and Skills Act 2008 <https://www.legislation.gov.uk/ukpga/2008/25/contents>

⁵ Section 7 of the Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/7>

⁶ Elective home education: Departmental guidance for local authorities 9.7 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791527/Elective_home_education_guidance_for_LAv2.0.pdf

the community in which he or she was brought up, if that is the choice made in later life by the child. Home education should not conflict with Fundamental British values. [Promoting fundamental British values through SMSC - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/promoting-fundamental-british-values-through-sm-sc)

- 3.6 Education at home may not be deemed suitable if it is delivered in circumstances that make it difficult to learn, (for example, in very noisy premises). This may affect its efficiency and whether it is 'received'. The education may also be deemed unsuitable if it leads to excessive isolation which impacts the child's social development, as per DfE guidance.
- 3.7 Local authorities have a legal duty under section 437 of the Education Act 1996 to act "if it appears" that a child of compulsory school age in their area is not receiving a suitable education.
- 3.8 In discharging our responsibilities in relation to home education, the LA bears in mind that it is subject to the Public Sector Equality Duty contained in s.149 of the Equality Act 2010.⁷

4. Parental Rights and Responsibilities

- 4.1 The responsibility for a child's education rests with their parents. In England education is compulsory, school is not.
- 4.2 Parents may decide to exercise their right to home educate their child from a very early age. Therefore, the child may not have been previously enrolled at school. They may also elect to home educate at any other stage up to the end of compulsory school age.
- 4.3 Parents are required to provide an efficient, full-time education suitable to the age, ability and aptitude of the child.
- 4.4 When parents elect to home educate, they assume full financial responsibility for their child's education, including the costs of private tuition, courses and public examinations.
- 4.5 When parents engage a third party, (for example, a tutor), to deliver part of their child's education, they are responsible for ensuring that the person is appropriately qualified and suitable, including Disclosure and Barring Service, (DBS), checks.⁸
- 4.6 Parents who choose to home educate their children may choose how they wish to do this. The type of educational activity can be varied and flexible. There are no legal requirements for parents educating a child at home to do any of the following:
 - teach the National Curriculum,
 - have a timetable,

⁷ Equality Act 2010 <https://www.legislation.gov.uk/ukpga/2010/15/section/149>

⁸ Disclosure and Barring Service <https://www.gov.uk/request-copy-criminal-record>

- have premises equipped to any particular standard,
- set hours during which education will take place,
- have any specific qualifications,
- make detailed plans in advance,
- observe school hours, days or terms,
- give formal lessons,
- mark work completed by the child,
- formally assess progress or set developmental objectives,
- reproduce school type peer group socialisation,
- match school-based, age-specific standards.

However, many home-educating families do many of these. Furthermore, it is likely to be much easier to show that the education provided is suitable if there is a breadth of the learning and content and the concepts of progression and assessment are incorporated into the child's learning. If home educating families do not do these, it should still be possible for a member of The EHE Team to determine that an efficient, full-time education is being provided.

5. Children's Rights

- 5.1 Article 2 of Protocol 1 of the European Convention on Human Rights states: "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions."
- 5.2 In 2001, the [Committee on the Rights of the Child](#), the body of experts that monitors the implementation of the Convention, published a paper, (called a General Comment), that explains and elaborates on the right to an education.

General Comment 1 - Annex 9 states:

"article 29 (1) underlines the individual and subjective right to a specific quality of education."

Education must include not only literacy and numeracy but also life skills such as the ability to make well-balanced decisions; to resolve conflicts in a non-violent manner and develop a healthy lifestyle, good social relationships and responsibility, critical thinking, creative talents and other abilities which give children the tools needed to pursue their life options.

- 5.3 Electively home educated children are entitled to access all eligible childhood immunisations. In Kirklees, NHS childhood immunisation programmes are delivered by the Locala Immunisation Service. The EHE Team will forward information regarding immunisations on Locala's behalf at the appropriate times.

The Locala Immunisation Service can also be contacted directly: [Locala Immunisation Service](#) Or parents can contact their GP's practice for advice and guidance.

6. The Local Authority's (LA's) Responsibilities

- 6.1 The LA recognises that home educating parents adopt a rich and diverse range of approaches to home education and use a variety of philosophies and methods.
- 6.2 The LA's primary interest lies in the suitability of the provision which home educating parents make, not their decision for choosing to home educate.
- 6.3 If, however, it appears likely or possible that a parent may have chosen to home educate in response to, for example, a one-off incident at school, or as a means of avoiding particular issues - such as attendance or behaviour - this will be explored. The EHE Team will seek to ensure that the parent or carer is choosing to home educate for positive reasons, that they have not felt coerced, and that the decision to home educate is being made in an informed and considered way, and in the best interest of the child.
- 6.4 The LA has a statutory duty under section 436A of the Education Act 1996⁹, inserted by the Education and Inspections Act 2006¹⁰, to make arrangements to enable them to establish the identities, so far as it is possible to do so, of children residing in Kirklees of compulsory school age, who are not on a school roll and are not receiving suitable education otherwise than being at school.
- 6.5 The LA has a responsibility to enquire about what education is being provided, these are referred to as 'informal enquiries'.
- 6.6 Parents are under no duty to respond to such enquiries. But if a parent does not respond or responds without providing any information about the child's education, then it will normally be justifiable for the authority to conclude that the child does not appear to be receiving a suitable education.
- 6.7 A further statutory duty exists, which requires the LA to serve a formal notice under section 437 of the Education Act 1996 if it appears that a child of compulsory school age is not receiving a suitable education. The formal notice requires the parent to satisfy the LA that the child is receiving a suitable education. If the LA is not satisfied that the child is receiving a suitable education, and after attempting to support the parent with suggestions and recommendations with no success, the LA may commence the statutory process for the issue of a School Attendance Order, (SAO), requiring the parent to register the child at a named school. If the SAO is not complied with, the Order will be breached through the Magistrates Court.
- 6.8 Kirklees LA considers that the taking of the above measures shall be the last resort after all reasonable avenues have been explored to bring about a resolution of the situation. At any stage following the issuing of an Order, parents may present evidence to the LA, (or the court), that they are now

⁹ Section 436A of the Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/436A>

¹⁰ Education and Inspections Act 2006 <https://www.legislation.gov.uk/ukpga/2006/40/contents>

providing a suitable and appropriate education and apply to have the Order revoked.

- 6.9 LAs also have a duty under section 175 (1) of the Education Act 2002 to safeguard and promote the welfare of children. This section states: "A local authority shall make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting the welfare of children." Home education is not in itself a safeguarding issue.

7. School and Academy Responsibilities

- 7.1 The Education (Pupil Registration) Regulations 2006 as amended in 2016, set out the grounds under which a pupil's name is to be removed from the admissions register of a school. Regulation 8(1)(d) states that a pupil's name is to be deleted if:

"He has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school."

- 7.2 If parents have notified the school of their intention to educate their child at home, they are under no obligation to inform the LA. This responsibility falls on the school, (including independent schools). The school must report the deletion within 5 days of the pupil's name being deleted from the register.

- 7.3 The school must inform the LA by submitting an online EHE notification and attach a copy of the letter/email that parents have written to request deregistration: <https://kirkleesbusinesssolutions.uk/Page/13204>

- 7.4 If a child is registered at a school as a result of a School Attendance Order, the parents must have the order revoked by the LA - on the grounds that the arrangements have been made for the child to receive suitable education otherwise than at school - before the child can be removed from the school roll and educated at home.

- 7.5 Departmental guidance for LAs - April 2019 (10.4) - makes it explicit that:

"Schools should not seek to persuade parents to educate their child at home as a way of avoiding an exclusion or because the child has poor attendance or other known issues. In the case of exclusion, they must follow the statutory guidance. If the pupil has a poor attendance record, the school must seek to address the issues behind the absenteeism and use other remedies available to them."

- 7.6 There is no legal requirement for parents to discuss home education with the school. However, if a parent does approach the school to discuss the possibility of home educating, Kirklees Council expects the school to respond positively and constructively and signpost the family to the Kirklees Council Elective Home Education policy. If parents are considering home education

because of a dispute with the school, the LA expects the school to take all necessary steps to resolve the issue.

The school should signpost the parent to The EHE Team for further advice and guidance to enable them to make an informed choice. A school's response to parent's requests to EHE is likely to be scrutinised by the LA. It will capture data of this nature and share it with education partners including Ofsted as necessary.

- 7.7 The school is responsible for raising any safeguarding concerns relating to a child directly with Kirklees Council Children's Services as soon as possible. Home Education is not, in itself, a safeguarding concern.

8. Elective Home Education and Safeguarding

- 8.1 The welfare and protection of all children, both those who attend school and those who are educated at home, is of paramount concern and the responsibility of parents and the whole community. Section 175 of the Education Act 2002 imposes a duty on the LA to make arrangements for ensuring that the functions conferred on them are exercised to safeguard and promote the welfare of all children residing in Kirklees.
- 8.2 Under Section 175 of the Children Act 2002, the LA has a general duty to safeguard and promote the welfare of all children. The LA has powers to enable it to insist on seeing children to enquire about their welfare where there are grounds for concern. Such powers, however, do not give the LA the right to see and question children who are being home educated to establish whether they are receiving a suitable education.
- 8.3 The EHE Team will follow Kirklees Safeguarding Children Partnership, (KSCP), procedures at all times. The LA will work with parents and relevant partner agencies to proactively safeguard and promote the welfare of children.¹¹
- 8.4 The 2019 Guidance clarifies that "where necessary - because it is evident that a child is simply not receiving a suitable education at home and the use of school attendance powers is not achieving a change in that situation - the local authority should be ready to use its safeguarding powers", (as explained in the 2019 Guidance). The overriding objective in these cases is to ensure that the child's development is protected from significant harm.
- 8.5 Parents may choose to employ other people to educate their child(ren), though they will continue to be responsible for the education provided. They will also be responsible for ensuring that those with who they engage are suitable to have access to children. Parents may therefore wish to satisfy themselves by taking up appropriate references and/or by requesting a potential tutor to consent to a Disclosure and Barring Service, (DBS), check.¹²

¹¹ Kirklees Safeguarding Children Partnership <https://www.kirkleessafeguardingchildren.co.uk/>

¹² Disclosure and Barring Service <https://www.gov.uk/request-copy-criminal-record>

8.6 This policy seeks to build constructive relationships with home educators and provide a means to effectively protect the educational and safeguarding interests of children being electively home educated where vulnerabilities are identified.

9. Elective Home Education and Special Educational Needs

9.1 Parents' right to educate their child(ren) at home applies equally where a child has special educational needs, (SEN). (See Section 319 of the Education Act 1996). This right is irrespective of whether the child has an Educational Health Care Plan, (EHCP)¹³

9.2 If the child attends a special school, the school must inform the LA before the child is deleted from the school roll and the LA will need to consider whether elective home education is suitable before amending the EHCP. The child's name will remain on the school roll until the LA gives consent for the child to be de-registered.

9.3 LA consent for removal from a school roll is not required for children with an EHCP who are registered at a mainstream school. Where parents elect to home educate a child with an EHCP who is registered at a mainstream school, the school will remove the pupil from the roll in the same way as children who do not have an EHCP. Parents should submit a letter to the school indicating their intention to home educate. Following receipt of written confirmation from the parent that educational provision is being made, the school should remove the child from the school roll.

9.4 It remains the LA's duty to maintain an EHCP, to review it annually and ensure that the child's needs are met through elective home education, following procedures set out in the SEN Code of Practice.

9.5 Where the LA is satisfied that the child's parents have made suitable arrangements, it does not have to name a school in the EHCP - though it should state the type of school it considers appropriate and go on to state that "parents have made their own arrangements under section 7 of the Education Act 1996".

9.6 A parent who is educating their child at home may ask the LA to carry out a statutory assessment of their child's special educational needs and the LA must consider the request within the same statutory timescales as for all requests: [Kirklees Local Offer](#)

¹³ Kirklees Local Offer <https://www.kirklees.gov.uk/beta/local-offer/the-local-offer.aspx>

10. The Elective Home Education Service

10.1 Elective home education duties sit within the Children Services Directorate.

10.2 Kirklees Council will ensure that dedicated EHE Officers access relevant training and network opportunities regarding EHE practice, safeguarding, health and safety and other relevant procedures and practices relevant to their EHE duties.

10.3 Kirklees Council embraces diversity and respects individual choice, and recognises parents of all educational, social, racial, religious and ethnic backgrounds successfully educate children outside the school setting.

10.4 The EHE Team provides support in the form of:

- providing advice and guidance to parents considering or are new to EHE.
- signposting to resources and services.
- publishing information about EHE that is clear, accurate and sets out the legal position, roles, and responsibilities of both the LA, schools, and parents.
- seeking to mediate between schools and potential EHE families when the relationship has broken down and parents feel obliged to withdraw their child.
- offering a variety of support options to the family - if needed - from Kirklees Children's Services and their partners, including Early Support Services and C + K Careers.
- promoting positive relationships with elective home educating families based on mutual understanding, respect, and trust to safeguard the educational interest of children.

11. Complaints Procedure

Kirklees Council seeks to work in partnership with parents who choose to home educate their children and to develop good working relationships. However, if a complaint should arise, in the first instance, contact should be made with The EHE Team by telephone, email or in writing to the Service Manager:

Elective Home Education Team
Kirklees Council
Red Doles Lane
Huddersfield
HD2 1YF

Tel 01484 221919

Email: eheteam@kirklees.gov.uk

Kirklees – Elective Home Education

Information for Parents

September 2021

Elective Home Education

Kirklees Council is committed to supporting parents and carers who choose to educate their child(ren) outside the school system and fully respects their right to do so.

This guidance aims to explain your parental responsibility and the Kirklees EHE Team procedures regarding home education, and to offer advice to parents or carers who are, or who are considering, electively home educating their child.

Further information regarding home education can be found on our website.¹⁴

DRAFT

¹⁴ Kirklees website <https://www.kirklees.gov.uk/beta/schools/elective-home-education.aspx>

Key considerations before choosing to Electively Home Educate

Some points to consider before making a decision:

How you can prepare for your child's learning before making a decision.

Research a range of approaches and learning styles. Would you want to involve others to provide additional teaching support? Explore local activities/groups etc. and consider opportunities for social contact with other children.

The potential costs involved.

There is no funding available from the government for home educating families and therefore you must meet the costs of your child's education yourself. For example: providing appropriate resources, opportunities for educational visits, access to activities with other children their age and other adults, and exam fees.

Keeping your options open.

Your child's needs change at different ages and stages. If you decide not to continue with home education and would like your child to attend a school, The EHE team will offer to support you in finding a school place.

If you decide to deregister your child.

If you deregister your child and then change your mind, Kirklees Council is unable to guarantee that your child could return to the same school. Bear in mind the pressure on school places in your area¹⁵; local schools may not have places available¹⁶.

If you have a difficulty or a disagreement with your child's current school.

You may wish to contact a member of the school staff to try and resolve the difficulties before removing your child from the school roll. You may decide to consider other local schools for your child. We would also encourage you to contact The EHE team to discuss the situation where we may be able to offer support to resolve any issues.

¹⁵ Pupil Admissions [Schools and education| Kirklees Council](#)

¹⁶ Primary and Middle Schools Admissions <https://www.kirklees.gov.uk/beta/admissions/apply-primary-school-place.aspx>
Secondary Schools Admissions <https://www.kirklees.gov.uk/beta/admissions/apply-secondary-school-place.aspx>

The responsibility you have for your child's education.

As a parent you have a legal duty, as set out in section 7 of the Education Act 1996, to ensure that your child receives "efficient full-time education suitable to:

- age, ability and aptitude,
- and any special educational needs, either by regular attendance at school or otherwise", (otherwise can mean "at home")

Compulsory full-time education.

The law requires a child to be educated from the start of the school term following their fifth birthday until the last Friday in June in the school year in which a child reaches sixteen¹⁷. From June 2015, the raising of the participation age means that young people are required by law to engage in education, employment or training until their 18th birthday¹⁸. Home education is a legal option post 16 just as it is for under 16s.

Frequently Asked Questions

Do I have to educate within school terms and times?

Education at home can be flexible. You can decide how to organise your child's education across the day, week and month. The length of time a child should be involved in learning each week is not specified in law, but as guidance, children in school spend between 22 and 25 hours per week at school, for 38 weeks a year.

Who do I inform if I decide to educate my child at home?

- If your child is registered at a school, you must inform the Head Teacher in writing.
- If your child has an Education, Health and Care Plan you must inform the Head Teacher in writing. If your child attends a special school the consent of the LA must be obtained before your child's name is removed from the school roll. The school will liaise with the Special Educational Needs and Disability Assessment and Commissioning Team, (SENDACT), to ensure appropriate procedures are followed.
- If your child is not on roll at a school, you are under no specific duty to inform Kirklees Council of your decision to home educate. If you would like to contact The EHE Team, we would welcome hearing from you, so that we can introduce ourselves and discuss any queries you may have.

¹⁷ 8 (2) <https://www.legislation.gov.uk/ukpga/1996/56/part/II/chapter/II/crossheading/compulsory-education>

¹⁸ Education and Skills Act 2008 <https://www.legislation.gov.uk/ukpga/2008/25/contents>

What is the role of Kirklees Council, (the Local Authority), in Elective Home Education?

Local authorities have a statutory duty under section 436A of the Education Act 1996¹⁹, to make arrangements to enable them to establish, so far as it is possible to do so, of children in their area who are not receiving a suitable education at school or otherwise (for example at home, privately or in alternative provision). Therefore, whilst local authorities have no statutory duties to monitor the quality of home education on a routine basis, Kirklees LA will ask parents to provide information to demonstrate their child is receiving an efficient and suitable education.

A further statutory duty exists, which requires Kirklees Council to serve a formal notice under section 437 of the Education Act 1996²⁰ if it appears that a child of compulsory school age is not receiving a suitable education. The formal notice requires a parent to satisfy Kirklees LA that their child is receiving a suitable education within a specified time. If Kirklees LA is not satisfied that a child is receiving a suitable education, then we may commence the statutory process for the issue of a School Attendance Order, (SAO), requiring the parent to register their child at a named School.

What information can I provide to demonstrate a suitable education?

There is no acknowledged 'correct way' to provide an education at home. Below are some examples of the sort of information you may be able to provide to demonstrate that your child is receiving a suitable education. These are not exhaustive and may not be relevant to the style of home education you chose to adopt, and you may wish to provide other information that demonstrates a suitable education. For instance, the aims and objectives of the education you are planning may be:

- based upon an educational belief or philosophy,
- to prepare your child for specific exams,
- to keep up with the National Curriculum, (e.g. while you are seeking a school place)

Although the National Curriculum is optional for home educators, you may choose to cover subject or topic areas such as:

- Literacy (English)
- Numeracy (Maths)
- Science
- ICT (Computers, etc.)
- Design and Technology (including cooking, textiles, etc.)
- Art
- History
- Geography

¹⁹ Section 436A Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/436A>

²⁰ Section 437 Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/437/1999-08-31>

- Religious Education
- Personal, Social and Health Education (including an awareness of Prevent and Child Sexual Exploitation)
- Citizenship
- Music
- Foreign Languages
- Any other subjects or areas of study, including those not included in the National Curriculum

How your child might spend their day, for example:

- The number of hours a day week you are available to help your child
- The resources you will be using
- The sorts of activities your child will be engaged in
- How you will encourage contact with other children
- Any tutors used, or classes your child attends

How you will know that your child is making progress. How your methods and resources are achieving your aims.

- Increased knowledge and ability
- Your child is happy and confident
- Your child is stimulated and engaged in learning

Support available to you:

- A description of any support or advice that will be available to assist you with your programme
- Others who may be able to help, (friends, family etc.)
- If you are aware of any local support groups that may be able to help you

How will Kirklees Council decide if the education I am providing is suitable?

A member of The Elective Home Education Team will contact you to make informal enquiries regarding the education you are providing, or intend to provide, for your child, to offer any advice required, and to try to answer any questions you may have.

EHE staff recognise and understand the range of approaches and philosophies which home educating families may use and that there are many approaches to educational provision. The information you provide will vary depending upon the style of education, and may include:

- your education philosophy,
- resources you are providing or how you intend for your child to access resources, suitable to their age, ability and aptitude and to any special needs which they may have,
- how you will assess your child's progress,

- how you intend to integrate the core subjects of English, (Literacy), Mathematics, (Numeracy), and IT into your arrangement,
- any arrangements for public examinations where appropriate,
- how you will meet any special educational needs your child may have,
- recognition of your child's aptitudes and aspirations,
- how you will provide social experiences to help your child develop,
- how your home is suitable for undertaking learning, in terms of noise, space and general environment.

When home education provision appears to be suitable, we will keep our involvement in your home education to a minimum and contact you annually for an update, unless we have agreed to contact you sooner. Or you can also contact The EHE team at any point.

If The EHE Team believes the education does not appear to be full-time, efficient and/or suitable, they will talk this through with you and offer suggestions and recommendations. Follow-up contact will be arranged to discuss the progress.

If following attempts to make improvements, it appears your child's education is unsuitable; formal steps will be taken to ensure your child receives a suitable education, this could be through the use of a School Attendance Order²¹.

Please see Appendix A - 'School Attendance Order flowchart'.

If we do not receive a response to our informal enquiries regarding the home education provision, we will conclude from the absence of any response that it appears your child is not receiving a suitable education.

What if my child has an Education, Health and Care Plan?

All parents, including the parents of children with special educational needs, have an equal right to educate their child at home. However, if a child has an Education, Health and Care Plan (EHCP), Kirklees Council continues to have a duty to ensure that the child's special educational needs are met.

Kirklees Council will work in partnership with parents to ensure that suitable arrangements are in place to meet the child's special educational needs. However, parents should be aware that they have a duty to provide their child with an efficient, full-time education suitable to the age, ability and aptitude and to any special educational needs the child may have, in line with section 7 of the Education Act 1996²², whilst Kirklees Council has a duty:

- to maintain the child's plan,
- to review the plan annually,
- To decide whether the plan's contents are appropriate or whether the plan should remain in place.

²¹ School Attendance Orders [Education Act 1996 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

²² Section 7 Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/7>

At the annual review of a child's EHCP, the Special Education Needs and Disability Assessment and Commissioning Team, (SENDACT)²³, on behalf of Kirklees Council will consider the child's progress and whether any changes are needed to the plan. Parents are always invited to attend the annual review meeting to ensure that the Local Authority can develop as full a picture as possible of the child's progress and to help identify any changes that may be needed²⁴.

In addition, a parent who is educating a child at home may ask Kirklees LA to carry out a statutory assessment of their child's special educational needs. The LA must consider the request within the same timescales as the requests that it receives from any other parent.

When the parents of a child with an Education, Health and Care Plan decide to withdraw them from a mainstream school to educate them at home, the LA will ask the parents how they intend to meet the child's special educational needs outside the school setting. If Kirklees LA is satisfied that the educational provision is suitable, it will amend the EHCP to specify the type of school it considers appropriate for the child and add that "the parents have made their own arrangements under section 7 of the Education Act 1996"²⁵.

Can I educate my child part-time at home and part-time at school?

This is known as flexi-schooling. Parents can ask a school to consider a flexi-schooling arrangement. The agreement is at the discretion of the Head Teacher. There is no duty on a school to provide flexi-schooling. For further information, please refer to the flexi-schooling guidance.

Can my child still take GCSEs and other examinations?

Yes, exams can be taken as a private candidate. As the parent, you will need to find a registered centre at which your child may take the examinations. It would be advisable for you to also contact individual examination boards to discuss the arrangements for private candidates. You will have to pay for any examination registration fees, examination centre fees and assessment of coursework by an accredited person/body.

A range of apprenticeships and work-based learning programmes are available to young people with GCSE qualifications. They are also required for many college courses. Alongside qualifications like 'A' levels and National Diplomas, universities often require GCSEs, particularly in English and Mathematics, (Grade 4 and above). Once a pupil is 16 years of age, they can enrol in a wide range of adult courses

²³ SENDACT <https://www.kirklees.gov.uk/beta/special-education/about-special-educational-needs.aspx>

²⁴ Kirklees Local Offer <https://www.kirklees.gov.uk/beta/local-offer/the-local-offer.aspx>

²⁵ Section 7 Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/7>

including A/AS level examinations. The Open University is a good source for a range of study²⁶.

Will my child be entitled to careers advice?

Yes, impartial advice is offered to all young people through C+K Careers²⁷. You will be provided with detailed information about post 16 options when your child is year 11 age. Careers Advisers are available to help you understand choices and make applications. Parents can access careers and progression advice at any point during their child's education by contacting C+K Careers. The service is available to all young people up to the age of 19.

Can I use private tutors or send my child to an out of school setting to supplement my child's education?

Yes, you can but Kirklees Council urges you to consider the importance of ensuring your child is effectively safeguarded. The current guidance document, 'Elective Home Education – Guidance for Local Authorities', states:

“Parents may choose to employ other people to educate their child, though they themselves will continue to be responsible for the education provided. They will also be responsible for ensuring that those whom they engage are suitable to have access to children. Parents will therefore wish to satisfy themselves by taking up appropriate references such as an appropriate Disclosure and Barring Service, (DBS)²⁸, check and local authorities should encourage them to do this”

Similarly, if you wish to use another educational setting, you should check that it meets all required health and safety standards. If the setting your child attends is providing full-time education to five or more students of statutory school age, or one pupil with an Education Health and Care Plan, or to one pupil who is Looked After, (in the care of the Local Authority), they should be registered as an Independent School²⁹. If they are not registered they may be operating illegally and we would advise you to inform us immediately.

²⁶ Apprenticeships <https://www.gov.uk/topic/further-education-skills/apprenticeships>

²⁷ C+K Careers <https://ckcareersonline.org.uk/>

²⁸ Disclosure and Barring Service <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

²⁹ Independent Schools https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690495/La_Guidance_March_2018.pdf

Useful contacts

Kirklees EHE Team
EHEteam@kirklees.gov.uk
01484 221919, (Ask for the EHE team)

C+K Careers
High Street, Huddersfield, HD1 2LR
01484 213856
Website <https://ckcareersonline.org.uk/>

Qualifications and exam boards
JCQ (Joint Council for Qualifications)
Ground Floor, 4 Millbank,
London SW1P 3JA
Tel 020 7638 4132
Website www.jcq.org.uk
E-mail info@jqc.org.uk

AQA (North)
Address Devas Street, Manchester M15 6EX
Tel 0161 953 1180
Website www.aqa.org.uk

City & Guilds
Address 1 Giltspur Street, London EC1A 9DD
Tel 020 7294 2800
Website www.cityandguilds.com

Edexcel
Address 190 High Holborn, London WC1V 7BH
Website www.edexcel.com

OCR
Address Syndicate Buildings, 1 Hills Road, Cambridge CB1 2EU
Tel 01223 553 998
Website www.ocr.org.uk

Education advice

Advisory Centre for Education - independent advice for parents on education issues:
<http://www.ace-ed.org.uk/>

Department of Education - responsible for education and children's services in England:
[Department for Education - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Education Otherwise - a UK charity offering information and support to families providing home education:
<https://www.educationotherwise.org/>

Home Education Advisory Service - advice and practical support for families who wish to educate their children at home:

<https://www.heas.org.uk/>

National Curriculum - sets out the programmes of study and attainment targets for all subjects at all 4 key stages:

[National curriculum - GOV.UK \(www.gov.uk\)](https://www.gov.uk/national-curriculum)

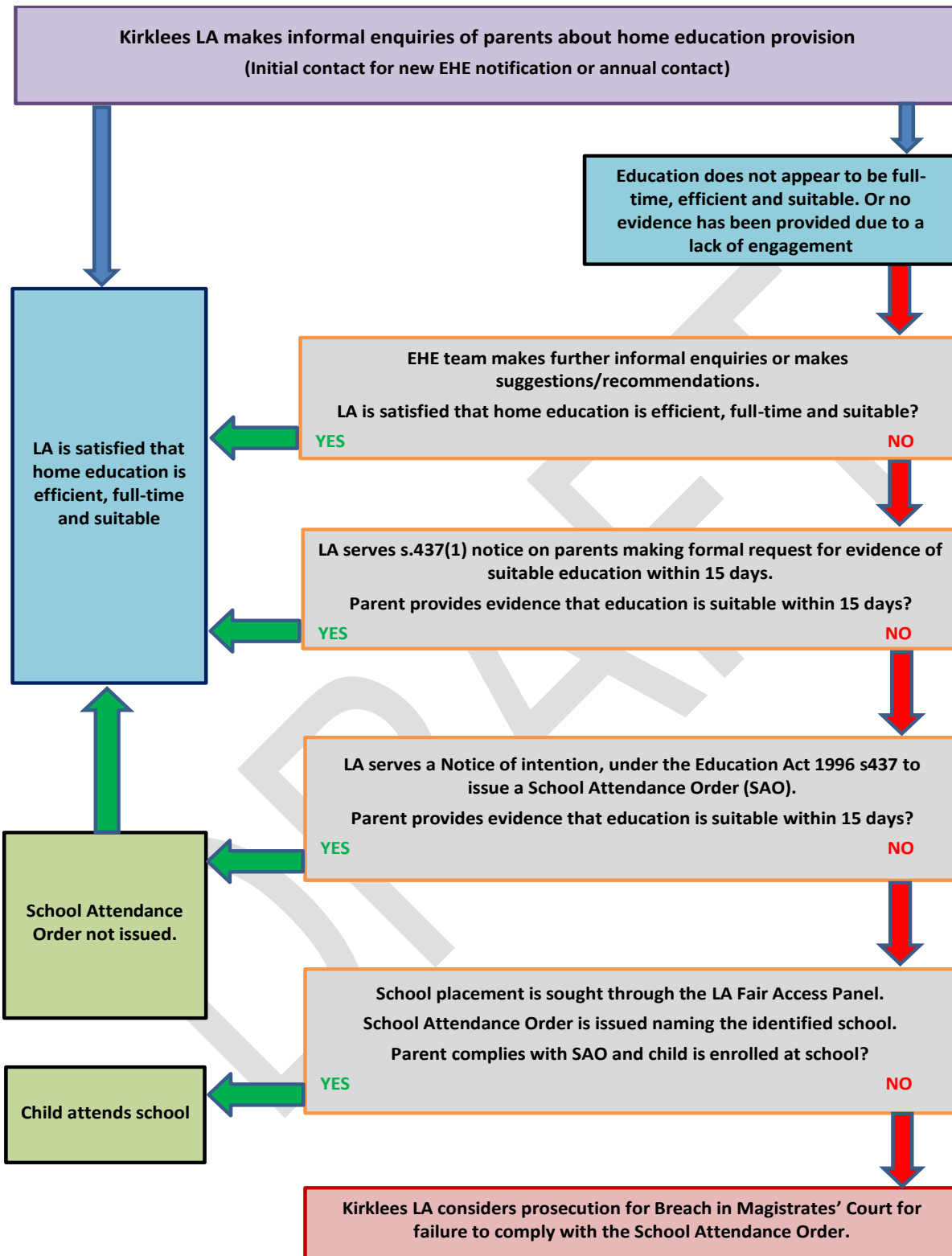
IPSEA – Independent provider of special education advice:

<https://www.ipsea.org.uk/>

DRAFT

Appendix A

Flow Chart of Local Authority Actions in Home Education Cases



Flexi-schooling

Guidance for Schools and Parents

September 2021

DRAFT

Contents

1. Flexi-schooling
2. Government Guidance
3. How a Request for flexi-schooling Should be Made
4. Recording flexi-schooling on Attendance Registers
5. Funding/Admissions
6. Flexi-schooling Agreement
7. National Curriculum/SATs
8. Children with an Education Health Care Plan, (EHCP)
9. Safeguarding
10. In Conclusion

1. Flexi-schooling

What is flexi-schooling?

Flexi-schooling describes an arrangement between the parent and school where children are registered at the school in the usual way but attend school part-time. For the rest of the time, the child is home educated.

Unlike full-time home education, any agreement between parents and a school for the child to be flexi-schooled is at the Head Teacher's discretion. Flexi-schooling can be a long-term arrangement or a short-term measure for a particular reason. The child will be required to follow the National Curriculum whilst at school, but not whilst they are being educated at home.

There may be many reasons why parents may want to arrange flexi-schooling for their children, for example:

- illness,
- a desire to home educate while making use of the school for some subjects,
- school phobia/refusal,
- allowing time for a special ability, such as music, sport etc.,
- a phased return to school after an absence for some reason.

Flexi-schooling is also different from a temporary reduced timetable. Reduced timetables are put in place on an exceptional basis for a time-limited period for circumstances such as medical intervention or to meet a pupil's individual needs. For more details on this please see Kirklees Reduced Timetables Guidance for Schools: <http://kirkleesbusinesssolutions.uk/Page/13204>

The responsibility for setting up and monitoring the suitability of the flexi-schooling agreement lies with the school and not the Local Authority.

The decision to undertake flexi-schooling should only be considered if there are positive reasons for doing so and where all parties agree that such an arrangement is in the best interests of the child.

2. Government Guidance

There is no legislation or case law that either forbids or authorises flexi-schooling. Parents are under a legal duty to ensure that any child of compulsory school age receives full-time education which is suitable to their age, ability, aptitude and any special educational needs that they may have, either by regular attendance at school or otherwise.

3. How a Request for Flexi-schooling Should be Made

Arrangements for flexi-schooling can only be made at the request of a parent or carer with parental responsibility.

If a parent/carer is interested in making a flexi-schooling request, the Head Teacher of the child's actual or prospective school should be contacted so that the proposal may be considered.

Parents do not have a legal right to have a flexi-schooling arrangement. Flexi-schooling is an arrangement between the school and the parent of a registered pupil and is entered into at the complete discretion of the Head Teacher.

The Governing Body may be involved in agreeing and reviewing a general approach to requests for flexi-schooling, but this does not exempt the Head Teacher from the need to consider each request individually. The whole Governing Body should not become involved in individual cases and cannot overturn a Head Teacher's decision.

There is no right of appeal against the decision of a Head Teacher not to agree to a flexi-schooling request.

4. Recording Flexi-schooling on Attendance Registers

Schools must mark the register code C, (authorised absence), where pupils are home educated during school hours. It is not appropriate to mark this time as 'approved off-site activity' as the school has no supervisory role in the child's education at such times and has no responsibility for the welfare of the child while he or she is at home.

Some schools have expressed concern that such absence may have a detrimental effect on Ofsted inspections. This is not necessarily the case; some schools with significant flexi-schooling numbers have had good outcomes from Ofsted inspections. <https://hollinsclough.staffs.sch.uk/flexi-schooling/>

Schools which have flexi-schooled pupils should be ready to discuss with Ofsted inspectors the arrangements they have in place to deal with the requirements caused by such pupils. Schools are held to account through inspection for the performance of pupils, and that will include any who attend the school as part of a programme of flexi-schooling.

5. Funding/Admissions

Children who attend part-time under a flexi-schooling arrangement are funded in the same way as pupils attending school full-time.

Children who attend part-time under a flexi-schooling arrangement are subject to the same school admission processes as other children and are counted in the same way as a child who attends full-time.

Flexi-schooled children are included in census count returns as for other children.

6. Flexi-schooling agreement

In all cases where flexi-schooling is agreed upon, it is recommended that the school has a written agreement with the parents/carers so that expectations and arrangements are clear for both parties. Such an agreement is likely to include:

- the normal expected pattern of attendance at school and the initial term of the agreement,
- the rationale for why the flexi-schooling arrangement is in the best interests of the pupil concerned,
- procedures for flexibility around special events which fall outside the normal arrangement,
- that the school will follow up any unexpected or unexplained absence in the same way as it does for other children, following the First Day calling procedures,
- details of what areas or subjects will be studied at home, or away from the school site and what areas or subjects will be taught in school,
- details of how the pupil will be assessed and arrangements for public assessments and examinations,
- an agreement that if the parent/carer chooses to employ other people to educate their child at home, they will be responsible for making sure that those whom they engage are suitable to have access to children, (through DBS checks), and will be responsible for meeting all costs related to this decision,
- details of any special educational needs and associated provision,
- arrangements for regular planning and review meetings between parent/carer and school to ensure the child achieves his/her potential and to promote good home/school relationships,
- how often and under what circumstances full reviews of the flexi-schooling arrangements will be carried out,
- confirmation that the school will notify Kirklees Council of the agreement, and of any concerns it may have about the suitability of the education being provided at home. Kirklees Council will also be informed, in advance, if the flexi-schooling arrangement is to be withdrawn and/or termination of the agreement.
- clarity about the circumstances under which and with what notice either party can withdraw from the arrangement.

If a parent refuses to sign the flexi-schooling agreement, then it must be made clear to the parent that the school will not enter into flexi-schooling arrangements. Similarly, if the parent fails to follow the terms of the agreement, the school must inform the parent that the flexi-schooling arrangement will be discontinued. The child is then required to attend school on a full-time basis - unless the school receives written notification from the child's parent that they have chosen to withdraw the child from school to home educate their child. The school will inform Kirklees Council of this decision to ensure the child is receiving a suitable education.

7. National Curriculum/SATs

The National Curriculum applies to the school-based part but not necessarily the non-school based part. In law, the National Curriculum does not apply to the non-school

based part of the education of a flexi-schooled child unless this was part of the arrangement/agreement between the school and the parent.

SATs are a statutory requirement for schools, so the normal rules apply, and the child will be expected to sit them all.

8. Children with an Education Health Care Plan, (EHCP)

Where a child has an Education Health Care Plan, (EHCP), the decision to flexi-school must be taken in conjunction with the Special Educational Needs and Disability Assessment and Commissioning Team, (SENDACT). Where flexi-schooling is agreed for a child with an EHCP, this should be recorded on the plan and progress monitored through the usual annual review process. It is not necessary to wait for the EHCP amendments to be made before the agreed flexi-school arrangement can commence.

There needs to be a clear agreement of how the Special Educational Needs provision will be provided for a child who is not attending on-site for all school sessions. It is strongly recommended that those children with a flexi-schooling arrangement have their EHCPs reviewed on a more regular basis than for those attending school full-time. This will ensure they are making full and effective progress towards their objectives or outcomes.

9. Safeguarding

The safeguarding of any child should always be of paramount importance. Therefore, any decisions should be taken with any known and existing safeguarding concerns in mind. Where a child attends another setting on those days when not in school, it is incumbent on the parent to ensure the adequacy of the safeguarding arrangements in operation at this setting. The Head Teacher should, however, still act in response to any concerns that arise and follow the schools normal safeguarding procedures.

10. In conclusion

The decision to embark upon a period of flexi-schooling should never be taken lightly. It should only be considered when the reasons for doing so are entirely positive. A parent/carer must be confident that he or she can meet the educational needs of the child fully and a school must understand and accept the fact that, if arrangements are agreed upon, the school will retain the responsibility for the child's progress. It has been shown that such arrangements, kept under review, can work well.

CHILDREN'S SCRUTINY PANEL – WORK PROGRAMME 2021/22

MEMBERS: Cllr Andrew Marchington (Chair), Cllr Jackie Ramsay, Cllr Elizabeth Reynolds, Cllr Joshua Sheard, Cllr Richard Smith, Cllr Paul White, Linda Summers (Education Co-Optee), Dale O'Neill (Co-Optee), Toni Bromley (Co-Optee)

SUPPORT: Helen Kilroy, Assistant Democracy Manager and Nicola Sylvester, Democracy Officer

FULL PANEL DISCUSSION		
ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
<p>1. Review of the Improvement Journey</p>	<p>The Panel will continue to review the Improvement Journey of Children's Services until they have achieved an 'excellent' Ofsted rating, including receiving regular updates on how this is being achieved.</p>	<p>(Lead Officer: Mel Meggs/Service Directors)</p> <p>Informal meeting on 1st September 2021 The Panel considered a copy of the Front Door Peer Review feedback letter from the ADCS for information.</p> <p>Panel meeting on 15th September 2021 The Panel considered an Update of the Peer Review (Health Check) - Duty and Advice that took place in May 2021.</p> <p>The key areas of improvement identified were:</p> <ul style="list-style-type: none"> • To ensure consent was always sought before checks were undertaken and that professionals understood consent fully, • Check whether feedback to the referrer was consistently applied, • Consider how daily performance management was proactive in timeliness for contacts to ensure proactive oversight of contacts to prevent delay, • To ensure that fathers were consistently included in the screening stage of contacts. <p>Panel meeting on 1st December 2021 The Panel will consider the letter from Ofsted on the outcome of the inspection of the Children's Service which is scheduled to take place week commencing 11th October 2021.</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
<p>2. Educational Outcomes and Kirklees Future Commission Learning Strategy</p>	<p>Educational Outcomes</p> <p>The Panel will scrutinise/consider–</p> <ul style="list-style-type: none"> - the educational outcomes of looked after children and link this to the work ongoing in the Council on the Inequalities Commission; - impact of covid on educational attainment in particular on certain groups, eg gender– what can the Council do to improve this for children post pandemic and how can children be supported; - the Panel will consider a future report on Exam Results/assessments and outcomes with examples of good practice and monitor the progress of how children in year 11 will be assessed in 2021 and 	<p>(Lead Officer: Jo Anne Sanders/Emma Brayford/Chris Jessup/Phil Mark)</p> <p>Futures Expert Strategy Group on 30th June 2021 Panel Members were invited to attend and observe and will feedback to future meeting. The Chair had attended the Futures Expert Strategy Group is next week on Wednesday 30th June and reported that there had been very positive engagement from school leaders and officers at the meeting. The Panel was informed that it was confirmed at the session that all information had been investigated and that they had found that no children were at risk.</p> <p>Informal Panel meeting on 28th July The Panel considered an update on the Kirklees Future Commission Learning Strategy, focusing on the aims of the Strategy and how these were arrived at, what will be achieved and how will the aims be met and assessed and measured. The Panel agreed to submit questions of any further information they wished to scrutinise and the Lead Member agreed to keep a watching brief on the Learning Strategy and its development.</p> <p>The Panel agreed to consider Relationships with Academies and Multi-Academy Trusts to look at educational outcomes for children and young people, admission policies, number of school places available and how impacting on maintained schools.</p> <p>Panel meeting on 30th March 2022 The Panel will consider a report on educational outcomes including information on youngsters not in education, employment or training and pathways to transition to next phase of education (KS4 and KS5).</p> <p>Chair of Panel to report back to future meetings on issues of relevance considered by the Quality Assurance Panel.</p> <p>That a representation from the Panel be invited to attend the Launch of the Learning Strategy and other relevant partnership meetings.</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
	<p>how grades will be decided;</p> <ul style="list-style-type: none"> - the longer-term effect of Covid on educational outcomes including the levels of family income and digital inclusion opportunities. <p>Kirklees Future Commission Learning Strategy</p> <p>The Panel were informed that a report was scheduled for Cabinet on 21st September 2021 prior to consultation with schools.</p> <p>The Panel will scrutinise/consider–</p> <ul style="list-style-type: none"> - closing the attainment gap which the Panel were informed would be a priority in the Strategy; - the Panel understand that the Learning strategy will be focusing on early years groups and want to explore 	<p>The Panel received a copy of the report on “Our Kirklees Futures - the Kirklees Learning Strategy” scheduled for decision by Cabinet on the 5th October 2021 which summarised its co-production and development and outlined the future strategic approach to learning in Kirklees. The report requested approval for the Council to adopt the strategy and sought delegated authority to progress with our key strategic partners the implementation and planned delivery of activity in line with proposed timelines and governance.</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
	<p>what difference this will make;</p> <ul style="list-style-type: none"> - updates on the development of the Kirklees Council Education Futures and the proposed approach and timeline; - Relationships with Academies and Multi-Academy Trusts, eg admission policies, number of school places available and how impacting maintained schools nearby. 	
<p>3. Multisystemic therapies (MSTs)</p> <p>Wellbeing and Mental Health of</p>	<p>The Panel will scrutinise/consider the following on MSTs</p> <ul style="list-style-type: none"> - the cost benefit of MST's and the cost effectiveness of what has been implemented; <p>The Panel will scrutinise/consider the following in relation to the</p>	<p>(Lead Officer: Tom Brailsford/Elaine McShane)</p> <p>The Panel will visit the Multi-systemic Therapy Team to observe and gain an understanding of the impact of the work being undertaken.</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
Children and adolescents	wellbeing and mental health of children and young people - <ul style="list-style-type: none"> - the prevention initiatives to solve the problems experienced by children in Kirklees with mental health; - mental health provision provided by the different teams and providers who support this work, including the links to educational outcomes and access to CAMHS; - how many families had received treatment and how successful and cost effective it had been; - The mental health of children in care in residential children's homes. 	
4. Number of children in care	The Panel will continue to scrutinise/consider via the Corporate Parenting Board and Lead Member Briefings – <ul style="list-style-type: none"> - That the Lead Member would keep a watching 	(Lead Officer: Elaine McShane/Ophelia Rix) Members of the Panel who attend the Corporate Parenting Board will ask questions through the Chair of the Board in relation to performance information and report back on any issues to the Children's Scrutiny Panel.

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
	<p>brief on children in care under 1 year old;</p> <ul style="list-style-type: none"> - information relating to the differences in the number of children in care within Kirklees compared with statistical neighbours; - The Panel will explore whether the Children’s Service have responsibility for homeless children on the register for accommodation who are at risk of malnutrition and are vulnerable. 	
<p>5. Youth Justice Plan (Services and Initiatives) and Anti-Social Behaviour</p>	<p>The Panel was informed that a report was scheduled for Cabinet on 31st August 2021 and that comments in advance would be welcomed from the Panel. The Cabinet report will cover the plan for the next 12 months, the Council’s priorities on the focus of youth justice and children making their first offence.</p> <p>The Panel will scrutinise/consider –</p>	<p>(Lead Officers: Ian Mottershaw / Lisa Warnes/Elaine McShane)</p> <p><u>Panel meeting on 28th July 2021</u></p> <p>The Panel considered a verbal update on the Youth Justice Plan.</p> <p>The Panel will visit the Youth Engagement Service, Exploitation Screening Panel and Youth Justice Service on the 18th November 2021 and will meet with Team Managers.</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
	<ul style="list-style-type: none"> - The effectiveness of the model following its introduction; - The key areas outlined in the Cabinet report; - the Youth Practice Model, providing input into the development of the model with a view to scrutinising the effectiveness of the model following its introduction (based on data/evidence). 	
6. Partnership arrangements	<p>The Panel will continue to scrutinise partnerships and boards during the 2021/22 municipal year, for example, Corporate Parenting Board and Health and Wellbeing Board, visits to internal teams and partners and the Panel will look at how data was collected and used to improve outcomes.</p> <p>*** (see last page)</p>	(Lead Officers: Elaine McShane/Jo Sanders/Tom Brailsford)
7. Special Educational Needs and High Needs	<p>The Panel agreed to scrutinise</p> <ul style="list-style-type: none"> - - a future report on how the recommendations of the 	<p>(Lead Officer: Kelsey Clark-Davies/Paul Harris/Jo-Anne Sanders)</p> <p>Panel Meeting on 5th January 2022</p> <p>The Panel will consider an update on the SEND Peer Review.</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
	<p>SENDACT report to Cabinet on 19th March 2019 has been implemented, including a progress update;</p> <ul style="list-style-type: none"> - that the Panel seek feedback from parents (PCAN) who had been consulted as part of the Adhoc Panel on SEND – the parent’s perspective. - SEND Transport Scheme – Travel Assessment Unit – scrutiny of procedural changes to different ways to transport children to school (new item at request of Cllr Smaje/Cllr Mather) – Cllr Mather to explore further and confirm if wishes to raise with Scrutiny 	<p>The Panel will be invited to attend the SEND Transformation and Commissioning Group in the autumn of 2021 and will report back to the Panel.</p> <p>The Panel will meet with the Local Offer Team to discuss the inclusive support offer for SEND professionals.</p> <p>The Panel will meet with parents via PCAN who had been consulted as part of the Adhoc Panel on the report on ‘SENDACT– the parent’s perspective’ which was approved by Cabinet in March 2019 and seek their feedback on whether the service has improved for them and what it feels like to engage and access the service/front door.</p> <p>The Panel may also attend PCAN’s Annual General Meeting to meet with parents face to face.</p>
<p>8. Performance Information (Children’s Services)</p>	<p>The Panel will continue to monitor the performance of the Learning Early Support Service and Child Protection & Family Support in the Informal meetings. **</p>	<p>(Lead Officers: Jo-Anne Sanders/Elaine McShane/Tom Brailsford – supported by Lucy Tiffany)</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
<p>9. Elective Home Education</p>	<p>The Panel was informed that a report would be considered by Cabinet in October 2021 on Elective Home Education Policy.</p> <p>The Panel agreed to scrutinise</p> <p>–</p> <ul style="list-style-type: none"> - The Panel noted that an increasing number of parents were opting out of mainstream education for their children and agreed to explore the reasons for this and seek feedback from the One Voice Team who engage with young people who are being home education to seek the views from young people who are being home educated. - The Panel will seek feedback from parents involved in the EHE Adhoc Panel to get their views on progress and the current 	<p>(Lead Officer: Jo-Anne Sanders/Diane Yates/Kelsey Clark-Davies)</p> <p>The Chair will consider the report to Cabinet in September 2021 and discuss key issues with Panel.</p> <p><u>Panel meeting on 20th October 2021</u></p> <p>The Panel will consider the report on Elective Home Education Policy scheduled for consideration by Cabinet on the 5th October 2021. The report to Cabinet will propose the new Elective Home Education Policy and consider the adoption of the policy.</p> <p><u>Panel meeting on 1st December 2021</u></p> <p>The Panel will consider a report giving a progress update against the recommendations in the Adhoc Panel report on Elective Home Education that was agreed by Cabinet in December 2020.</p> <p>The Panel will liaise with the One Voice Team to engage with young people to seek their views on being home educated.</p> <p>The Panel will meet with parents who were involved in the Adhoc Panel on Elective Home Education to seek feedback from them on how well the Action Plan agreed at Cabinet in December 2020 has been progressed and implemented.</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
	<p>situation from their perspective.</p> <ul style="list-style-type: none"> - The Panel will consider an update on progress against the recommendations in the Adhoc Panel report on Elective Home Education. 	
<p>10. Fostering and Adoption</p>	<p>The Panel agreed to scrutinise via the Corporate Parenting Board on the following and Panel Members will report back on key issues:-</p> <ul style="list-style-type: none"> - How to open up fostering opportunities in terms of accommodation; - Barriers to recruitment and retention. 	
<p>11. Voice of the Child</p>	<p>The Panel agreed to keep a watching brief on all areas of scrutiny by the Panel and explore whether the voice of the child was being heard and lessons learned.</p>	<p>(Lead Officers: M Meggs/J Sanders/E McShane/T Brailsford)</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
<p>12. Representation by the Panel at meetings, events and visits to internal teams and external providers</p>	<p>The Panel agreed to undertake visits to both internal teams and services and external providers as required to observe and scrutinise.</p> <p>The panel agreed to undertake visits to internal teams and external partners including attending and observing meetings already scheduled and focus on the following areas:-</p> <ul style="list-style-type: none"> • Data collection • Partnership working • Voice of the young person • Good practice • Delivery of quality service 	<p>Corporate Parenting Board – Cllr Marchington (ex-officio) and Dale O’Neill would attend the meetings of the Board to provide scrutiny on behalf of the children’s scrutiny Panel and feedback to the Panel as appropriate.</p> <p>Liquid Logic/Tableau – the Panel will visit the front door on the 14th October 2021 to see how the system works on a daily basis and how the data was being used to improve performance and manage services. The Panel will also visit an online Weekly Referral meeting on the 11th October 2021.</p> <p>The Panel will attend the Liquid Logic Group chaired by Ophelia Rix in the near future.</p> <p>Social Workers – the Panel attended a visit to Social Workers at the Advice and Duty Team at Slaithwaite Town Hall on the 21st September and met with Duty Managers and Social Workers to discuss a range of issues including the voice of the child and working arrangements and development opportunities for staff. In addition, the Panel will visit the Advice and Duty team in Batley and meet with social workers and duty managers.</p> <p>Children’s and Young People’s Partnership Event on the 21st June 2021– the Panel agreed to send representatives from the Panel to attend this event and report back to the Panel.</p>
<p>13. Engagement of Families together</p>	<p>The panel agreed to scrutinise/consider:-</p> <ul style="list-style-type: none"> - A narrative to explain how and when a family of 4 (2 working parents and 2 school age children) on a minimum wage would be 	<p>(Lead Officers: Michelle Wheatcroft/Jackie Beever/ Jo Sanders)</p> <p><u>Panel Meeting on 28th July 2021</u></p> <p>The Panel agreed to revise the areas of focus for scrutiny as outlined in “approach/areas of focus” column.</p> <p>The Panel has been invited to attend a session with Councillors during either September or October 2021 organised by Officers to give an update on the implementation of the Families Together Scheme.</p>

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
	<p>able to access help from the hubs when they needed it; to include examples of where families and Councillors were engaging with the hubs and where this was working well.</p> <ul style="list-style-type: none"> - An explanation of how families together scheme had been modelled and framed in terms of who would access the hubs most and at what times, eg people who work during the day and how activities and services would be planned and publicised. - that the issue of prevention work around mental health and trauma experienced by children be built into the overall early help offer. - that information be provided for families on how and when they could 	

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
	access all the services on offer and that examples be given of how the services would relate to families. - a future update on how the voice of the child would be taken into account in the work of the engagement of families together scheme.	
<p align="center">Lead Member Briefings (Bi-monthly LM Briefings with Cabinet Members for Learning and Children’s; and Mel Meggs/Elaine McShane, Tom Brailsford and Jo-Anne Sanders during 21/22) – Actions from these meetings will be included within the Panel’s Work Programme where appropriate</p>		
Children in care under 1 year old	The Lead Member will keep a watching brief on children in care under 1 year old.	(Lead Officer: Elaine McShane)
Children transferred from Almondbury Community School	The Lead Member agreed to keep a watching brief with regard to what the educational impact had been for the children who had transferred from Almondbury Community School to alternate schools and to ensure that the children were getting the right amount of results and opportunities.	(Lead Officer: Martin Wilby)

FULL PANEL DISCUSSION

ISSUE	APPROACH/AREAS OF FOCUS	OUTCOMES
Staying Put Policy	<p>The Panel were informed that a report was scheduled for Cabinet on the 27th July 2021 on the Staying Put Policy.</p> <p>The Lead Member agreed to keep a watching brief on the Staying Put Policy.</p>	<p>(Lead Officer: Elaine McShane)</p>
Petition – St John’s (CE) Junior School	<p>The Council received a petition objecting to the council’s decision at Cabinet in September 2020 not to allow St John’s Infant school to be made available for junior places in September 2021. The Lead Member will keep a watching brief with regard to the issues raised within the petition from a scrutiny perspective.</p>	<p>(Lead Officer: Martin Wilby)</p> <p>The petition did not reveal anything material that was not revealed in the non-statutory consultation which had already been undertaken in the lead up to the September 2020 cabinet report. This report made clear the right of the Governing Body of St. John’s CE(VC) Infant school, with approval from the Diocese, to publish their own statutory proposals. They exercised this right on 29 April 2021. This triggered an LA decision making process (as the LA remained the decision maker) which led to a cabinet decision on 27 July 2021. Link to the recent cabinet report and decision (item 14): https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=139&MId=6729&Ver=4</p> <p>The Governing Body or Diocese now have the right to appeal the decision made by cabinet to the Schools Adjudicator, should they wish.</p>

** It is suggested that arrangements be made for representatives from the Panel to attend relevant meetings of Partnership bodies to ensure relevant scrutiny of performance data and information is being effectively scrutinised “upstream”. This will not prevent onward referral to the Panel where appropriate but will act as a means of avoiding un-necessary duplication.

Children's Scrutiny Panel

Agenda Plan 2021/22

Date of Meeting	Issues for Consideration	Officer Contact
14th June 2021 Informal Meeting 11 am Virtual meeting	(with Panel and Officers) To consider main focus areas for Panel during 2021/22 municipal year.	Helen Kilroy
16th June 2021 Informal meeting 2pm Virtual meeting	(with Panel only) To agree and sign off priority areas of focus for Panel during 2021/22 municipal year.	Helen Kilroy
28 July 2021 1.15pm -2.15pm Informal meeting 2.15pm-3.45pm Public meeting Virtual Meeting Report deadline: 16th July 2021	<p style="text-align: center;">Informal items:-</p> <p style="text-align: center;">Ambition Board Minutes (March & June 2021)</p> <p style="text-align: center;">Performance report</p> <p style="text-align: center;">Kirklees Future Commission Learning Strategy (verbal presentation)</p> <p style="text-align: center;">Public Items:</p> <p style="text-align: center;">Number of Children in Care</p> <p style="text-align: center;">Youth Justice Plan (verbal presentation)</p>	<p style="text-align: center;">H Kilroy</p> <p style="text-align: center;">J Sanders/E McShane to present</p> <p style="text-align: center;">Jo Sanders/Emma Brayford/Chris Jessup</p> <p style="text-align: center;">E McShane/O Rix</p> <p style="text-align: center;">Ian Mottershaw / Lisa Warnes/Elaine McShane</p>

Date of Meeting	Issues for Consideration	Officer Contact
<p>15 September 2021</p> <p>1.15pm -2.15pm Informal meeting</p> <p>2.15pm-3.45pm Public meeting Virtual Meeting</p> <p>Report deadline: 3rd Sept 2021</p>	<p>Informal items:</p> <p>Performance report</p> <p>Public Items:</p> <p>Feedback from Panel Members on issues considered by Corporate Parenting Board</p> <p>Update of Peer Review (Health Check) – Duty and Advice</p>	<p>T Brailsford/J Sanders/E McShane to present (S Grigg to provide report)</p> <p>Panel Members</p> <p>Charlotte Jackson</p>
<p>20th October 2021</p> <p>1.15pm -2.15pm Informal meeting</p> <p>2.15pm-3.45pm Public meeting</p> <p>Hybrid Meeting</p> <p>Report deadline: 8th October 2021</p>	<p>Informal items:</p> <p>Performance report</p> <p>Youth Places to Go - Grants scheme for organisations working with children and young people</p> <p>Early Support meetings and events for attendance by Panel Members</p> <p>Public Items:</p> <p>Elective Home Education Policy – Cabinet report</p> <p>Feedback from Panel Members on issues considered by Corporate Parenting Board</p>	<p>T Brailsford/J Sanders/E McShane to present (S Grigg to provide report)</p> <p>Luke Wielgus/Michelle Wheatcroft</p> <p>Helen Kilroy</p> <p>Diane Yates</p> <p>Panel Members</p>

Date of Meeting	Issues for Consideration	Officer Contact
<p>1st December 2021</p> <p>1.30pm -2.30pm Informal meeting</p> <p>2.30pm- 3.30pm Public meeting</p> <p>Virtual Meeting</p> <p>Report deadline 19.11.21</p>	<p>Informal items:</p> <p>Performance report</p> <p>Ambition Board Minutes (Sept 21)</p> <p>Public Items:</p> <p>Feedback from Panel Members on issues considered by Corporate Parenting Board</p> <p>Elective Home Education – progress update on Recommendations of Adhoc Panel Action Plan</p> <p>Outcome of Ofsted inspection of Children’s Services (Oct 21)</p>	<p>T Brailsford/J Sanders/E McShane to present (S Grigg to provide report)</p> <p>H Kilroy</p> <p>Panel Members</p> <p>Diane Yates/Kelsey Clark-Davies</p> <p>Mel Meggs/Service Directors</p>
<p>5th January 2022</p> <p>1.15pm-2.15pm Informal meeting</p> <p>2.15pm-3.15pm Public meeting</p> <p>Virtual Meeting</p> <p>Report deadline: 21st December 2021</p>	<p>Informal Items</p> <p>Performance report</p> <p>Public Items:</p> <p>Feedback from Panel Members on issues considered by Corporate Parenting Board</p> <p>SEND Peer Review - outcome</p>	<p>T Brailsford/J Sanders/E McShane to present (S Grigg to provide report)</p> <p>Panel Members</p> <p>Kelsey Clark-Davies/Paul Harris</p>

Date of Meeting	Issues for Consideration	Officer Contact
<p>30th March 2022</p> <p>1.15pm-2.15pm Informal meeting</p> <p>2.15pm-3.45pm Public meeting</p> <p>Virtual Meeting</p> <p>Report deadline: 18th March 2021</p>	<p>Informal Items</p> <p>Performance report</p> <p>Public Items:</p> <p>Feedback from Panel Members on issues considered by Corporate Parenting Board</p> <p>Educational Outcomes – update</p> <p>Standing Advisory Council on Religious Education (SACRE) Annual Report (to be confirmed)</p>	<p>T Brailsford/J Sanders/E McShane to present (S Grigg to provide report)</p> <p>Panel Members</p> <p>Emma Brayford/Phil Mark/ Chris Jessup</p> <p>Jo Sanders (Ian Ross & Alistair Ross)</p>