

Report of Elective Home Education Ad Hoc Scrutiny Panel March 2020

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1. FOREWORD

- 1.1 I would like to thank all those who provided evidence to the Panel, particularly the young people and their parents who were open and direct in their contributions; helping Members to understand the reasons behind their decision to home educate, the benefits, and the challenges they faced as a result. Thanks are also extended to; Fiona Nicholson, who created the 'Ed Yourself' website; representatives of Calderdale & Kirklees Careers Service; officers from the other West Yorkshire authorities; a number of schools within the district; and officers from within the service area responsible for elective home education, who provided evidence to the Panel.
- 1.2 I would also like to thank the Members of the Ad Hoc Scrutiny Panel for the time they have invested and the contributions they have made to the process and the production of this final report.
- 1.3 From the start, Members recognised that a number of families made a positive choice to home educate but there were some who found themselves in that position through circumstance, and they were keen to ensure that appropriate support was available to all these children.
- 1.4 The Panel has now completed its work and has made a number of recommendations. These have been incorporated in an Action Plan (appended to the final report), which will be monitored by the Children's Scrutiny Panel.

2. INTRODUCTION, TERMS OF REFERENCE & METHODOLOGY

- 2.1 In July 2017, the Director of Children's Services met with the Chair of the Children's Scrutiny Panel and suggested that Elective Home Education (EHE) be added to the Panel's Work Programme. A report was subsequently submitted to the meeting of the Panel, held on 6th November 2017, which provided background information to the topic, including an overview of the legislative framework and the current practice in Kirklees.
- 2.2 The Panel was informed that there were increasing numbers of home educated children in Kirklees; a trend which was reflected in the figures of both neighbouring authorities and nationally.
- 2.3 The report explained that the rights of parents that had chosen to home educate their children was fully respected. Kirklees was aware of many excellent examples of home education and acknowledged that learning took place in a wide variety of environments. There was a strong commitment to supporting children, young people and their families who had chosen to home educate and it was considered that opportunities existed to engage positively with Kirklees' home educating families in a more creative way.

- 2.4 Officers therefore wished to undertake a review of the relevant protocols and the support currently provided, in consultation with local home educating parents, with the aim of developing the offer to try and ensure that Kirklees supported families so that the best possible outcomes, for children who were electively home educated, could be achieved.
- 2.5 Further to a discussion which covered a range of related issues, the Panel expressed the view that it was minded to form an Ad-Hoc Scrutiny Panel to allow it to consider the matter in greater depth.
- 2.6 A request was therefore made to the Overview and Scrutiny Management Committee, on 27th November 2017, where it was agreed that an Ad-Hoc Scrutiny Panel be formed to consider the issue, with the Terms of Reference set out below.
- 2.7 The members of the Ad-Hoc Panel were:
- Councillor Cahal Burke
Councillor Andrew Marchington (from June 2019)
Councillor Habiban Zaman
Councillor Lisa Holmes
Lisa Stock – Co-optee (until end 2018)
Dale O'Neill – Scrutiny Co-optee (from May 2019)
- 2.8 The Panel was supported by Yolande Myers and Sheila Dykes from the Governance Team.
- 2.9 Terms of Reference:
- To scrutinise Elective Home Education in Kirklees, with a particular focus on;
- Developing an understanding of why some parents and carers choose to home educate, and for how long children are typically home educated for.
 - Scrutinising the Local Authority's responsibilities for home educated children.
 - Scrutinising how the Local Authority identifies, supports and ensures the safety and wellbeing of electively home educated children.
 - Scrutinising elective home educated children's progression onto further education and employment and the outcomes achieved at Key Stage 4 & 5.

2.10 Between October 2017 and December 2019, the Panel used a range of methods to gather the evidence used to inform this report, with the following people attending one or more meetings to give evidence:

Steve Walker – former Director of Children’s Services

Mandy Cameron – former Head of Service, Education, Safeguarding & Inclusion

Maggie Featherstone - Portfolio Manager: Education Safeguarding Service

Diane Yates – Acting Portfolio Manager (EHE Lead)

Nathaniel McGowan - Calderdale & Kirklees Careers

Louise Nellist – Calderdale & Kirklees Careers

Fiona Nicholson – Creator and curator of the ‘Ed Yourself’ website and an acknowledged expert on the subject of home education.

A number of parents who were home educating.

2.11 Arrangements were made for the Panel to meet with parents of electively home educated children at three drop-in events in September and December 2018. The Panel also received information from parents who had previously home educated, in relation to the educational and employment achievements of their children. The Panel was very grateful to all these parents for taking the time to meet with them to outline their experiences of home educating in a frank and open manner.

2.12 The Panel also met with officers from Calderdale & Kirklees Careers, in October 2018, who outlined the support on offer to home educated children within the age range of the equivalent Key Stage 4 cohort (School Years 10 and 11). This evidence was supplemented by correspondence by e-mail in January 2020.

2.13 The Panel met with Fiona Nicholson (Ed Yourself) and two current home educators, in September 2019, and discussed the impact of the guidance issued by the Department for Education in April 2019 and good practice in respect of support for home educators.

2.14 Information was gathered from adjacent Local Authorities, through a pro-forma questionnaire, to ascertain their offer to home educating families.

2.15 A number of schools, from primary, middle and secondary sectors within Kirklees were also asked to respond to a number of questions related to the Panel’s enquiries.

2.16 Input was also sought from young people with direct experience of home education, who were most helpful in providing responses to the Panel’s areas of interest. Again, the Panel were very grateful to these individuals for their contributions.

3. BACKGROUND INFORMATION

- 3.1 Elective home education (EHE) is the term used by the Department for Education (DfE) to describe a parental decision to provide education for their children at home instead of sending them to school. This is different to home tuition provided by a Local Authority, or education provided by a Local Authority other than at a school.
- 3.2 Home education is an option that any family may consider for their children. There are many reasons for deciding on this approach, as there are methods of education undertaken.
- 3.3 Research indicates that the number of home educated children has increased in recent years.
(Association of Directors of Children's Service (ADCS) Home Education Survey 2019
https://adcs.org.uk/assets/documentation/ADCS_Elective_Home_Education_Survey_Analysis_FINAL.pdf)
- 3.4 Registration is voluntary, however, so it is likely that the numbers may be underestimated. Schools are obliged to inform the Local Authority of children removed from roll but there is no obligation on parents of those who have never been enrolled at school to register and the Local Authority may therefore not be aware of them.
- 3.5 Parents may decide to exercise their right to home educate their child from a very early age. They may also elect to home educate at any other stage up to the end of compulsory school age. Parents are not required to register or seek approval from the local authority to educate their children at home. These rights apply equally where a child has Special Educational Needs (SEN), although if a child attends a special school and this was arranged by the local authority, then the local authority's permission must be sought before they can be removed from roll. The education provided must be suitable to the child's age, ability, aptitude and SEN.
- 3.6 The key stage data collected by the ADCS survey indicated that the most common key stages for home educated children were KS3 (Years 7-9) and 4 (Years 10-11).
- 3.7 When parents choose to home educate their children they assume financial responsibility for their children's education.

Legislation and related guidance

- 3.8 Section 7 of the Education Act 1996 provides that: "The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable - (a) to his age, ability and aptitude, and (b) to any special educational needs he may have, either by regular attendance at school or otherwise."

There is no definition of 'suitable', 'efficient' or 'full time' in statute law.

- 3.9 In April 2019 the Government published new guidance in the form of two documents; one for Local Authorities;
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791527/Elective_home_education_guidance_for_LAv2.0.pdf)
and one for Parents;
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791528/EHE_guidance_for_parentsafterconsultationv2.2.pdf)
- 3.10 This is non-statutory guidance but sets out the view of the DfE on how local authorities should manage elective home education.
- 3.11 The guidance for local authorities emphasises that educating parents may adopt a variety of approaches and one approach is not necessarily more effective than another. It also explains that there are no specific legal requirements in respect of the content of home education, which means that it does not need to: include any particular subjects; have reference to the National Curriculum; or to follow a 'school day', and that approaches should be judged by outcomes.
- 3.12 The April 2019 guidance documents address the issues of 'suitable', 'efficient' and 'full time'. It suggests in terms of:
- 'Suitability'; that the issues should be viewed on a spectrum and each case should rest on a balance of relevant factors depending on the circumstances of each child.
 - 'Efficient'; that the meaning is an education which achieves what it sets out to achieve, stressing that it is important that this not confused with suitability; an unsuitable education can be delivered efficiently.
 - 'Full time'; that, as with suitability, the issue should be viewed on a spectrum but, education which manifestly is not occupying a significant proportion of a child's life (making due allowance for holiday periods) will probably not meet the Section 7 requirement.
- 3.13 The April 2019 guidance (Paragraph 2.1) notes the following one or more factors that may apply in a family's decision to home educate:
- Ideological or philosophical views which favour home education or wishing to provide education which has a different basis to that normally found in schools.
 - Religious or cultural beliefs, and a wish to ensure that the child's education is aligned with these.
 - Dissatisfaction with the school system, or the school(s) at which a place is available.
 - Bullying of the child at school.
 - Health reasons, particularly mental health of the child.

- As a short-term intervention for a particular reason.
- A child's unwillingness or inability to go to school, including school phobia.
- Special educational needs, or a perceived lack of suitable provision in the school system for those needs.
- Disputes with a school over the education, special needs or behaviour of the child, in some cases resulting in 'off-rolling' or exclusion.
- Familial reasons which have nothing to do with schools or education (eg using older children educated at home as carers).
- As a stop-gap whilst awaiting a place at a school other than the one allocated.

3.14 It notes that these reasons for undertaking home education are not mutually exclusive and that, for some children, several of these factors might apply. It recommends that when local authorities engage with home-educating families they should take into account the context of individual situations. Often home education will be undertaken as a positive choice which is expected to lead to a better outcome. However, in some cases home education may be attempted as a last resort. This appears to be occurring more frequently and is likely to have implications for the quality of home education provided. Such families may require more support and guidance.

Local authorities' responsibilities

- 3.15 Local Authorities have no formal powers or duty to monitor the education being provided at home on a routine basis. However, they do have duties to make arrangements to identify children not receiving a suitable education and to intervene in cases where it appears that they are not. If a child is not attending school full-time the law does not assume that the child is not being suitably educated but requires the local authority to make enquiries about what education is being provided.
- 3.16 There are no detailed requirements in respect of how such oversight should work and it is for each local authority to decide on its approach, although the April 2019 guidance supports a proportionate approach saying that, 'where it is clear that parents are educating a child well at home, the need for contact should be minimal and not made more onerous than is required by the parents' own needs'. It recommends that an authority should ordinarily make contact with parents on at least an annual basis so that it can reasonably inform itself of the suitability of the education provided.
- 3.17 However, where it is not clear whether the education being provided is suitable, the guidance suggests that an authority should initially attempt to resolve the doubt through informal contact and enquiries. It states that local authorities should be in no doubt about the necessity for doing this, in order to facilitate an early move to formal procedures when it is not being provided, thus avoiding delay in securing a suitable education.

- 3.18 Parents are under no duty to respond to enquiries from a local authority but the 2019 guidance states that, if a parent does not respond to its enquiries about the education being provided, or responds without providing any information about the child's education, then the authority is entitled to conclude that the child is not receiving a suitable education.
- 3.19 The local authority can serve notice on a parent, under Section 437 of the Education Act 1996, if it appears that a child is not receiving a suitable education. This requires them to satisfy the authority within a specified period (of at least fifteen school days) that the child is receiving a suitable education.
- 3.20 Further to this, a School Attendance Order (SAO) can be issued as a form of intervention in such cases, requiring the parent to cause the child to become a registered pupil at a school named in the order.
- 3.21 The guidance states that, where necessary, because it is evident that a child is simply not receiving 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.
- 3.22 Local authorities 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 education authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children." Section 175(1) does not extend local authorities' functions. It does not, for example, give local authorities powers to enter the homes of, or otherwise see, children for the purposes of monitoring the provision of elective home education.
- 3.23 The April 2019 guidance (paragraph 3.6) recommends, amongst other things, that a local authority should as a minimum:
- have a written policy statement on elective home education which is clear, transparent and easily accessible by using different formats as necessary, is consistent with the current legal framework and preferably drawn up in consultation with local families who educate children at home so that it can reflect both the challenges and rewards of educating children in this way. It should take into account local circumstances and set out how the authority will seek to engage and communicate with parents;
 - set aside the resources necessary to implement its policy effectively and consistently. This is not always easy at a time of constrained resources; but effective implementation in conjunction with work in related areas such as education welfare, children missing education and admissions, can reduce spend in the longer term on families where engagement is difficult;

- consider their organisational structures for dealing with home education and the related areas mentioned above. Although parents who educate their children at home sometimes say that home education should be dealt with in isolation, the reality is that it needs a holistic approach to issues of suitability, attendance, welfare and safeguarding. All of these factors need to be in place to ensure a good education outcome;
- seek to offer guidance to all known home-educating families in their area about their rights and obligations, and also provide advice on good practice and available resources for parents who request it;
- make it clear in all documentation that the local authority sees its role in relation to home education as part of its wider responsibilities, including safeguarding, for all children living in its area;
- regularly review its elective home education policies so that they reflect current law and local circumstances, and are compatible with this guidance document; provide clear details of their complaint's procedure and deal with all complaints in a sensitive and timely manner.

3.24 It also recommends (paragraph 5.4), in terms of establishing a positive relationship with home educators that a local authority:

- should provide parents with a named contact who is familiar with home education policy and practice and has an understanding of a range of educational philosophies;
- ordinarily make contact with home educated parents on at least an annual basis, so the authority may reasonably inform itself of the current suitability of the education provided. In cases where there were no previous concerns about the education provided and no reason to think that has changed because the parents are continuing to do a good job, such contact would often be very brief;
- has a named senior officer with responsibility for elective home education policy and procedures, and the interaction with other work on issues such as children missing education, unregistered settings, vulnerable children, and welfare;
- organise training on the law and the diversity of home education methods for all officers who have contact with home-educating families, possibly in conjunction with other authorities;
- ensures that those LA staff who may be the first point of contact for a potential home-educating parent understand the right of the parent to choose home education. It is very important that parents are provided with accurate information from the outset to establish a positive foundation for the relationship. However, parents are under no obligation to accept support or advice from a local authority, and refusal to do so is not in itself evidence that the education provided is unsuitable;
- works co-operatively with other relevant agencies such as health services to identify and support children who are being home educated, within the boundaries established by data protection and other legislation.

- 3.25 In relation to funding it notes that local authorities do not receive funding to support home-educating families (except in relation to high needs SEN), and the level and type of support will therefore vary between one local authority and another. Nonetheless, it recommends that all local authorities should adopt a consistent, reasonable and flexible approach in this respect, particularly where there are minimal resource implications and, as a minimum, should provide written information (which is also available through the internet) on elective home education that is clear and accurate and which sets out the legal position.
- 3.26 In paragraph 10.18, examples of additional support that some local authorities may be able to provide, depending on resources, are given as follows:
- provision of a reading or lending library with resources for use with home educated children.
 - free, or discounted, admission into community programmes (including local authority owned community and sports facilities).
 - access to resource centres (including local school resources where feasible).
 - National Curriculum materials and curricula offered by other educational institutions.
 - information about educational visits and work experience.
 - providing assistance with identifying exam centres willing to accept external candidates.

Special Educational Needs and Disabilities (SEND)

- 3.27 Department for Education (DfE) data in respect of pupils with SEN includes the number of pupils with Education, Health and Care Plans (EHCPs) or statements taken out of school to be home educated and there has been a significant rise in the numbers nationally between 2014 and 2018, with the increase contributed mainly by mainstream schools.
- 3.28 The SEND Code of Practice (last updated Jan 2015) notes that local authorities do not have a duty to assess every home educated child to see whether they have SEN. However, it states that local authorities should work in partnership with, and support, parents to ensure that the SEN of these children are met where the local authority already knows the children have SEN or the parents have drawn the children's special needs to the authority's attention.
- 3.29 The April 2019 guidance states that local authorities should do their best to ensure that, when children with special educational needs are being educated at home, the full range of powers available are used to ensure that the education is suitable and remains so; and that their assessment of this is properly linked with the process of keeping special needs provision under review.

Off Rolling

- 3.30 Off-rolling is a phrase generally used to refer to instances where a child is withdrawn from a school by the parent as a result of pressure from the school, rather than as a purely voluntary decision.
- 3.31 The House of Commons Library Briefing 8444 explores this topic:
(<https://researchbriefings.files.parliament.uk/documents/CBP-8444/CBP-8444.pdf>)
- 3.32 In a letter to the Public Accounts Committee in October 2018 the Chief Inspector of Schools stated that Ofsted had ‘anecdotal evidence to suggest that parents are home educating under duress to prevent exclusion’. Similar concerns have also been raised by the Schools Adjudicator, and the Children’s Commissioner, in a report in February 2019. This suggested that the increase in numbers in KS4 was possibly evidence of increased off-rolling of pupils who were about to sit their GCSEs and might negatively affect a school’s results.
(<https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/02/cco-skipping-school-invisible-children-feb-2019.pdf>)

Flexi schooling

- 3.33 This term covers a situation where a child receives part of their education at school, perhaps to provide education in specific subjects. The April 2019 guidance explains that schools are under no obligation to agree to flexi schooling arrangements, although some are happy to do so. It notes that time spent by children being educated at home should be authorised as absence in the usual way and marked in attendance registers accordingly; it is not appropriate to mark this as approved off-site activity as the school has no supervisory role or responsibility for the welfare of the child while he or she is at home. It states that the Department does not propose to introduce a new specific attendance code.
- 3.34 In respect of the concern expressed by some schools that such absence may have a detrimental effect for the purpose of Ofsted inspection the guidance suggests that this is not the case; some schools with significant flexi-schooling numbers have had good outcomes from Ofsted inspections. 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.

Attainment and Outcomes

- 3.35 The DfE does not collect data on the educational attainment of home educated children which means that it is difficult to assess their attainment and outcomes.

3.36 The National Careers Service provides free confidential advice and guidance to adults and young people in England to assist in making decisions on learning, training and work opportunities. This can be accessed online, via webchat or by telephone.

Further useful/background information:

3.37 Ofsted inspections of local authorities (under S136 of the Education and Inspections Act 2006) will report on the way an authority deals with vulnerable children in its area. Home educated children are not automatically vulnerable but a number will fall within that category. Ofsted will look at the way each local authority deals with this issue, in particular the ways in which it identifies children who are not receiving suitable education, and what steps the authority takes to deal with that.

3.38 Local authorities are advised that they should keep known home educators and local home education support organisations informed of forthcoming Ofsted inspections and any input they could have, as well as notifying them in respect of outcomes of inspections.

3.39 Ofsted has no responsibility for inspecting the provision of home education, only the way local authorities deal with it in the context of their statutory responsibilities.

3.40 A further Government consultation was undertaken (closed in June 2019) which sought views in relation to: the mandatory registration of children of compulsory school age who were not registered at a state funded or registered independent school; and a duty on local authorities to provide support to home educated families if requested. No results are available at the time of writing.
(<https://consult.education.gov.uk/school-frameworks/children-not-in-school/>)

3.41 The House of Commons Library Briefing Paper 5108, published in July 2019, sets out the current position including; the rights and responsibilities of parents, the responsibilities of local authorities, national statistics, proposals for reform and related issues and reports.
(<https://researchbriefings.files.parliament.uk/documents/SN05108/SN05108.pdf>)

4. SUMMARY OF EVIDENCE

Kirklees Practice

- 4.1 A snapshot of the data records 334 electively home educated children on 1st September 2018 and 388 on 1st September 2019. (As explained earlier, this number did not include those children that the local authority was unaware of; registration was not mandatory and, although schools have a responsibility to notify Kirklees if a child is removed from their roll, if a child was home educated from the start of their education the authority would not have a record of them unless voluntarily registered by their parent/carer).
- 4.2 With, in the region of, 67,000 school age children in Kirklees, this equated to 0.57% of the school population as a whole. The Office of the Schools Adjudicator Survey, published in their Annual Report 2017/18, indicated the proportion of children who were home educated in Yorkshire and the Humber, in March 2018, to be 0.6% and nationally 0.7%.
- 4.3 In Kirklees the split of the current cohort between key stages, for the academic year 2018/19 was:

Key Stage	%
1	10.24
2	25.40
3	33.66
4	30.70

and the authority had seen an increasing number becoming home educated in Key Stage 4.

- 4.4 It was explained to the Panel that the numbers of electively home educated children varied on a frequent basis throughout the year. This was due to a range of reasons; for example, children may move out of the area and others return to school education, perhaps having been home educated as a temporary measure. For the academic year 2018-19 approximately 600 children had been registered as being electively home educated for either all, or part of, the academic year and the figures for 2017-18 were approximately 450.
- 4.5 16 children had left primary sector but not started at secondary school in September 2019. As at the end of November 2019 one had gone on roll at a secondary school. A number of children did become home educated as a temporary measure at this particular point in time and the authority worked very hard to ensure that places were freed up to minimise this.

- 4.6 As at November 2019 there were 35 children (21 families) that were registered as EHE having never been on a school roll. Of these children, 7 had been referred to the service from other agencies.
- 4.7 As at September 2019 the Panel had been told that there were 31 children with Education Health and Care Plans (EHCP) being home educated in Kirklees. (An EHCP is for children and young people aged up to 25 who need more support than is available through special educational needs support. They identify an individual's educational, health and social needs and set out the additional support to meet those needs). A much stronger relationship had been established with the parents of these children. Some children with very high needs were able to access personal budgets/support and this was dealt with by the SEN Team.
- 4.8 There was a wide range of reasons for home educating in Kirklees, including most of those set out in the April 2019 guidance. The largest number was for those with a belief in home education but there were a significant number for which the reason was unknown and a number related to issues with either health, including mental health, or issues associated with the previous school (dissatisfaction with school/bullying/at risk of exclusion/school coercion) or difficulty in accessing a school place, and a small number related to 'poor attendance – evading legal intervention'.
- 4.9 Current legislation meant that the local authority was only able to make informal enquires about children whom they knew to be home educated and guidance stated that 'parents are under no duty to respond to such enquiries'. The Panel was told that there were some families, known to be electively home educating their children in Kirklees, who did not currently engage with the Council. In 128 cases an offer to visit had been declined; 28 of these had provided reports outlining their EHE provision and there were no known concerns with the remaining cases.
- 4.10 The Panel was advised that schools were not required to give detailed information on why a child was being removed from the roll of their school. This meant that officers often had limited information about what may have happened to influence a parent's choice to electively home educate. Although contact was always made with parents following a child being taken off roll, parents were not obliged to take up the offer of a meeting.
- 4.11 Before a child was removed from the roll of a Special School a review of the Statement/EHCP took place and an agreement was sought to ensure that the child's needs could be met other than at school.
- 4.12 The Panel heard that Kirklees did not have a dedicated Elective Home Educating Team and there was no dedicated budget for EHE. Since 2015 officers who supported home educating families had been located within the Education Safeguarding and Inclusion Service Team. The officers within this team dealt with a

wide range of work and most practitioners within the team had some EHE clients within their caseload. There were regular referrals on a daily basis.

- 4.13 It was explained that the role of the Education Safeguarding and Inclusion Service Team, in respect of EHE, was, in partnership with any other relevant team or agency, to support when needed the family of a child who was being electively home educated so that they received a full time education suitable to his or her age, ability and aptitude. This role might include providing support and information for parents and linking families to other services, for example if the child had SEN.
- 4.14 When the team was made aware of a child that had become home educated an offer was made to visit the parent(s) to provide an offer of support if required.
- 4.15 If parents reported that an issue at school had led to their electively home educating their child, the team would work restoratively with the family to resolve these issues, and, where appropriate, re-engage with school.
- 4.16 In respect of how what was a 'suitable education' was assessed; practitioners within the Service would consider all the information available to them. This would include information provided by schools in the referral form; existing or previous social care involvement, school exclusion data, reduced timetable data and the reasons why home education had been chosen. In addition a 'Child Information Form' (CIF) was used (the contents of which was currently under review) to gather information during home visits or, where parents declined a visit, they were asked to complete and return the CIF.
- 4.17 During the engagement, a view was expressed by some parents that an assessor did not need to be a qualified teacher but should be someone who was familiar with EHE. The potential for recruiting from within the home educating community for this role was an option for consideration.
- 4.18 School Attendance Orders (SAO) were currently the formal means by which a Local Authority could intervene, if it appeared that a child of compulsory school age was not receiving suitable education, either by regular attendance at school or otherwise.
- 4.19 The Legal Interventions Panel, within the Service, considered any relevant cases. During 2018/19 5 SAOs had been issued, 3 of which had resulted in children returning to school and 2 concerned children that had reached the end of Year 11. The SAO process was commenced in relation to 6 other children but had not progressed to a requirement for legal action as all 6 had returned to education.
- 4.10 Members of the team had visited Leeds City Council to gather information on its practice on obtaining such orders. It was considered important that there was a clear policy in place which set out the process and included what support was

available to families. Kirklees current policy did not make reference to the use of SAOs but this was to be included when the new policy was written.

- 4.11 The Panel was informed that there was currently no facility in Kirklees for children who were electively home educated to take their GCSE's should they wish to do so. There was no requirement of children who are home educated to sit any exams, but parents and children often wanted to do so. It was recognised that many home educating parents had a preference for smaller, less intimidating, local facilities.
- 4.12 To date, officers had not been able to identify a local facility that would accommodate private candidates for exams. In attempting to do so they had identified a number of barriers affecting schools' ability to offer this facility:
- Schools being unable to authenticate some elements of exams such as practical work, coursework and non-exam assessments for external candidates.
 - There being many variables around exam boards, a school may use a number of different exam boards for different exams, therefore it is not as straightforward as accommodating a request to sit GCSE English for example.
 - 'Access arrangements' – if a child had any learning needs that may require additional support such as a reader, scribe or additional time allowance the onus would be on the school to undertake testing which needed to be done in advance and had cost implications.
- 4.13 In terms of 14 to 16 provision, at the time the Panel initially spoke to officers and Calderdale & Kirklees Careers early college transfers had not been available within Kirklees, although a number of local home educated children accessed college placements in neighbouring local authorities. There were difficulties in accessing other alternative provisions for home educated children as these were usually funded by schools. The authority worked closely with C&K Careers to share information on KS4 EHE children and contact was made with all home educating families to discuss and provide support for post 16 plans. (Note: Prior to completing its work, the Panel was made aware that a trial for pre-16 referrals had been undertaken at Kirklees College).
- 4.14 The Kirklees website was under review and the aim was to develop a more comprehensive, possibly interactive, resource. Parents had expressed a wish to be able to share information about local activities/support etc and for signposting to be provided to relevant resources and agencies.
- 4.15 Consideration was also being given to the potential for the organisation of events for home educating families, perhaps with guest speakers/training opportunities. This was highlighted on the 'Ed Yourself' website as a form of good practice and would have the benefit of serving as engagement, but with the agenda being set by the families.

- 4.16 Flexi-schooling was an area that would be considered for inclusion within the new policy but it was recognised that this sort of provision could cause issues for schools, one of which being the taking up of a full-time place. A very small number of children in Kirklees were currently flexi-schooled.
- 4.17 It was explained that there is no legal basis for a reduced timetable, as children should be receiving a full-time education. Kirklees had produced guidance in September 2019, in line with that produced by other local authorities, which recommended that, where a reduced timetable was agreed, this was done as a temporary measure and with a plan/rationale/risk assessment in place. This should be reviewed within a minimum of 6 weeks and, where appropriate, could be extended (for example in cases where medical evidence supported it).

5. Home Educating Families (see also Expert Evidence and Home Educating Parents):

- 5.1 The Panel heard that there were many reasons why parents and carers decided to home educate and many styles of education undertaken. For a significant number of families this was a decision based on their philosophical, spiritual or religious outlook, for others it was to meet the specific needs of a child or children. However, some parents had reported that an issue at school had led to them home educating their child.

5.2 Benefits of Home Educating

Parents felt that home educating allowed a child to develop creatively and enabled the teaching to focus upon their strengths. Children were able to learn in a 'real life' environment and families could balance learning and family life. Some families felt that the school environment was stifling and didn't allow children to grow in a way not prescribed by a school.

5.3 Outcomes

The Panel was given information in relation to a range of outcomes for children who had been home educated, with many children going on to University, obtaining high class degrees, progressing to post-graduate qualifications and securing high profile jobs and careers. Parents explained that due to the focused learning, children could study for and pass a single GCSE in as little as 4 or 5 months.

5.4 Flexi schooling

Some parents found that this allowed a more flexible approach to combining school and home educating. However, this was at the discretion of a Head Teacher and required an understanding approach. This had been facilitated in a few cases with, for example, children spending 3 days at school and 2 days at home or attending

school for half a day with the other half being home educated. Difficulty appeared to arise from schools not having a specific code for registration and concerns about their responsibility for a child on their roll; this meant that some were reluctant to offer this option.

5.5 Exam provision and costs

Losing the provision to take exams at Ethos had been a huge disappointment to home educating parents as it had worked well and had been less expensive than alternative options. (Note: Ethos had been a Pupil Referral Unit maintained by the local authority but became a commissioned service and was now part of an academy trust.) The cost of each exam at Ethos had been £120 and they had offered the choice of two exam boards. The closest alternative to sit an exam was Rastrick Grammar School which charged £200 as an external candidate per exam (note: this provision has ceased since the consultation with parents). Early identification of the exam board used by external agencies was important to parents, as they needed to buy books and resources to study the correct curriculum in the months running up to a child taking an exam.

5.6 Parents described the difficulties of trying to obtain a 'learner number' to allow their children to sit external exams. These were automatically issued by the Local Education Authority to children who attend school, but it was much more difficult to navigate if you home educated.

5.7 It was believed that there could be potential limitations on the use of colleges to take exams due to capacity issues and the breadth of subject availability.

5.8 Parents noted that home educated students would take subjects as and when they felt capable/able to do so rather than being focused on taking all subjects at the age of 15/16.

5.9 Resources

Certain subjects were difficult to teach at home such as art and the sciences. Ethos had previously offered certain subjects and, 'although not ideal at their provision', it had been appreciated.

5.10 Although parents pooled knowledge of different subjects, there were still gaps which meant that marking past exam papers could be difficult. Maths exam papers were much easier to mark, given that there was only one correct answer. Libraries were a great place to learn and share information. Books Plus was a useful resource to home educating parents, and they had been disappointed with the reductions in this service. Books Plus could provide parents with educational materials such as science equipment, quizzes, puzzles and even skeletons of the human body. Although there were some resources available from Cliffe House, these tended to be aimed at younger children.

5.11 SEND

Obtaining an Education, Health & Care Plan (EHCP) was difficult when a child was home educated, given that a great deal of weight was given to a child's difficulties whilst in a school setting when making a decision as to whether to assess or not. A parent had reported that they had been told that 'schools start the process'.

5.12 KS4 issues

Parents spoke about wanting to access learning at KS4 but that the pathways into mainstream education for home educated students were complex, often untested and sometimes unprofessional. Some other local authorities had routes into mainstream learning but Kirklees wasn't as accommodating as other areas such as Sheffield, Leeds and Wakefield.

5.13 At the engagement in 2018, parents gave anecdotal evidence in relation to problems with transfer to Kirklees College such as there 'being no enthusiasm to accommodate a home educated child at 16 and lack of information about why a place was not being granted'. Entry for 14-16 year olds was often only for level 1 subjects which would ordinarily be for a child struggling in school.

5.14 Parents advised that Central Government funding was available for 14-16 year olds which they considered that could be utilised. The Panel was told that Calderdale College did accommodate and support home educated children but travel to colleges outside the local area presented problems.

(NB: as noted earlier in this report, since the engagement with parents, a trial had been undertaken in respect of early transfers to Kirklees College).

5.15 'Off-rolling' children

As previously stated, 'off rolling' refers to the practice of schools encouraging parents to remove their child from a school roll, perhaps in order to protect their performance results.

5.16 As home educating parents and children were a supportive and inclusive community, they could anecdotally report an increase in 'off rolling', particularly of children with special educational needs and disabilities. This caused huge problems for parents who may not have chosen home education as a way to educate their children, particularly if they were in KS4. This was not 'elective' home educating in the true sense of the word, as a parent needed the right mind set to deliver home education. It should not be something that was 'forced' upon them as there was no alternative given.

5.17 Parents reported that schools may persuade parents that they could 'off roll' their child as an alternative to permanent exclusion due to attendance or behavioural

issues. Parents had felt that they were forced into a corner with the real reasons for the exclusion not being addressed. It was believed that schools were taking this approach as it was easier and more cost effective to take them off roll rather than consider flexible learning options or put in place additional support for identified issues.

5.18 Parents felt that in some instances, being permanently excluded would be preferable for a child compared to 'off rolling', as once the exclusion had taken place, the Pupil Referral Unit became an available option for support. However, this possibility was not always communicated to parents.

5.19 Information and contact with Local Authority

All parents spoke about the lack of information available, including on the Council's website. Little information was included about how to remove your child from school and what support might be available from the Council and from outside agencies. One parent who attended the drop-in was unaware that there were home educating groups set up in the area.

5.20 Parents noted that there were a lot of barriers to overcome without support.

5.21 The Panel heard from parents that, whilst some were content with a visit from the local authority, many wanted no contact at all and refused all offers of a visit from the attendance service. Many felt that the main focus of visits, when they did happen, were on getting their child back into school, rather than a supportive approach to their home educating. There needed to be some trust that parents were making a positive decision for their child. The view was expressed that an annual visit was sufficient.

5.22 It was also explained that the manner and approach of the authority was important in building a good working relationship. The position and job titles of officers within a team that may also deal with attendance and safeguarding could give the wrong impression and was off-putting for home educating parents.

5.23 In respect of a suggestion by the local authority about the potential for recruiting assessors from the home education community the view was expressed that this would depend on the structure of the role and the time commitment required but also noted that this could, potentially, put that individual in a difficult position. Not all home educating parents would share the same view of what constituted a suitable education.

5.24 How the Local Authority can help

By far the most frequent request was for more information to be made available on the website and to parents when they first made the decision to home educate. A number said that they would be happy to assist the local authority in keeping

signposting information up to date. It was suggested that the website should contain details around:-

- Legislation
- How to de-register from school
- Details of local tutors
- Home educating support groups
- Details of where exams can be taken
- Links to exam centres
- Links to past papers

- 5.25 Parents would effectively like to see something similar to the offer that was available for parents of children with Special Educational Needs and Disabilities.
- 5.26 Although children did not have to take exams, many parents wanted a local exam centre available for their children to do so. They also wanted the local authority to consider making funds available to assist in paying for exams, as the cost of exams was a barrier to some children being able to sit them.
- 5.27 Parents would like access to past exam papers and some parents explained that they would welcome an educational expert to assist with some subjects by marking past papers.
- 5.28 Parents needed approachable, knowledgeable, non-judgmental contact officers who were able to advise on all aspects of EHE, and who were available to contact via telephone or e-mail if needed.
- 5.29 If visits recognised that home educating was a parent's choice, were focused on supporting them to continue home educating and officers provided more information and guidance, then more parents would likely welcome a visit from the local authority.
- 5.30 Parents also stressed that there was no reason to assume that the information provided about a child's home education was untrue or to require documentary proof. There should be an assumption of competence and the question of suitability needed to be approached with an open mind.
- 5.31 Home educating parents and children met frequently for support and to put on activities for their children. Parents would like to see the local authority support them meeting in public hubs such as a library, or rooms hired at a reasonable cost, where they could meet up with experts on subject matters (e.g. maths, geography) to provide help and assistance. Parents themselves had wealth of knowledge and they would like assistance to meet with other parents to share knowledge.

- 5.32 A place to learn specialised subjects, such as art and science, would be welcomed. This could be in a classroom or at a community hub.
- 5.33 There could be opportunities for home educators to work in partnership with the University.
- 5.34 The Panel heard that parents felt that there was often little help to access provision for children with mental health problems who were home educated and parents would like to see this improve.
- 5.35 There needed to be more careers advice, with home educators welcoming advice on what local colleges could offer and general career advice.

6. Information from C & K Careers

- 6.1 It was explained that C&K Careers (C&KC) was commissioned by Kirklees Council to provide Careers Information, Advice and Guidance (CIAG) for those secondary school age pupils' meeting vulnerability criteria. All bar 6 of the mainstream secondary schools bought-in to the collaborative deal for CIAG delivered by C&KC advisers for all their pupils.
- 6.2 All 6 Special Secondary Schools and Alternative KS4 providers, had a C&K careers advisor allocated to them. Those schools that did not buy into the service had their vulnerable pupils' CIAG requirements met by C & KC, as part of the local authority funded service.
- 6.3 C&KC had a careers advisor dedicated to working with Kirklees Safeguarding in Education Team, to identify and caseload Year 10 and Year 11 young people who were electively home educated, in order to provide the information, advice and guidance required for a smooth transition to post 16 learning opportunities and to minimise the possibility of any of them becoming Not in Education, Employment or Training (NEET).
- 6.4 Typically, the young people who were home educated in, and up to, Year 10 were receiving meaningful education, provided by parents who, for philosophical, religious or cultural reasons, chose not to send them to a secondary school. The norm was for these young people to require only a 'light-touch' from C&KC to ensure they were making an informed decision about their post-16 provision. The presenting issue for these young people was the lack of local exam centres willing to take pupils who were not on roll at their school. The recent closure of Rastrick Independent School meant that home educated pupils had to travel even further to be able to sit their GCSEs (the closest was believed to be Shipley College).

- 6.5 As Year 11 progressed, the numbers of home educated children increased, and these additions to the cohort tended **not** to be receiving meaningful education at home, and were in essence, 'pre-NEET'. These young people required a greater degree of input from their careers advisor and this sub-set might be described as those who had been 'off-rolled' by their school.
- 6.6 As at January 2020 there were **65** Year 11 home educated students in Kirklees. This number had increased from around 35 at the start of the academic year. This trend of doubling in numbers within Year 11 had been the case for the last few years. These individuals were spread around 65 different venues in Kirklees which created resource challenges as working with such a large and disparate group was very time consuming.
- 6.7 With C&KC support, nearly all of the electively home educated group achieved a post 16 offer of learning and went on to an EET outcome. Of the Year 12 and Year 13 cohort, who were home educated; in Year 11, there were a total of 8 who were NEET (as at 5/2/20) and 3 who could not be contacted. If a young person left their placement, C&KC would pick up working with them again, as swiftly as possible, so as to facilitate a quick return to EET.
- 6.8 Early college transfers, for those in Years 10 and 11 who would benefit from a move to a college environment earlier than the usual post-16 start, were being trialled at Kirklees College this year. Currently, pre-16 referrals were made to Calderdale College and Barnsley College.
- 6.9 The Panel heard about the provisions available to a school to avoid a child being removed from roll and the Fair Access process. If a child remained on roll at a school, that school remained responsible for them. It was known that schools were facing more challenges with children who had complex needs and the costs associated with supporting them were increasing. Schools were struggling to afford the additional provision needed. C&KC worked with schools to try and keep a child in school.
- 6.10 One of the provisions available to school was 'Nexus-in-School'. Nexus provided supported, extended work experience in Year 11. The cost was £4,422 per placement (2019/20) and this provision helped a number of young people; perhaps those who were kinaesthetic learners and those who would probably not succeed academically in Year 11. It provided for 3 days in work experience and then back into school to do a reduced timetable for 2 days a week.

7. Information from other Local Authorities

7.1 Direct responses from most adjacent local authorities were received, and additional information collated from their websites, in relation to the following questions:

7.2 Do you have a dedicated EHE team and/or a dedicated EHE budget?

One authority had an EHE team with a dedicated budget. One had 1 and ½ full time equivalent (FTE) staff dedicated to EHE (sited within the Education Welfare Team) and the other had 5 FTE Education Safeguarding Officers for whom EHE comprised approximately half of their role with no dedicated budget. Another also had staff located within the Education Welfare Team.

7.2 Is there a named contact/single point of access in relation to EHE?

All the authorities had named lead/contact officer(s), although this was not always clear from looking at the website, and some had a dedicated email address and/or telephone number.

7.4 What facilities, if any, do you have available to home educating families to sit examinations?

No facilities were provided by the Local Authority in any case but signposting was provided, by some to private schools that would accept independent candidates for exams.

7.5 Do you assist home educating families with fees for examinations?

None offered assistance with fees for exams.

7.6 When did you last update your EHE policy?

All had updated further to the most recent update to DfE guidance in April 2019.

7.7 What information do you provide on your website specifically for home educating families?

Wakefield - Guide to parents and carers which includes links to useful EHE websites:
<http://www.wakefield.gov.uk/schools-and-children/supporting-families/education-welfare-service/elective-home-education>

Bradford – section within Bradford Schools Online website:
<https://bso.bradford.gov.uk/content/elective-home-education>

Leeds - One minute guide:

<https://www.leeds.gov.uk/docs/22%20-%20Elective%20Home%20Education%20-%20September%202014.pdf>

Calderdale – Page within website

<https://calderdale.gov.uk/v2/residents/schools-and-children/parental-support/education-welfare/education-home>

- 7.8 Do you facilitate access to any specialist teaching provision or resources eg subject material/past papers?

None of the authorities who answered this question provided direct access to such resources. Some information was provided on websites in relation to available resources and one authority had run a trial subscription to Discovery Education Expresso, a primary level teaching resource, over the previous twelve months which had proved to be successful and received very positive feedback from parents.

- 7.9 Do you organise/facilitate engagement events for home educating families? If so what form do these take?

None of the authorities who answered this question organised such events although one signposted parents to their Museums/Castles Programme of Events.

- 7.10 Do you provide any support such as with marking work?

None of the authorities who answered this question provided support with marking.

- 7.11 Do you provide any facilities eg meeting space? If so, is this at reduced/no cost to parents?

None of the authorities who answered this question provided meeting spaces. One authority stated that it was aware that a couple of small groups of parents regularly rented meeting spaces across the district that they funded themselves.

- 7.12 To what level is flexi schooling used in your district? What are the issues and challenges associated with this?

One authority responded that flexi-schooling was not used for home educated children. Others said that very small numbers were undertaking flexi-schooling, that schools could be reluctant to agree and there could be issues in respect of attendance coding. One authority also stated that this had been done in a couple of cases but had ultimately proved not to be a success. The other stated that it was possible but was entirely at the discretion of the individual headteacher.

7.13 Is there any specific assistance for home educated students with SEN?

Generally no specific assistance was offered but in one case it was stated that parents that who requested financial support with SEN were advised to apply for a personal budget through the EHCP process. Another stated that arrangements were in place with the SEN Team for the annual review to inform if a child was receiving suitable full-time education.

7.14 What alternative provision do you have for home educated students in KS4; 14-16 years old?

Differing responses were received:

- No provision but would offer support in respect of return to school.
- All local colleges offered 14 to 16 provision for elective home educated children.
- The local college offered early transfer for pupils at Year 11 only, where they could study a range of vocational subjects and could sit a formal qualification in English and Maths. Students were also signposted to colleges in adjacent authorities who could offer an early transfer from Year 10 onwards.
- The local college expected that a student has been home educated for at least 12 months with evidence that a suitable education had been taking place in this time. The student would still need to apply and be interviewed before being accepted onto any college course.

7.15 What post 16 advice do you provide for home educated children?

In one authority, all Year 11 students were visited at home and provided with contact details of Connexions, the Employment Hub, the Aspire Accelerate Programme and details of any post 16 option events in the area, such as college open days and apprenticeship events. One of the other authorities also signposted to Connexions and another to its own provision for 16 to 25 year olds advising on education, career and training options.

7.16 Do you experience an increase in numbers of home educated children in the KS4 cohort?

All of the authorities who answered this question agreed that there had been an increase in the numbers of home educated children in Key Stage 4. One stated that 49% of the secondary age students currently registered as EHE were within the Year 10 and 11 equivalent cohort.

7.17 What information do you request from schools when a child is removed from roll to become home educated?

One authority requested basic 'off-roll' information.

Two of the authorities requested that schools complete a referral form to be sent to their EHE Team. In one case no details were given but another explained that this covered basic personal information together with attendance, SEN or school support, known medical conditions, attainment levels and any concerns, involvement of other agencies plus any additional information the school considered relevant. In addition, one authority requested a copy of the letter from the parents and a copy of the last school report.

7.18 What is your approach to assessment of what is a 'suitable education'; who undertakes this role?

One authority had a table which set out the considerations and questions to be taken into account in respect of what would constitute a suitable education and EHE officers were responsible for making a determination.

One stated that they adhered very closely to the DfE Guidelines; the responsible officers included at least two qualified teachers and social workers were also available in the event that there were any safeguarding concerns.

The other said that this would be assessed by a qualified teacher.

8. Information from schools

8.1 E-mails were sent to a number of local schools seeking responses to the questions set out below. (Note: Two of the questions applied only to the Secondary Sector.) Replies were received on behalf of fourteen schools across primary and secondary sector.

8.2 What would you consider to be the contributory factors to the increase in numbers of electively home educated children in the KS4 cohort?
(This question was posed to Secondary Schools)

A couple of the schools said that, although there may be a pattern of such an increase nationally, their numbers in KS4 were not high or had not particularly risen.

The potential contributory factors put forward are summarised below:

- Social or philosophical reasons.
- In a limited number of cases, within this age range, parents/carers choice, perhaps the most common being where the child was a young carer.
- A lack of alternative provision spaces and the lack of places for students in specialist provisions within the authority for those students who do not fit within the normal school structure. All children having to be on a school roll could mean that these children became disengaged and floated from school to school

becoming further disenchanted which often resulted in poor behavior and or poor attendance. Lack of alternative provision was cited by a number of schools.

- There may be a minority of schools that would encourage parents to home educate, perhaps associated with performance monitoring. This hypothesis was based by one school on limited anecdotal evidence. More than one of the responding schools stated that this was something that would not happen at their school.
- Parental disengagement and/or a way to avoid sanctions for none or poor attendance, or exclusion.
- Not getting a place at a preferred school.
- Parent(s) feeling that school was not the right place for their child, or that they could not find a school to meet their needs, rather than it being a positive choice.

A number of schools stated that they would not advise or support a parent to home educate in this circumstance as there were usually more preferable solutions.

- 8.2 Having access to more detailed information about children being removed from roll would be helpful to the local authority in supporting children who become home educated; what would your view be in relation to a routine request for the provision of such information, perhaps through completion of a questionnaire, including: SEN/ attendance/ known to social care/level of attainment and progress/background eg history of short term exclusions/ underlying issues such as bullying or mental health/ reason for removal from both school and parent's perspective/ current educational provision for the young person concerned/ safeguarding concerns?

There was overwhelming support from schools from both the primary and secondary sector for the provision of a comprehensive pro-forma/questionnaire document and one school suggested that this might be completed on-line. It was considered that the collation of this detailed information would be useful in getting the best outcomes for individuals and could help identify trends and practices that did not benefit young people.

A few schools mentioned the Children Missing in Education (CME) form that was completed by schools when students were removed from roll, not just in cases where they were stated as becoming EHE, and whether this would be in addition to that or if it might be possible to streamline the system to share information.

- 8.3 What is your view on flexi schooling ie: attendance on a part time basis. Is there anything that could be done to make it easier for you to offer this? What are the issues/challenges associated with this?

It appeared to be acknowledged that this provision would be beneficial for some students. A small number of schools did appear to offer, or be willing to offer, this to some students on a short term basis, alongside other solutions (CAMHS

support/Early Support/My Support Plan/SEN), to try and address the needs of individual children but there were some issues of concern to schools.

Across both the primary and secondary sector, the issue of the impact on attendance figures was raised by a number of schools. This meant that they may be reluctant to offer such provision as there was significant scrutiny of attendance data and the school was held accountable.

Issues were also raised in respect of the current process in relation to partial timetables, as under current guidelines, it was only permissible to put them into place for a short period of time. The reasons for Kirklees 6 week 'limit'* was understood but this did not allow for those students who might benefit from a longer term such arrangement. The emphasis on putting parameters in place to return the child to full time education did not recognise the different circumstances that could apply.

*(*Kirklees officers had explained that guidance for schools had been produced in September 2019, which was in line with that of other local authorities. This recommended that, where a reduced timetable was agreed, this was done as a temporary measure and with a plan/rationale/risk assessment in place. This should be reviewed within a minimum of 6 weeks and, where appropriate, could be extended (for example in cases where medical evidence supported it)).*

Potential funding/resource implications and the impact on schools' budgets were also raised across both sectors and one school questioned the potential impact in relation to the school's Planned Admission Number.

Impact on performance data was also raised by a number of schools; students might miss vital work, thus impacting on their progress and outcomes and if they were on roll the school would be regarded as accountable.

Other issues were raised as follows:

- Problems associated with timetabling; Maths, Science and English lessons would take place throughout the week. This could mean that a student would be coming and going at inconvenient times which may lead to none attendance.
- The new paperwork to identify to the local authority was too long and was therefore a barrier to acting effectively and quickly for young people.
- Sometimes a parent/child feel that a college environment would be a more appropriate placement but there is no possibility of a school funding such placements.
- The impact on workload for a primary school class teacher in trying to meet the needs of a child who has not had the input of a whole series of lessons
- A perception from other families that the picking and choosing of when to attend is unfair.

- Depending on the particular personal circumstances there could be social implications for the child.
- Issues with the management of such provision associated with matters such as consistency, continuity, assessments, potential need for additional support and the liaison needed about work completed at home.
- Schools also might find themselves in a position where they felt that they were not able to effectively safeguard a student that was on its roll.
- There would have to be very tight guidelines, that both parents and schools could sign up to and overseen by the local authority, to establish matters such as: how attendance was calculated; responsibility for safeguarding when not timetabled in school; responsibility for different aspects of education; accountability in terms of national testing and finance share.

8.4 What issues, if any, would be associated with allowing home educated students to sit exams at your school?

(This question was posed to Secondary Schools)

A number of schools suggested that, in principle, this may be possible but there were issues that would have to be addressed/ potential challenges that may arise in terms of:

- A student not being comfortable sitting with full cohorts; or if they required any other specific access or support arrangements – for example the use of an alternative venue would require additional resourcing such as extra invigilators.
- Students in school regularly sit mock exams and schools work hard to create consistent structured exam spaces. Students that had not been in school previously would not be familiar with this and this could lead to issues.
- If the child was still on roll at the school in question and did not achieve good results this could impact on the school's performance data.
- How they would be entered for the exams; ie as internal or external candidates and who would be responsible for doing this?
- The capacity to accommodate all students.

9. Expert Evidence and Home Educating Parents

9.1 The following comments and observations were made in respect of the April 2019 DfE guidance and in response to the Panel's questions about good practice:

- No local authorities had yet absorbed the guidance in full and put the recommendations into practice.
- The guidance was non-statutory but recommended that local authorities had a transparent policy which stated how they would engage with home educators and what they expected of them; this was very important. It was stressed that this should be about creating a new policy not refreshing an existing one and should be drawn up in consultation with home educators.

- People valued knowing where home education sat within the structure of an authority; a named contact was very helpful for parents.
- Historically, Kirklees had had an excellent EHE department but this had been subject to restructure; the key had been these officers' knowledge and understanding of EHE.
- Good relationships/working with home educators could have positive benefits for local authorities.
- What was considered a 'suitable' education was incredibly broad and could encompass a range of different ethos, it could be unstructured and was individual to the family and the child.
- If no information was provided about how a child was being educated and they were not on a school roll this potentially fell within the scope of the authority's duty in respect of children missing education.
- There was no reason to assume that the information given by a parent about the education being provided was untrue or that documentary proof was needed.
- There should be an assumption of competence.
- There were issues associated with the experience of engagement being negative from a parental point of view.
- The question of suitability needed to be approached with an open mind.
- 'Information' was a much better approach than 'evidence'; an open invitation to share information would elicit a much better response than a letter stating that you have to tell us (a),(b) and (c), or a form to complete, by a deadline.
- Ofsted had consistently commended local authorities that had a coherent approach to home education; that were keeping track, aware of trends and explored alternative provisions offers etc rather than just pushing a return to school.
- Local home educating parents currently sought advice/support through their peers and online.
- In terms of the meaningful support that could be provided; use of a venue to allow home educators to meet and share their experiences would be helpful.
- Birmingham held a conference for home educators, with guest speakers, and Nottingham held an Open Day.
- The adoption of a blanket approach to all home educated children was not helpful; cohorts and the individuals within them could be very different.
- It was considered that the increase in numbers could be attributed to failings in schools in respect of students with SEN; this group were in particular need of support. Parents should be made aware about the possibility of applying for a personal budget for therapy needs.
- Schools needed to be made aware that they could provide flexi schooling and this would not impact adversely in terms of their Ofsted report. This could perhaps be in certain subjects, dependent on a child's needs.

- There was no college provision for 14-16 years olds in Kirklees even though national funding was available for home educated 14-16 students; there was a difficulty in getting colleges to accept the provision of part-time courses.
- In some local authority areas a home education coordinator was available.
- The approach of a current Kirklees officer eg: providing a response to emails even if to say 'I don't know I'll get back to you' and the knowledge/understanding to be able to signpost to appropriate support/resources was appreciated.
- A key resource would be an exam centre similar to Ethos and it was suggested that any maintained college or school should be able to provide such facilities. Some local authorities used Pupil Referral Units (PRUs) or hospital education facilities. The cost of sitting exams was also an important issue.
- There could be potential limitations on the use of colleges for exams due to capacity and breadth of subject availability.
- It should be noted that home educated students would take subjects as and when they felt capable/able to do so rather than being all focused at the age of 15/16.
- Legislation was already in place to address the small number of cases where the local authority might need to intervene.

10. Input from young people

10.1 The Panel wished to receive some input from young adults who had been home educated, about their experiences and the support that they were offered. A letter was therefore sent out to young people who were known to have been home educated to invite them to take part. They were asked if they would be happy to answer the following questions and were also asked for any additional comments they wished to make:

10.2 What were the reasons for you being/your family home educating?

At an early age, one respondent's mother had decided that she wished to teach her child herself rather than them be one of 30 children in a class. Two younger siblings in the same family had also followed this route. They all attended many activities outside the home, covering a wide range of interests, including mixing with other home educating families and groups.

One respondent was home educated due to mental health issues which had caused issues in accessing education and maintaining progress.

10.3 Between what ages were you home educated?

One respondent made the decision to continue in elective home education from the age of 4 until 16. Siblings in the same family had chosen to complete limited parts of their education at school but were also home educated for the majority of their education up to the age of 16.

Another was home educated from Year 10 to Year 11.

10.4 How do you feel being home educated worked for you?

Respondents believed that home education was definitely the right choice for them. Comments were:

'It has given me a strong relationship with my family, and a strong curiosity and enthusiasm for knowledge which I feel is stronger than I might have retained had I been through public education. I was brought up reading and being read to, and I have a strong drive for self-led learning and motivation.

Being in a one-to-one (or three-to-one) learning environment allowed me to follow my interests, and to study at my own pace, rather than being held back or rushed by classmates, goalposts, or standardised curricula.'

'It gave me the time and flexibility to overcome my mental health difficulties and I found that I learnt much more easily. I found that one on one was much more effective at helping me to learn.'

The young people concerned made reference to the significant support they had received from their parent(s).

10.5 What qualifications did you achieve/ what is your chosen career path/ achievements?

After studying and passing several GCSEs, between the ages of 14 and 16, one respondent had gone on to study and pass 3 A levels and an AS level at a local college, and was currently in the second year of a University degree having been awarded two scholarships. This student was very active in University life and had a strong career plan that would lead to working in an area that was of great personal interest, alongside a number of other personal achievements. A sibling was currently studying A levels at college.

Another respondent was studying engineering at college and was aiming to undertake further learning in coding once the current course had been completed.

10.6 Is there anything that you consider might have helped support your education?

One of the young people said that, compared to many other areas of the UK, at that time Kirklees had been one of the most supportive places for home educators, particularly in respect of provision to sit GCSEs. However, the exam centre was not now available.

Another respondent explained that they had been able to sit exams at their former school.

Apart from a facility to take exams, the following were considered to be things that would be helpful:

- The option to flexi-school for subjects such as music, art and languages as these qualifications are largely unavailable to home educated students because of the large elements of coursework and practical exams.
- A general resource library for GCSE subjects and educational material.

In terms of things that had been unhelpful:

- reductions in public spaces such as libraries had a detrimental effect, as many home education groups relied on them for both resources and meeting spaces.
- It had been difficult to find detail about what to study such as knowing what was in the curriculum for an exam and books were expensive.

11. FINDINGS

- 11.1 The numbers of known home educated children in Kirklees appears in line with local and national trends; 0.57% of the school population as a whole, compared with Yorkshire and the Humber at 0.6% and nationally 0.7% (March 2018).
- 11.2 The highest number of electively home educated children are in the Key Stage 3 cohort closely followed by Key Stage 4. Again, this is not out of step with national figures which indicate that 62% of the known number of children and young people who are home educated are in either KS3 or KS4.
- 11.3 Noted that there would be children that the authority would be unaware of, having never been on roll at a school in the district.

TOR 1 - Developing an understanding of why some parents and carers choose to home educate, and for how long children are typically home educated for.

- 11.4 Whilst the Panel was pleased to speak with those parents who attended the 3 events, they acknowledged that it was the dedicated and committed home educating parents that did so and, more than likely, those that were doing so through choice.
- 11.5 The Panel found that the reasons for home educating in Kirklees covered a wide range, aligned with those set out in the April 2019 Government guidance. It was noted that there were a significant number for whom the reason was not known.
- 11.6 The Panel noted the difference between those who had actively made a positive decision to home educate and those who felt that they had been left with no alternative.
- 11.7 The style of education undertaken varied according to the needs and wishes of the family and the individual child.

- 11.8 The length of time children were home educated also varied. For those choosing to do so for philosophical or ideological reasons this could be for most, or all, of the child's primary and secondary education; for some up to the age of 16, for others until entering higher education.
- 11.9 For those that became home educated through circumstance or because they felt that there was no alternative, such as when there were issues at/with school or mental health issues, it was more likely to be for a shorter period, perhaps until a solution was found; this could range from a few weeks to a number of months or longer.
- 11.10 The increase in numbers once children reached KS3 and KS4 suggested that there were a number of families who felt that they had no alternative. The Panel considered that these families/children were likely to be in greater need of support and was concerned about their education and progression onto further education and employment, particularly those in KS4. There was a need to identify those becoming home educated because of problems with school or mental health issues as soon as possible, so that support and guidance could be provided to assist them in continuing their education.
- 11.11 Currently, limited data was available to the local authority on why a child had been removed from roll and become home educated. Most of the schools who responded to the Panel's questions had indicated that they would be willing to complete a questionnaire to provide information such as SEN/ attendance/ known to social care/level of attainment and progress/ background eg history of short term exclusions/ underlying issues such as bullying or mental health/ reason for removal from both school and parent's perspective/ current educational provision for the young person concerned/ safeguarding concerns. In many cases this was welcomed as something that could assist in achieving the best outcomes for young people. Suggestions were made that this might be something that could be done online and, also, that there may be some overlap with the information provided in relation to CME. The Panel considered that not only would this assist officers in determining the right approach and providing guidance/facilitating a pro-active response where necessary, but would allow data to be compiled that may help identify any particular trends/issues that did not benefit young people.
- 11.12 In respect of those children who were not registered with the authority, the Panel noted the Government consultation that had been undertaken in relation to the introduction of a mandatory registration scheme. Some home educating parents disagreed with this proposal but it was considered that this could potentially assist in identifying children who may be receiving an unsuitable education and possibly subject to safeguarding concerns.

TOR 2 - Scrutinising the Local Authority's responsibilities for home educated children.

- 11.13 The Panel acknowledged that local authorities had no formal powers or duty to monitor the education being provided at home on a routine basis. However, they did have duties to make arrangements to identify those children not receiving a suitable education and to intervene in cases where it appeared that they were not. If a child was not attending school full-time the law does not assume that the child is not being suitably educated but requires the local authority to make enquiries about what education is being provided.
- 11.14 The Panel found that many parents were providing an excellent education for their child/children through home education and recognised that 'suitable' education could cover a wide range of approaches; it was important that this was acknowledged by the authority and taken into account when assessing home education. The April 2019 guidance suggested that approaches should be judged on outcomes.
- 11.15 The Panel agreed with the DfE guidance in respect of the use of a 'light touch' approach where parents were known to be providing suitable education and considered that this, along with other things, could lead to improvements in the relationship between the authority and home educators.
- 11.16 Where the education was deemed to not be suitable, there were formal processes available to the authority. These had been used, with success, on a number of occasions.
- 11.17 It was considered that the Authority needed to clearly communicate its responsibilities to parents, including the process that it would follow where there were concerns about a child's education.
- 11.18 The Panel considered the following, which the April 2019 guidance suggested as a minimum requirement for local authorities, in light of their moral and social obligation for the wellbeing of all children living in their area:
- a written policy preferably drawn up in consultation with local home educating families
 - the resources necessary to implement its policy effectively and consistently. This can be cost effective in the longer term.
 - consider their organisational structures (the reality is that it needs a holistic approach to issues of suitability, attendance, welfare and safeguarding)
 - seek to offer guidance to all known home-educating families in their area about their rights and obligations, and also provide advice on good practice and available resources for parents who request it;
 - make it clear that the local authority sees its role in relation to home education as part of its wider responsibilities, including safeguarding, for all children living in its area;

- regularly review its elective home education policies
- provide clear details of their complaints procedure and deal with all complaints in a sensitive and timely manner.

11.19 It was acknowledged that, when a child became home educated, all associated costs became the responsibility of the parent(s) and the authority did not receive funding to support home-educating families (except in relation to high needs SEN).

Notwithstanding this, the DfE recommended that authorities should adopt a consistent, reasonable and flexible approach to the provision of support, particularly where there were minimal resource implications. It suggested that, as a minimum, local authorities should provide written information (which is also available through the internet) on elective home education that is clear and accurate and sets out the legal position.

11.20 Examples of additional support, that authorities might be able to offer, subject to resources, included:

- provision of a reading or lending library with resources for use with home educated children.
- free, or discounted, admission into community programmes (including local authority owned community and sports facilities).
- access to resource centres (including local school resources where feasible).
- National Curriculum materials and curricula offered by other educational institutions.
- information about educational visits and work experience.
- providing assistance with identifying exam centres willing to accept external candidates.

The Panel noted that the Government had undertaken consultation between April and June 2019 in respect of the mandatory registration of children who are not receiving an education in state funded or registered independent schools, but also in respect of a duty to provide support for parents who educate children at home. This may result in legislation, in due course, that would obligate authorities to provide a higher level of support than currently.

11.21 The Panel noted that although local authorities did not have a duty to assess every home educated child to see whether they have SEN, the guidance stated that local authorities should work in partnership with, and support, parents to ensure that the SEN of these children are met where the local authority already knows the children have SEN or the parents have drawn the children's special needs to the authority's attention.

11.22 The guidance also stated that local authorities should do their best to ensure that, when children with special educational needs are being educated at home, the full range of powers available are used to ensure that the education is suitable and

remains so; and that their assessment of this is properly linked with the process of keeping special needs provision under review.

- 11.23 Parents had outlined problems associated with lack of advice and support and officers explained that they considered that there had been a focus on strengthening the relationship with home educating parents with children with SEN. The Panel considered that parents should be given clear information on how to get advice in relation to SEN issues by officers with responsibility for EHE.
- 11.24 There was no obligation on the authority or schools to offer flexi schooling and schools had a number of concerns about the potential impacts of doing so. There was no specific code for recording absence in such circumstances and it had to be recorded as authorised absence. Some schools were concerned that this may have a detrimental impact in terms of Ofsted inspection. The April 2019 guidance pointed out that some schools with significant flexi-schooling numbers had achieved good outcomes from inspections. It suggested that schools which did have flexi-schooled pupils should be ready to discuss the arrangements they had in place to deal with the requirements caused by such pupils. It also noted that schools were held to account through inspection for the performance of pupils, and that would include any who attended the school as part of a programme of flexi-schooling. The potential impact of this had also been raised as a concern by some schools.
- 11.25 It was noted that recommendations had been made by the Timpson Review in May 2019 in respect of off-rolling and, in response, the Government had expressed an intention to undertake consultation in respect of making schools accountable for permanently excluded pupils. There was currently no date for this to take place.
- 11.26 'Off-rolling' was a recognised concern at national level. It was considered that the introduction of a new form to gather more detailed information from schools when a child was removed from roll to become home educated may help to identify any particular issues.
- 11.27 'Off rolling' was addressed within Ofsted's new Inspection Framework (May 2019) and any evidence of this could impact on the judgement in relation to a school's management. The Children's Commissioner had welcomed the introduction of a new 'quality of education' key judgement by Ofsted which would lessen the reliance on exam results as a measure of school quality.
- 11.28 The Panel noted that the April 2019 guidance suggested that local authorities should seek to reach agreements, through Schools Forums, which discourage pressure on parents to educate children at home, and to address this issue directly in discussion with relevant schools. Local authorities should also consider informing Ofsted of schools where off-rolling appeared to be happening on a significant scale so that this could be investigated at the school's next inspection.

TOR 3 - Scrutinising how the Local Authority identifies, supports and ensures the safety and wellbeing of electively home educated children.

- 11.29 Kirklees did not have a dedicated EHE Team or a dedicated budget. The Panel considered that this limited the offer that it could make to home educating families. There was no dedicated email address or phone number. The Panel believed that a single point of access for home educated families would be helpful.
- 11.30 A dedicated team with trained officers who were trained and knowledgeable in respect of EHE would assist greatly in improving relationships with the home educating community. The tone and manner of contact and engagement was very important.
- 11.31 Although parents had expressed the view that it was not necessary to have a qualified teacher to undertake assessments, Members felt that this could be beneficial and that, ideally, this individual should be familiar with approaches to education other than conventional schooling. In Kirklees the assessment role was currently undertaken by officers who also had other responsibilities.
- 11.32 The Panel had heard that parents felt that it was important to know where home education fitted within the structure of an authority; and a named contact would be very helpful for parents.
- 11.33 Members felt that there were potential incentives for parents to both register and engage with the local authority if more information and support was provided.
- 11.34 Currently there was a page on the Council's website which offered information in relation to home educating and provided a link to a guide for parents. The Panel had heard that home educators could find it difficult to find the information they needed and there was significant reliance on peer support.
- 11.35 The Panel heard from parents that it would be helpful if the website could contain details in relation to:
- Relevant Legislation
 - How to de-register from school
 - Details of local tutors
 - Home educating support groups
 - Details of where exams can be taken
 - Links to exam centres
 - Links to past papers
 - Networking links

- 11.36 Members further considered that it should also include a link to the Council's policy, direct contact details for EHE officers, advice in respect of the potential alternatives, links to relevant partner agencies and support groups and advice on who to contact in respect of SEN issues.
- 11.37 The Panel had heard that events for home educators were organised by some authorities. The format of such events could be led by local home educators. These could contribute to the 'light touch' engagement for those families that were known to be providing suitable education. It was believed that facilitating such events could also help to build a stronger more supportive relationship between families and EHE practitioners.
- 11.38 Consideration was given to the need for a clear and transparent policy which included, amongst other things, what support was available to families and the process if the education being provided was not considered to be suitable. It had been stressed to the Panel that the policy should be a new document rather than a refresh of the existing policy.
- 11.39 The Panel heard that there was very limited alternative provision for 14 to 16 year olds within the district and what was available was often funded by schools. The Panel considered that there was a need for the possibilities for the expansion of such provision to be explored. The trialling of early college transfers for at Kirklees College in 2020 was welcomed.
- 11.40 It was acknowledged that whilst flexi-schooling had advantages, particularly in terms of the provision of certain subjects for example, the position was complex. A number of schools appeared willing to consider such arrangements, if appropriate for a particular child, but concerns had been expressed about impact on attendance, Ofsted judgements, performance data and funding. In light of the information made available to it the Panel considered that this merited further consideration and that the local authority might be able to provide information to schools to allow them to make an informed decision.
- 11.41 Members considered that there may be potential to make use of partners such as the University.

TOR 4 - Scrutinising elective home educated children's progression onto further education and employment and the outcomes achieved at Key Stage 4 & 5.

- 11.42 Although no data was collected at a national level, the anecdotal evidence given to the Panel indicated that those young people home educated by choice, rather than circumstance, thrived and had very positive outcomes. However, this was probably not the case for many of those who found themselves in this position when they felt they had little alternative; these families were in need of greater support from the local authority.

- 11.43 There was a National Careers Service for people who lived in England which could provide free and impartial information, advice and guidance to help with decisions about careers, courses and work. The service was supported by qualified careers advisers and accessed through a website but with a webchat or telephone option. There could be greater awareness of this perhaps, with a link on the website.
- 11.44 Locally, Calderdale & Kirklees Careers provided support to children, including those who were home educated, and worked to ensure as many young people as possible found employment, education or training particularly if these young people were at risk of not doing so.
- 11.45 The Panel heard that funding was available associated with educational provision for 14 to 16 year olds and questioned whether a more creative approach was needed in this respect.
- 11.46 The Panel heard about issues caused by the lack of local exam provision from a number of contributors. This was something that they considered needed to be addressed due to the impact on outcomes for home educated children. Members noted that such provision might also benefit others such as adult learners.

12. RECOMMENDATIONS

1. That a new Kirklees Policy on Elective Home Education be produced, in consultation with home educators, at the earliest possible opportunity. It is suggested that this should include:
 - i. The Local Authority's responsibilities
 - ii. Parents rights and obligations
 - iii. How a 'suitable' education is assessed
 - iv. Responsibilities and expectations of parents
 - v. The process if there are concerns about the education being provided at home
 - vi. Clarity on the support that Kirklees is able to provide
 - vii. Complaints procedure
 - viii. How the EHE team will communicate and seek to engage with parents
 - ix. Position in relation to flexi-schooling
 - x. A mechanism for regular review of the policy
2. That consideration be given to the implementation of a dedicated Elective Home Education Team, with budget provision sufficient to implement the policy effectively and consistently. This would provide trained and knowledgeable officers in relation to home education, including a qualified teacher, preferably someone with experience of home educated and hard to reach children.

Alongside other duties, this team would be able to assess the authority's ability to provide additional support to home educating families with:

- Access to past papers
 - Assistance with marking
 - Access to educational material/resources
 - Provision of learner numbers for exam candidates
 - Flexi-schooling – looking at the approach on an individual basis and providing information/support to schools so that they are clear on the potential implications.
 - Free/discounted rates for meeting rooms
 - Facilitation of events for home educating families
3. That a direct dedicated phone number and email address be provided in respect of elective home education.
4. That a new form for schools to complete when taking a child off roll be implemented, for submission to the EHE Team within a short timescale, to include details including:
- i. Special Educational Needs
 - ii. Attendance
 - iii. Whether known to social care services.
 - iv. Level of attainment and progress
 - v. Background eg history of short-term exclusions/ underlying issues such as bullying or mental health
 - vi. Reason for removal from both school and parent's perspective
 - vii. Current educational provision for the young person concerned
 - viii. Any safeguarding concerns
5. That the section of the Council's website relating to Elective Home Education be updated and improved. It is suggested that this include:
- i. Relevant legislative background and the Local Authority's responsibilities
 - ii. Link to Kirklees Policy
 - iii. Team contact details - dedicated email address/telephone number
 - iv. Process in terms of de-registration from school.
 - v. How the team will engage with parents.
 - vi. Responsibilities and expectations of parents
 - vii. Advice on good practice
 - viii. Specific advice for those looking to home educate as a result of issues at school
 - ix. Advice on alternative provision
 - x. Up to date sign posting eg to mental health support
 - xi. Links to relevant networks and useful resources such as past papers and learning material.
 - xii. Clear advice relevant to particular age groups.
 - xiii. Who to speak to about SEN issues
 - xiv. Complaints procedure.

xv. Information on sitting exams and getting a learner number.

xvi. Link to National Careers Service and Calderdale & Kirklees Careers Service

xvii Links to peer support groups

6. That the possibilities for the provision of at least one centre where home educated students can sit exams be explored, preferably one for North Kirklees and one for South Kirklees, including the potential for this to be done in partnership with other agencies.
7. That the options for alternative provision, particularly in respect of the Key Stage 4 cohort, be investigated.

Action Plan

No.	Recommendation	Directorate and Cabinet Member asked to coordinate the response to the recommendation?	FOR COMPLETION			
			Do you accept the recommendation? If no, please explain why.	How will it be implemented?	Who will be responsible for implementation?	What is the estimated timescale for implementation?
1.	New Kirklees Policy on Elective Home Education to be produced, in consultation with home educators, at the earliest possible opportunity.		Yes.	New Kirklees Policy and Procedures are being written and will go out to consultation with parents. Separate guidance being written for Flexi-schooling	Head of Education Safeguarding and Inclusion Diane Yates Education Safeguarding Service Education and Learning Partnership Board	The consultation will be undertaken in the Autumn Term. Any amendments and council processes will be actioned in the Spring term with implementation from the Summer term 2021.
2.	Give consideration to the implementation of a dedicated Elective Home Education Team, including a qualified teacher, with dedicated budget provision sufficient to implement the policy effectively and consistently.		Yes, however, where additional resource implications are identified this will need to be explored as part of budget processes	The Education Safeguarding Service is now going through a service review, which will include a work strand on EHE, and consideration of a dedicated EHE team will form part of this process.	Additional interim capacity has been brought into Education Safeguarding to enable the service to undertake and implement a full-service review. Head of Education Safeguarding and Inclusion in partnership with Lead Officers in Education Safeguarding Service Director and Portfolio Holders	Proposals will be moved forward in the Autumn Term, business cases will be developed for consideration. The proposed new delivery model, if agreed, would be in place for September 2021.

3.	Provide a direct dedicated phone number and email address.		Yes	Dedicated mailbox – actioned Dedicated telephone number – we will explore options and look at a clear way to access the right team.	Education Safeguarding Service	Partly actioned
4.	Implement a new form for schools to complete when taking a child off roll, for submission to the EHE Team within a short timescale.		Yes	Actioned - New 'School Exit Form' has been created.	Education Safeguarding Service	Actioned
5.	Update and improve the relevant section of the Council's website.		Yes.	Content for the council website has been collated to cover all of the recommendations. The Kirklees Local Offer website also to be used to signpost local peer groups/resources	Diane Yates/Andy Bentley	Nov 2020
6.	That the possibilities for the provision of at least one centre where home educated students can sit exams be explored, preferably one for North Kirklees and one for South Kirklees.		Yes.	Discussions currently taking place with Headteachers/PRU to find local provisions for private candidates.	Diane Yates Helen Metcalfe Lead KLP	January 2021

7.	That the options for alternative provision particularly in respect of the Key Stage 4 cohort be investigated.		Yes.	Pathways for EHE children to access specialist provisions will form part of the planned alternative provision review.	Diane Yates Jane Friswell leading on Alternative Provision Review	Review in the Autumn Term. A business case to consider options in the Spring term. Implementation Sept 2021.
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ADDENDUM

Elective Home Education – Action Plan

7.9.2020

Introduction and Summary

In July 2017, the Director of Children’s Services requested Overview and Scrutiny consider how the Local Authority manages elective home education (EHE).

The Scrutiny Panel wanted to explore and understand the reasons why some parents choose to home educate, understand the LA’s responsibilities and look at how the LA identifies, supports and ensures the safety and wellbeing of home educated children.

New DfE EHE guidance was issued in April 2019 to clarify the role of local authorities in relation to home educated children. LA’s are required to:

- Identify and support children who are not receiving an efficient suitable full-time education;
- It requires LAs to ensure that enquiries are made about the home education provision of children of compulsory school age;
- The law may require further action by the LA and the department believes this is the case for an increasing number of children.
- LA’s have the same safeguarding responsibilities for children educated at home as for other children.

The guidance recommends “LAs should set aside resources necessary to implement its policy effectively and consistently. This is not always easy at a time of constrained resources; but effectively implementation in conjunction with work in related areas such as education welfare, children missing education and admissions, can reduce spend in the longer term on families where engagement is difficult”

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791527/Elective_home_education_guidance_for_LAv2.0.pdf

Total number of children registered as EHE for either all or part of the academic year		
2017 - 2018	2018 - 2019	2019 - 2020
464	606	668

There has been an increase of CYP who are EHE over a three- year period, it is anticipated that in line with our regional and statistical neighbours this increase will continue as a direct result of Covid-19. The LA needs to ensure sufficient capacity to deal with the increasing numbers of EHE, particularly to identify where children are not receiving a suitable education and then take the necessary formal actions to address this.

The review of EHE carried out by the Ad Hoc Scrutiny Panel has been very helpful and has provided the opportunity to consider what EHE can look like moving forward. The panel

presented their report in March 2020. The purpose of this report is to consider how we respond to the panel's recommendations.

Action plan recommendations

Recommendation	Response
New Kirklees Policy	An updated EHE policy, Flexi-schooling policy and Information for Parents document is in draft and is due to go to SLT
Consideration of dedicated EHE team	In Sept 2020 the Education Safeguarding Service is embarking on a service improvement plan and will include our responsibilities for children who are home educated. EHE will be a work strand and be included in the action plan.
Dedicated phone number/email address	A dedicated email address is now in use.
New form for school's completion	A new 'School Exit Form' has been created to gather further background information from schools, the document is in draft and is due to go to SLT along with the policy documents.
Website update	Content for the website has been prepared for the council website and the Local Offer website.
Alternative provision options	There will be a review of alternative provision in Kirklees, this will include looking at provision for home educated children.

Impact of Covid-19

The reasons for families choosing to home educate are complex and varied however, we have seen numbers continue to increase during the lockdown period with 93 children (4 children with an EHCP) being removed from school rolls. We anticipate the numbers will continue to increase specifically related to anxiety around Covid-19.

In response to Covid-19, there have been several online resources developed to support schools and children with home-schooling. There are now high-quality online learning sites including Oak National Academy, a platform set up by a collective of teachers, covering a range of subjects to support the need for remote teaching. These resources are available to all children and will be helpful to home educated children.

Underpinning principles

- All children and young people have the best start in life
- Children and young people are proud to come from Kirklees
- Children and young people live and are educated in Kirklees
- Children and young people make good educational progress and have high aspirations and good life opportunities

Whilst the majority of children receive their education through the school system, parents do have a right to choose home education, when this is a positive, informed and dedicated choice it can be of benefit to the child. The LA also needs to consider some parents will want to home educate for a temporary period and then will re-engage with the school system, we need to support them to access a school place and help with this transition. During 2019-2020 academic year 133 returned to formal education. The pathways in place to support transition back when requested need further clarification and can often be complex and resource-heavy in terms of Officer time.

Is EHE always appropriate?

DfE guidance states that where it is not clear home education is suitable (including situations where there is no information at all) the LA should initially attempt to resolve those doubts through informal contact and enquiries. If informal contacts do not resolve the provision, then the 1996 Act provides a framework for formal action to ensure that a child does receive suitable education. See Appendix 1.

The SEN code of practice states that after considering its power to provide support to home-educating parents, the provision that is or could be made for a child or young person with an EHC plan does not meet the child or young person's needs. The local authority is required to intervene through the school attendance order framework.

Where there are safeguarding concerns, a failure to provide suitable education is capable of satisfying the threshold requirement contained in s. 31 of the Children Act 1989 that the child is or is likely to suffer significant harm. Where there have been safeguarding concerns for home educated children there are clear safeguarding processes in place working collaboratively with partner agencies and with children's social care.

The LA is responsible for ensuring all children are accessing appropriately registered educational provision, for example, independent schools or out of school settings. This links with the Panel's recommendation to provide guidance to parents on alternative provision.

In Summary

We appreciate the engagement of the panel in helping us shape how the LA manages the EHE moving forward. A number of the recommendations highlighted through the EHE Scrutiny report have been fully or partially addressed. Educational Safeguarding is in the process of developing an overarching improvement plan which will be developed and implemented over the next 12 months EHE will form part of this work, this will identify where additional capacity is required to fully address the LA requirements outlined in the 2019 EHE guidance.

Appendix 1: Flow Chart of Local Authority Actions in Home Education Cases

