

**Education Scrutiny Committee**  
Meeting to be held on 13 March 2012

Electoral Division affected: All
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**Elective Home Education**  
(Appendix 'A' refers)

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**Executive Summary**

A review of the local authority's Elective Home Education (EHE) procedures has recently been undertaken. These are, at the time of writing, waiting cabinet member approval. The review was undertaken following the transfer of functions between teams within the authority and in order to address concerns identified by officers and by the home educating community in respect of the procedures and processes previously in place.

Further work is also planned to explore further options for supporting home educating families in terms of access to information, services and resources.

**Recommendation**

The Education Scrutiny Committee is asked to:

- note the proposed revised arrangements for supporting families who home educate in accordance with identified need;
- consider the wider options for providing further support for our home educating families; and
- receive a further report on EHE when the new procedures have been reviewed in 2013.

**Background and Advice**

Parents are responsible for ensuring that their children receive a suitable education. Whilst the vast majority of parents choose to send their children to school, a small number choose to educate their children at home, and the term used to describe this situation is Elective Home Education (EHE).

In Lancashire in 2010-11 there were 453 children on the authority's EHE database, compared to a school population in January 2011 of 149,946 meaning a total of 0.3% of the school age population were known to be home educating last year. However, this cannot be considered a full and accurate picture of the number of

children being home educated in Lancashire as there is no requirement on parents to inform the local authority when they choose to home educate.

Appendix A shows how the 2010-11 figures compare to the previous year, and also provides some information on the range of reasons given by parents for choosing to home educate. Again, this information relates only to those families known to the authority to be home educating, and some families choose not to provide reasons but it does show that families enter into home education for a wide variety of reasons.

In 2009 the then Education Overview and Scrutiny Committee's task group that had been set up to consider Elective Home Education (EHE) issues made a number of recommendations. At that time, central government was proposing legislative changes that would have impacted significantly on how the authority conducted its functions in respect of EHE and this resulted in proposed changes being deferred to take account of such changes but those provisions were withdrawn from the Education Bill before it passed into legislation.

Responsibility for EHE transferred from the Lancashire Education Inclusion Service (LEIS) when that service was disbanded as part of the restructure of the Inclusion and Disability Support Service and from April 2011 this function has been located within the Quality and Continuous Improvement group within Early Intervention and Support Services, although arrangements for the summer term continued to be delivered by LEIS personnel on a commissioned basis.

At that point, concerns had already been identified regarding the authority's procedures regarding EHE, and work has been underway during the autumn term 2011 to revise the documentation in order to address those concerns. At the time of writing this report, those procedures were due to be considered for approval by the Cabinet Member for Children and Schools in early March, and a verbal update of progress will be provided at the Education Scrutiny Meeting.

As Appendix A shows, families choose to home educate for a wide range of reasons. Similarly, there are a range of responses from home educating families to offers of support from the authority, with some families welcoming contact and ongoing support whilst others prefer not to have direct contact with the authority in terms of home visits. The new procedures seek to better reflect the authority's responsibilities and duties where families have elected to home educate, with a "lighter touch" contact schedule for cases where there are no known causes for concern, whilst maintaining its capacity to respond to cases where families are indicating they are unhappy with the need to home educate (eg where placements at schools have broken down); when parents are seeking help to return their child(ren) to school; and when the authority has reason to believe that a child on EHE is in fact not receiving suitable education.

Once the procedures are in place, work will commence to explore additional support that might be available for home educating families. This includes the identification of examination centres in Lancashire that are willing to take external candidates; drop in sessions that allow home educators to meet with agencies/services that currently offer support or who might be able to provide a service; exploring options to

support families who wish to access work experience, albeit within the limitations allowed by employment legislation; and opportunities to meet with and develop/improve existing networking between home educating families.

## **Consultations**

During October and November 2011 a letter was sent to all known home educators in Lancashire informing them of the revised draft documentation and offering them the opportunity to comment on the proposed new procedures. The consultation was listed on the authority's consultation site, and in addition a public meeting was held on 23 November 2011.

85 written responses were received and we also took account of the views raised at the public consultation meeting and via representation through MP letters on behalf of constituents.

In summary, whilst a few responses welcomed the document, or at least some aspects of it, the vast majority of responses were negative. Many respondents felt that there was a misunderstanding of the LA's role and responsibilities in relation to EHE. Some comments related to the length and style of the document.

The concerns expressed included:

- Interpretation/paraphrasing of the law relating to EHE and the DfE non-statutory guidance
- The definitions of 'suitable' and 'efficient'
- The continued emphasis on "monitoring" of elective home education – especially through the 'collection of evidence' on a regular basis and the proposal to maintain some kind of offer of annual contact with home educating families..
- The inappropriate use of Children Missing Education Statutory guidance within the document – including to justify annual 'monitoring'
- Initial notification of 'de-registering' being processed via the CME team, rather than straight to EHE team
- Issues relating to data collection and data sharing
- Safeguarding

A number of responses commented on the use of 'school' or 'schoolchildren' within the document and this was felt to be inappropriate in this context. The responses to the consultation are included in the background papers.

Those responses have resulted in a significant revision of the document and representatives from the Lancashire Home Educators Forum have had further opportunity to comment on the revised documentation. Arrangements are being made to establish a wider group of home educators who may wish to be part of ongoing consultation around additional documentation and practice around EHE.

To allow for this further consultation to be reflected in our practice as it develops, we are proposing that the procedures document, if approved, will be reviewed within 12 months before adopting a longer frequency for ongoing review thereafter

**Implications:**

This item has the following implications, as indicated:

**Risk management**

There are no implications for risk management arising from this report.

**Local Government (Access to Information) Act 1985  
List of Background Papers**

<b>Paper</b>	<b>Date</b>	<b>Contact/Directorate/Tel</b>
<a href="#"><u>Elective Home Education – Guidelines for Local Authorities</u></a>	2007	Frances Molloy/CYP/01772 532722
<a href="#"><u>Revised Statutory Guidance for Authorities in England to identify children not receiving a suitable education</u></a>	January 2009	Frances Molloy – as above
Responses to Consultation	November 2011	Frances Molloy - as above
Reason for inclusion in Part II, if appropriate		
N/A		