

Elective Home Education - Update

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REASON FOR ITEM

The School Placement and Admissions Team has been responsible for Elective Home Education (EHE) in Hillingdon since July 2015. The purpose of this report is to provide the Committee with an update on the responsibilities and powers the Local Authority has for EHE, developments following a previous review in 2012 by the Committee and further action being taken. The recommendations from the review undertaken by the Committee in 2012 can be found in appendix 1.

SUGGESTED COMMITTEE ACTIVITY

It is recommended that the Committee:

1. Note the update.
2. Question officers about the update.

INFORMATION

The Legal Context

Every parent has a right to provide Elective Home Education (EHE) for their school age child(ren).

This means that, rather than attending school, parents take full responsibility for providing education to their child(ren) outside the school environment, which could be at home or elsewhere.

What the law says

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 -

- to his age, ability and aptitude, and
 - to any special educational needs he may have,
- either by regular attendance at school or otherwise."

The responsibility for a child's education rests with his or her parents. An "efficient" and "suitable" education is not defined in the Education Act 1996 however

- "efficient" has been broadly described in case law as an education that "achieves that which it sets out to achieve"
- "suitable" education is one that "primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so".

There is no definition for "full time", however when a child attends school he or she could expect to receive between 22 and 25 hours of tuition per week for 38 weeks per year.

Current law does not require parents to inform the Local Authority of their arrangements to home educate. The information most Local Authorities hold on children receiving home education are from parents taking their children off a school's roll and giving EHE as their reason. Furthermore, the local authority has no power of entry to evaluate whether the education being provided by a parent meets the requirements of section 7 (Education Act, 1996). Guidance states that local authorities can make contact with families providing EHE and, although the families are not required to engage with us, it would be sensible for them to do so.

Hillingdon's policy

In Hillingdon action is being taken to strengthen engagement with families who have chosen to home educate. Families are contacted on occasions to request evidence of the education being provided, and this can take the form of, for example, the family providing samples of work or a meeting being arranged either at home or elsewhere to go over the type of provision on offer. The purpose of the meeting is not to establish the quality of the education, or to establish that certain subjects are being taught (there is no requirement for a family to follow any curriculum), but rather to establish that the education provision is full time, efficient and suitable. Following an assessment, a report is provided to the family which will summarise the education being provided and identify whether, or not, the local authority has any concerns.

If information exists which may cast doubt on whether an "efficient and suitable education" can or is being provided, Hillingdon will seek to gather any relevant information that will assist in reaching a properly informed judgement. This will include seeking from the parents any further information that they wish to provide explaining how they intend to provide a suitable education for their child(ren) and the parents will be given the opportunity to address any specific concerns that the local authority has.

The local authority does have the authority to enforce a 'school attendance order' where an efficient and suitable education is not being provided despite the parents being provided an opportunity to address concerns raised by the local authority. Hillingdon sees the taking of the above measure as a last resort after all reasonable avenues have been explored to bring about a resolution of the situation. At any stage following the issue of the

Order, parents may present evidence to Hillingdon that they are now providing a suitable and appropriate education and apply to have the Order revoked.

The recent Children Missing Education statutory guidance which came into law from September 2016 states that all schools must notify the local authority whenever a child is taken off roll. This includes children taken off roll to take up EHE.

The Hillingdon Picture

223 children are currently (7th October 2016) known to Hillingdon Council to receive an elective home education. In most cases this is because parents notify the Local Authority.

Parents' reasons for providing elective home education can be very varied and can include:

- distance or access to a local school
- religious or cultural beliefs
- philosophical or ideological views
- dissatisfaction with the system
- bullying
- as a short term intervention for a particular reason
- child's unwillingness or inability to go to school
- parent's desire for a closer relationship with their child
- special educational needs

In Hillingdon, there are currently 79 primary aged children and 144 secondary aged children listed as receiving EHE. The significant demographic groups we are aware of (and we have records for 131 of the 223 pupils) are White English/British - 65, Traveller of Irish Heritage - 14 and Black Somali - 11.

LB Hillingdon will routinely contact parents once we have received a notification of EHE with an introductory letter outlining their responsibilities and those of the council. We also contact all families on the EHE list once a year with an update letter. Where a concern is reported from any source (eg former school/family member/social worker etc) the local authority will request some form of evidence to assess the education is suitable, efficient and full time. The School Placement and Admissions team will also work with any relevant agency or department (Participation team/SEN team etc) if there is a wider safeguarding concern (see appendix 2).

A recent article in a national newspaper indicates a 45% increase in home educated children in the last five years (following a Freedom of Information request).

An article in the media from September 2016 states that Council leaders are calling on the government to give them greater powers to check on the growing number of children who are apparently being home-educated – a trend that is thought to be linked to a rise in the number of unregistered schools across England.

The Service for Residents

It is not always clear why parents decide to electively home educate their child(ren) as it is not a requirement that parents share this with the local authority. As set out above, anecdotally there are a variety of reasons why parents and carers choose to make their own arrangements to educate their children. The following sections of the report summarise the action that has been taken to further develop the information, advice and other arrangements in place for local parents and carers following the previous review by the Policy Overview Committee in 2012.

Changes Already Implemented:

Improving Information to Parents - A Dedicated Webpage is in Place

The local authority is meeting the statutory duty to provide support where resources permit for parents wishing to electively home educate as the Council website now has a dedicated page which is clear, accurate and sets out the legal position, rules and responsibilities of both parents and the local authority. The website also gives advice to parents considering EHE before removing their children from a school roll. This helps manage expectations for parents.

EHE Policy Document Has Been Updated (Contact Details)

Hillingdon's EHE policy has been updated to reflect that the School Placements and Admissions Team is responsible for EHE arrangements. Contact details have also been checked and updated as necessary. The fundamental structure and content of the policy has not been changed. The document can be viewed at

http://www.hillingdon.gov.uk/media/35328/Elective-home-education---LBH-policy-2012/pdf/Elective_Home_Education_LBH_Policy_2012_-_Revised_2016.pdf

All Correspondence for Parents Has Been Reviewed and Updated

Officers have updated the letters for parents in response to the recommendations from the previous review of the service by the Committee. Three main letters have been designed to reflect good practice following research regarding EHE communication with other local authorities. Communication is now intended to be simple, clear, friendly and supportive rather than previous versions which some interpreted as officious (please see appendix 2).

Joint Working

The School Placement and Admissions team work closely with the Special Educational Needs and Disability team as there are 6 children with an Education, Health and Care Plan who are known to be in receipt of EHE. Officers also work closely with Social Care to ensure coordination and careful risk assessment. Officers continually work with colleagues in Social Care to support families who electively home educate their children and have intervention and support arranged by social care through a Child in Need or Child Protection Plan.

The School Placement and Admissions Team have created a Professionals' Briefing Sheet which provides information to other council employees about EHE and the legalities surrounding it for parents and local authorities.

The School Placement and Admissions team work closely with Social Care to ensure that any information about education provision is shared for children on a need to know basis who may be involved with social care. Support and training is provided to social care staff who may be unfamiliar with the legal requirements surrounding EHE.

Invite Parents to Apply for School Place Allocations

At the beginning of each autumn term officers are now sending leaflets/letters to the parents of children in receipt of Elective Home Education in years 2, 6 and 9 to make them aware of their options for applying for a new school at either junior level, secondary level or Year 10 provision (University Technical Colleges and Studio Schools).

Working with families

To date officers have had very positive engagement from families providing elective home education. This goes against a trend nationally where other local authorities report difficulty engaging with EHE families and a sense of distrust with the council.

The numbers of EHE children in Hillingdon are the second highest (behind Newham) of 29 London authorities that responded to an Ofsted request for data in February 2016 (see Appendix 3). The average number of children subject to elective home education arrangements is 121 per London Boroughs. Officers attribute this high number to the fact that Hillingdon has a high pupil population (in the top ten in London) but also due to parents actively engaging with the local authority including reviewing the website page and contacting the School Placement and Admissions Team. This has helped officers to secure a more accurate picture of elective home education in the Borough.

Officers always provide a full range of options to parents wishing to discuss a move to EHE, including resolving any particular issues that may be affecting the child in their current school, providing support for changing school, or providing advice about EHE. This

information is always well received and following a recent meeting with one parent, officers were invited to contact them in 2 months to check on their progress. The parent even suggested that she could provide her story as a testimonial to her decision and the support of the local authority.

Changes - Action Underway:

Seeking the Views of Residents

To support engagement with parents who decide to make their own arrangements outside of school to educate their child(ren), officers are developing a proposal to ask a sample of parents for their views on the information and advice the LA offers. This will be subject to Member approval. Officers also hope to learn from the survey more information about parents' reasons for choosing EHE as they are not required to provide this information to schools when they take their children off-roll. Responses received will help shape future service development and feed into school improvement locally. In addition the survey will help engage EHE families for future development of EHE policies and services provided.

This questionnaire will assist with the assurance that the local authority is satisfied that everyone known to be home educating appears to be suitably educating their children, although the local authority has no statutory duty to request said information.

Working to comply with PREVENT Strategy

Guidance has been made available on the Hillingdon Council EHE webpage with regard to online safeguarding and guidance will also be made available for parents with a view to safeguarding and promoting the welfare of children when choosing private tutors and to be cautious of unlicensed schools. This will cover radicalisation as well as general safeguarding matters such as DBS checks, consistent with national guidelines.

Expanding Exam Centre provision

The Skills Hub in Yiewsley is the only publicised exam centre in Hillingdon that accepts EHE children. The School Placement and Admissions Team are continuing to explore alternative options such as Hillingdon secondary schools that are prepared to accept EHE children for examinations as well as the provision available privately within or outside the borough.

Working with EHE Community Groups

Officers have attempted to engage with Hillingdon's EHE community groups, however these have been hard to locate, which may be attributable to few formal groups being in operation in Hillingdon. Attempts to resolve this will include a dedicated question about support groups on the annual EHE questionnaire.

Online notification for EHE

Officers are developing an 'on-line' form for parents to notify us that they are providing elective home education. Although there is no legal requirement for parents to complete the form, some parents will find it convenient to communicate directly to the LA.

Proposed Changes:

Greater involvement with outside agencies

Officers are exploring the option to set up lines of communication with outside agencies that may be involved with children receiving EHE, such as the NHS (GPs/Hospitals etc). The aim would be for the local authority to be notified if they become aware of a child whose parents claim is receiving EHE. This could then be cross referenced against LA held records. Our intention would be to cut down on the number of 'invisible' EHE children who may live in Hillingdon, to ensure parents are receiving the support, guidance and advice on offer. Any changes would be subject to Member agreement.

APPENDIX 1 - List of previous POC recommendations (2012)

RECOMMENDATION 1:

That an annual Borough network meeting take place between LBH EHE Parents and the local authority to enable networking to take place between different EHE groups.

RECOMMENDATION 2:

That Officers review the EHE correspondence which is sent to EHE parents to ensure that their tone is empathetic and their contents are not open to misinterpretation.

RECOMMENDATION 3:

That EHE parents be provided with information on London Borough Exam Centres that will accept EHE children.

RECOMMENDATION 4:

That Cabinet be recommended to approve the updated policy on Elective Home Education and that the policy be reviewed on an annual basis.

APPENDIX 2 - Sample letter text

1. Introductory Letter

Our records show that you have chosen to provide elective home education for NAME.

By choosing to educate your child at home you assume sole responsibility for your child's education and the local authority will not provide:

- a grant
- teaching staff
- stationery or books
- the location for education to take place
- educational visits
- payment for the entry fees of future exams to be taken

We can still provide

- impartial advice and information
- assessment of your educational provision
- advice on employment or further education
- access to a public examination centre

In addition to this, we will also

- contact you on an annual basis and ask you to complete an annual update form
- contact you to provide information that may be relevant for your child such as information on applying for a new school for years 3, 7, 10 or sixth-form or information about exam centres

Hillingdon council periodically contacts parents providing elective home education to invite them to submit evidence to show that children are receiving an efficient and suitable education.

Please be aware that you are *not* legally required to provide such evidence to the local authority, however by doing so we will be able to assess the level of education being provided and report back to you stating the strengths of the education being provided.

If any concerns about the efficiency or suitability of the education being provided for your child are identified we will discuss these with you with a view to helping you improve the provision in the best interests of your child. Such discussions will be conducted in the spirit of respect and partnership working to seek an outcome satisfactory to all, particularly the child.

Accompanying this letter is some information you may find useful including weblinks and contact numbers for organisations that can provide advice and support regarding elective home education. We would also recommend that you continue to check the Elective Home Education Pages on the Hillingdon website as we will periodically provide information there

which you may also find useful (eg details of flu vaccination courses, cycling proficiency courses etc.)

If you would like to discuss this letter with me or would like further advice regarding elective home education then please contact me using the contact details overleaf.

2. Annual Update Letter

Our records show that you are continuing to provide elective home education for NAME.

Hillingdon council is committed to contacting parents providing elective home education at least once a year and this letter is being sent to provide an update to parents.

The number of parents choosing to electively home educate their children in Hillingdon is continuing to rise and as a result we have made some changes which you may find useful. We have compiled all the information currently available on our website in one easy-to-find location. You can now access information, policies and useful links relating to electively home education at www.hillingdon.gov.uk/ehe. We have also updated the Hillingdon policy to reflect recent changes in team structure and to ensure that the policy continues to provide up-to-date information to residents.

Attached to this letter is a questionnaire we would invite you to complete and return. This allows us to ensure that our information is up to date and also allows you to have a voice in the future of any services we may be able to provide to you as a local authority. You can also find an online version of the questionnaire on our website.

We are still able to offer parents providing elective home education with a report highlighting the strengths of their provision and provide suggestions for improvements if there are any concerns about the suitability of the education.

If you would like an assessment of your education provision you can submit evidence which outlines the education being provided for NAME. You can do this, for example, by:

- writing a report
- providing samples of work
- inviting me to your home, with or without your child present
- meeting me elsewhere, with or without your child present
- having the educational provision endorsed by a recognised third party (eg tutor)
- providing evidence in any other appropriate form.

Please be aware that you are *not* legally required to provide such evidence to the local authority, and by not supplying evidence we will *not* assume that there is a concern.

If you would like to discuss this letter with me or would like further advice regarding elective home education then please contact me using the contact details overleaf.

3. Evidence request letter

Our records show that you have chosen to provide elective home education for NAME.

Hillingdon council periodically contacts parents providing elective home education to invite them to submit evidence to show that children are receiving an efficient and suitable education.

I would be grateful if you could respond to this letter by providing evidence which outlines the education being provided for NAME. You can do this, for example, by:

- writing a report
- providing samples of work
- inviting me to your home, with or without your child present
- meeting me elsewhere, with or without your child present
- having the educational provision endorsed by a recognised third party (eg tutor)
- providing evidence in any other appropriate form.

Please be aware that you are *not* legally required to provide such evidence to the local authority, however by doing so we will be able to assess the level of education being provided and report back to you stating the strengths of the education being provided.

If any concerns about the efficiency or suitability of the education being provided for your child are identified we will discuss these with you with a view to helping you improve the provision in the best interests of your child. Such discussions will be conducted in the spirit of respect and partnership working to seek an outcome satisfactory to all, particularly the child.

If you would like to discuss this letter with me or would like further advice regarding elective home education then please contact me using the contact details overleaf.

APPENDIX 3 - London LA EHE numbers collected by OfSted - February 2016

London Borough	Number of EHE children
Barking and Dagenham	no response
Barnet	137
Bexley	no response
Brent	187
Bromley	147
Camden	103
City of London	1
Croydon	181
Ealing	170
Enfield	208
Greenwich	no response
Hackney	169
Haringey	162
Hammersmith & Fulham	65
Harrow	64
Havering	90
Hillingdon	222
Hounslow	94
Islington	76
Kensington & Chelsea	36
Kingston	57
Lambeth	83
Lewisham	198
Merton	95
Newham	251
Redbridge	127
Richmond	60
Southwark	no response
Sutton	76
Tower Hamlets	132
Waltham Forest	203
Wandsworth	75
Westminster	35
Total	3504