

# Report of the Deputy Director to the meeting of the Children's Services Overview and Scrutiny Committee to be held on 26 July 2016.

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**G****Subject:** Elective Home Education and the Education Safeguarding Hub**Summary statement:**

Safeguarding children across the District is our highest priority with the Director of Children's Services having a legal responsibility for the safeguarding of children. In order to meet this responsibility there is a requirement to have information about children who are unknown to statutory agencies so that their well-being can be assured. Once identified missing children and children not on the roll of a school need to have a swift response to ensure their well-being.

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**Overview & Scrutiny Area:**  
**Children's Services**



## **1. SUMMARY**

- 1.1 Safeguarding children across the District is our highest priority with the Director of Children's Services having a legal responsibility for the safeguarding of children. In order to meet this responsibility there is a requirement to have information about children who are unknown to statutory agencies so that their well-being can be assured. Once identified missing children and children not on the roll of a school need to have a swift response to ensure their well-being.

## **2. BACKGROUND**

- 2.1 LA's have a duty to safeguard and promote the welfare of children. Under Section 175(1) of the Education Act 2002 "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. Working Together to Safeguard Children (March 2015) outlines the duty of all professionals to take responsibility for keeping children safe by taking prompt action where concerns arise and sharing information appropriately. When children are not registered in an approved educational setting, the safeguarding responsibility becomes very difficult to fulfil.

For Children Missing Education the Education Social Work Service (ESW) since 2006 has designed and developed processes and procedures for the management of CME cases. However to further develop this work and to cover other areas such as Elective Home Education and monitoring whether there are any unregistered schools in the District, the Education Safeguarding Hub has been set up. This is operating from within existing resources to identify all children of compulsory school age who live in the District and whose safety must be assured because they:

- do not access registered maintained or independent school provision;
- are not registered as being electively home educated;
- are found to be engaging in activities which place them at risk or vulnerable.

- 2.2 The Hub was established in March 2016 to provide more focused partnership work across Children's Services, the Police, Health and Housing. It will have strong links to the Multi Agency Safeguarding Hub (MASH) and Prevent processes. This will ensure information sharing is proportionate, timely, effective and robust interventions are undertaken in the interests of the young person.
- 2.3 The object of the Education Safeguarding Hub (ESH) is to detect the "unknown knowns" and the "unknown unknowns". Existing processes will continue to work with the "known known's", i.e. those children who we know and are not accessing their respective provision.

## **3. Elective Home Education**

- 3.1 Elective Home Education (EHE) is the term used to describe parents' decision to provide education for their child (ren) at home instead of sending them to school. This is different to home tuition provided by a Local Authority (LA) or education provided by a LA other than at school. Children whose parents elect to educate them at home are not registered on the roll of any school. The costs associated with Elective Home Education are the parents' alone.

- 3.2 Statutory responsibility for children who are home educated is found under Section 7 of the 1996 Education Act, where it states that: *“The parent/carer 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.”*
- 3.3 Section 9 of the Education Act 1996 states that: *“In exercising or performing all their respective powers and duties under the Education Acts, the Secretary of State and Local Authorities shall have regard to the general principle that pupils are educated in accordance with the wishes of their parents, so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure.”*
- 3.4 The parent/carer is not required to inform the Local Authority of their decision to home educate. This does mean that some children may be home educated who are not known to the Local Authority.
- 3.5 When the child is on the roll of a school and the parents decide to home educate, the school must inform the Local Authority of the parents decision to home educate. The school must delete the child’s name from their school roll on receipt of written notification from the parents that the pupil is being electively home educated.
- 3.6 Local Authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis nor do their officers have an automatic right of access to the parent/carer(s) home.
- 3.7 The statutory guidance tells us “Parents are required to provide an efficient, full-time education suitable to the age, ability and aptitude of the child”. There is currently no legal definition of "full-time"...and home educating parents are not required to:
- teach the National Curriculum
  - provide a broad and balanced education
  - have a timetable
  - have premises equipped to any particular standard
  - set hours during which education will take place
  - have any specific qualifications make detailed plans in advance
  - observe school hours, days or terms
  - give formal lessons
  - mark work done by their child
  - formally assess progress or set development objectives
  - reproduce school type peer group socialisation
  - match school-based, age-specific standards.

#### **4. Process followed when a parent notifies of intention to home educate**

- 4.1 The flow chart (Appendix 1) depicts the process followed in relation to EHE notifications. This relates to the registration process and the monitoring of provision only; safeguarding issues are covered in addition to this.
- 4.2 Where a parent/carer decides to home educate their child, contact is made with the

LA either directly or through notification to their child's school. Upon receipt of such notification the child is removed from school roll (if applicable) and their name added to the register of electively home educated children.

- 4.3 A registration pack, containing guidance notes for parents/carers (Appendix 2) together with a questionnaire (Appendix 3), is sent out from the Department of Children's Services, for completion.
- 4.4 Shortly after registration and usually on receipt of the completed questionnaire an initial visit is made by the Education Social Worker (ESW), the purpose of which is to ascertain the welfare of the child (ren) and to provide a further opportunity for the family to seek advice.
- 4.5 After three months the inspector will assess the provision to determine whether or not it is 'suitable'. This three month period is considered a reasonable period for parents to develop their provision.
- 4.6 In the event that the provision is deemed to be unsuitable, clear targets will be given to the parent/carer and a revisit will take place within three months. If provision remains unsuitable, after targets have been given and not reached, a school place for the child will be sought in consultation with the parent/carer. A School Attendance Order (SAO) can be given to the parent/carer as a last resort.
- 4.7 If a child has a statement of SEN and the parent/carer requests EHE the Local Authority's SEN department must agree to this and, if agreed, must amend the statement accordingly. An exit review will be held with the parent/carer and the school wherever possible. Arrangements will be made, as far as is practicable, to hold the annual review in the opposite six months to the EHE inspection, so that the child has bi-annual input rather than yearly. Some statemented, home educated children receive LA funded tuition in which case there is no inspection visit as the tutor provides the SEN department with reports on the pupil's progress.
- 4.8 The wishes of children are sought wherever possible in relation to EHE. Both the ESW and Inspector will ask the child for their view and record it but the LA has no power to uphold the child's view if it is different to that of the parents.

## **5.0 Data sets**

- 5.1 As of January 2016, 333 children were registered as home educated in Bradford. This is roughly 0.38% of compulsory-aged pupils in maintained schools (Local Authority, Academy or Free schools). The regional authorities have agreed to collect information at the national census dates and refer to the most recent when requested for EHE information, thereby ensuring consistency across the region.
- 5.2 Appendix 4 provides an overview of the numbers of registered EHE pupils by Council Ward.
- 5.4 The following is a breakdown of the numbers of registered pupils in national curriculum year groups and indicates how many within each have a Statement of SEN /Education, Health and Care Plan.

<b>NCY</b>	<b>Total</b>	<b>Statement</b>
R	6	
1	16	1
2	23	
3	16	1
4	19	
5	29	
6	22	1
7	27	1
8	35	
9	32	
10	35	2
11	73	

Totals 333 6

## **6.0 Safeguarding**

- 6.1 Cases of concern relate to those children who have not been seen by a professional from whom confirmation of their welfare can be ascertained, or those where there are known welfare concerns.
- 6.2 Intelligence is sought from all agencies but in the event that none can confirm the welfare of the child (ren), referral to the most appropriate agency will be made for a welfare check to take place.
- 6.3 Given that it is not a legal requirement to register EHE children with the LA, there may be children who are being home educated that are unknown to the Authority. The Education Safeguarding Hub will work to identify children who are electively home educated but not registered with the Authority and whose safety cannot be assured

## **7. OTHER CONSIDERATIONS**

None at this time.

## **8. FINANCIAL & RESOURCE APPRAISAL**

No issues at this time.

## **9. RISK MANAGEMENT AND GOVERNANCE ISSUES**

No issues at this time.

## **10. LEGAL APPRAISAL**

No issues at this time.

## **11. RECOMMENDATIONS**

- 11.1 That the limited powers of the Authority to intervene in cases whereby parents elect to home educate their child (ren) is noted.

11.2 That it be noted that the establishment of the Education Safeguarding Hub is a key vehicle in ensuring and promoting the wellbeing of children who are not attending any registered provision.

## **12. APPENDICES**

**Appendix 1:** Elective Home Education Procedures. This is a flow chart diagram depicting the process from notification, registration and monitoring visits

**Appendix 2:** A registration pack, containing guidance notes for parents/carers (Appendix 2)

**Appendix 3:** Questionnaire for completion at time of registration

**Appendix 4:** Overview of the numbers of registered EHE pupils by Council Ward.

## **13. BACKGROUND DOCUMENTS**

None