

Response to Request for Information

Reference FOI 002582
Date 26 July 2018

Response to Home Education – Call for Evidence and revised DfE guidance

Request:

Did Wolverhampton City Council submit a response to the Home Education – Call for Evidence and revised DfE guidance which closed on July 2nd 2018? [Yes](#)

If so, please provide a copy of the full response submitted.

[In response to your request please find our response below:](#)

8. How effective are the current voluntary registration schemes run by some local authorities? What would be the advantages and disadvantages of mandatory registration of children educated at home, with duties on both local authorities and parents in this regard?

The voluntary registration scheme does leave those children who have never attended an educational provision and choose to EHE to have potential to slip through the net and go unregistered with LA's . As such they may miss out from valuable information and support from the LA, NHS and other services that are able to provide for EHE young people within the community.

Mandatory registration would allow all parents to have access to the same support and advice provided by a variety of professionals specifically for EHE young people and would allow LA to ensure its duty to be aware of all school aged children within their area. It would also allow for better transition of information between LA's when EHE young people and families move between areas to allow best practice of information sharing and to ensure no child is lost in the system.

9. What information is needed for registration purposes, and what information is actually gathered by local authorities? Would it help the efficacy of these schemes, and the sharing of information between authorities, if there were a nationally agreed dataset or if data could be shared by national agencies, such as DWP or the NHS?

LA collects DOB, address, UPN (if appropriate) and information about Social Care or Early Help involvement. An agreement is in place with local School Nurse to share information with EHE officer when required. In addition, information can be requested from local Benefits Team within Council, however this scope is limited to within City limits.

If a national database of EHE registration was held then this, in theory would speed up the process of data sharing between LA's when a young person moves area and would prevent delays in LA knowledge when a new young person arrives in their area. In addition, if DWP data sharing access could be generated on a national level this would help with tracking of potentially "missing" EHE young people who cannot be located within the LA but LA have no additional information as to where the family may have moved to.

10. Does experience of flexi-schooling and similar arrangements suggest that it would be better if the scope of registration schemes included any children who do not attend a state-funded or registered independent school full-time? If so, do you think that local authorities should be able to confirm with both state-funded and independent schools whether a named child is attending that school full-time?

Yes – in order to fulfil our safeguarding duties we think as an LA we should know the educational provision of all young people who live in our city.

The Children Missing in Education guidance – regulation 12, of the Education Pupil Registration Regulations 2006, states that schools are required to notify the Local Authority within 5 days when a pupils name is added to the admission register. Therefore this needs to be the case for all providers.

11. Would the sanction of issuing a school attendance order for parental non-compliance with registration be effective, or is there another sanction which would be more useful?

In most cases the LA has found the issuing of, or beginning the procedures to issue a School Attendance Order, in most cases, ends with a mutual resolution with the family either providing evidence as required or being willing to accept a school place.

A penalty notice for non compliance for EHE registration maybe an effective sanction whereby parents have to pay a penalty for not registering along with the school attendance order process starting.

12. What steps might help reduce the incidence of schools reportedly pressuring parents to remove children to educate them at home?

Guidelines for schools to follow to show they have explored all options with a parent before EHE in decided upon.

Including having a meeting with parents before EHE letter is sent to LA to outline why the parent has chosen to EHE, to make clear the parent will not be provided with work from LA or School and to highlight that full responsibility for EHE will lie with the parents, also providing them with copies of the suggested EHE guideline for parents to read and giving them a 7 day cooling off period to make their final decision.

Schools to keep the young person on roll for a specific period of time ie 30days so that if parents are not happy with EHE they can get a place back at the same school within that time period.

13. Is there an argument for some provision which allows a child to return to the same school within a specified interval if suitable home education does not prove possible?

Yes – however distinct lack of school places within authority would prevent most, if not all, schools holding a place for an EHE young person for a specific period of time. In an ideal world this would be the best option as the school the child has already left would be best placed to already know the child's educational, social and emotional needs.

14. How effective is local authority monitoring of provision made for children educated at home? Which current approaches by local authorities represent best practice?

With lack of clarity around the definition of what is defined as an effective and suitable education it can be very difficult for LA's to be able to monitor what is defined as suitable and is best meeting the needs of the home educated young person. As a LA we offer an initial 3 monthly visit, reducing to 6 monthly as parents/carers gain in confidence and knowledge around their EHE. However often times parents are aware that the LA have little or no right to enforce the timescales they feel would be suitable for monitoring – parents will often state they need reasonable time to get used to EHE which can range from a few weeks to 6 months in each parents eye. A specific framework for when and how often a family should be monitored would provide clarity for LA's and parents alike.

15. If monitoring of suitability is not always effective, what changes should be made in the powers and duties of local authorities in this regard, and how could they best ensure that monitoring of suitability is proportionate?

A specific framework for when and how often a family should be monitored would provide clarity for LA's and parents alike, as well as giving the LA and Parents guidance of what an "efficient" education may mean – for example setting out basic targets for Maths and English that parents can use to follow and LA's could use as a measurement guide to help determine if an education is "efficient". Need clear definitions and basic standards.

16. Should there be specific duties on parents to comply with local authorities carrying out monitoring if such LA powers and duties were created, and what sanctions should attach to non-compliance?

Yes – parents should be expected to make contact with the LA at the minimum every 6 months. This contact should be in the form of a report or face to face visit which outlines what the child/young person has achieved over their previous academic year. Examples of outcomes set my parents, work, projects, videos, photos, blogs etc could be used to evidence this. Should the family not comply with such requests then the LA would be in a position to initiate an immediate SAO.

17. Is it necessary to see the child and/or the education setting (whether that is the home or some other place), in order to assess fully the suitability of education, and if so, what level of interaction or observation is required to make this useful in assessing suitability?

In terms of safeguarding purposes, it is necessary to see the child and their educational setting to gain a sense of suitability for the environment the child is accessing. However as there is no definite definition of what the government deems as “effective” it can be difficult for LA’s to define, other than using their own individual safeguarding policies if an environment is “safe”, in the same sense as a Social Worker may deem a home environment safe. Discussions with the young person/child often allow officer to get a glimpse into the wishes and feelings of the child/young person however a true assessment of suitability could only be achieved over a longer term period of observation – similar to that of OFSTED within a school setting.

18. What can be done to better ensure that the child’s own views on being educated at home, and on the suitability of the education provided, are known to the local authority?

If a visit is accepted children (if able) can be questioned by the LA Officer in relation to their own feelings around EHE and provision however this can be difficult to achieve if parents refuse visits or do not allow the child time to speak away from their parent. An independent questionnaire could be provided to older children in terms of an online portal however again we cannot be certain that parents/guardians may influence this also.

This allows the young person to share their views on whether they enjoy being home schooled and whether they want to continue with it.

19. What are the advantages and disadvantages of using settings which are not registered independent or state schools, to supplement home education? How can authorities reliably obtain information on the education provided to individual children whose education ‘otherwise than at school’ includes attendance at such settings as well as, or instead of, education at home?

Advantage:

- Provides additional educational support to parents who EHE.
- Can allow access to qualifications – Functional Skills etc.
- Can allow young person access to wider social groups.
- Can allow for wider safeguarding scope if LA can be assured provider has sufficient safeguarding policies in place.
- Provides peer support

Disadvantages:

- Unregistered therefore not monitored by OFSTED in terms of safety/educational provision
- Unsure if radicalisation etc is taking place
- LA would need to make regular links with providers and be invited to reviews to access how Young Person is getting on with their training
- Not full time which can lead parents to think that only 0.5 per week is “enough” education leaving young person without suitable provision.

20. What are the advantages and disadvantages of using private tutors to supplement home education? How can authorities best obtain information on the education provided to individual children whose education at home includes private tuition, or whom attend tuition away from home?

Advantage:

- Provides additional educational support to parents who EHE.
- Can allow access to qualifications if tutor is aware of how to apply for this
- Can allow for wider safeguarding scope if LA can be assured tutor has sufficient safeguarding policies in place.

Disadvantages:

- LA cannot be sure Tutor is DBS registered – even if LA make clear to parents they should be checking this regularly
- LA cannot be sure that, if any curriculum Tutor has decided to teach
- LA cannot be sure that radicalisation via tutor is taking place

21. Are there other matters which stakeholders would wish to see taken into account in this area? If so please insert comments below.

National accreditation of tutors could be implemented to ensure they are aware of safeguarding procedures, radicalisation, British values, PREVENT etc.

Whole EHE guidance is out dated and needs to be reviewed.

22. What might be done to improve access to public examinations for children educated at home?

Government to provide a subsidised exam entry for EHE young people who have accessed provision by LA officer, and whom LA can see have made good provision and work towards GCSE curriculum.

23. What good practice is there currently in local authority arrangements for supporting home-educating families? Should there be a duty on local authorities to provide advice and support, and if so how should such a duty be framed?

LA offer opportunity for every EHE family to meet with EHE Officer. This offer is sent out within 1 month of notification reaching LA. All families are offered discussion with dedicated Teacher around suggested educational theories, curriculum and resources that might be on offer. The officer is also able to make links with other families, colleges and providers in the area to help families feel supported in their EHE.

24. Should there be a financial consequence for schools if a parent withdraws a child from the school roll to educate at home?

Depends on the individual circumstances. If a school is unable to show they have provided sufficient support, meetings, SEN provision or support for EHCP then school could be charged.

25. Should there be any changes to the provision in Regulation 8(2) of the Education (Pupil Registration) (England) Regulations 2006 requiring local authority consent to the removal of a child's name from the roll of a maintained special school if placed there under arrangements made by the local authority?

No – the Special Education Needs Team need to be able to have the final say, along with other professionals involved with the young person to ensure that ALL options have been explored by the parent and Special Needs Team before the child is removed from roll, including attempting to locate another suitable school. The Special Needs Team are aware of all the issues and needs relating to that child/young person so need to be involved in this decision.

26. Are there any other comments you wish to make relating to the effectiveness of current arrangements for elective home education and potential changes?

From a LA point of view it is extremely difficult to engage effectively with parents when we do not have clear guidelines to state what an effective education looks like. Even basic guidance around what Maths and English skills would be expected to see would allow LA to have some ground to begin to work with parents to help them better prepare their children for adulthood with the skills they need to become happy, functioning and productive members of society.

27. What data are currently available on the numbers of children being educated at home in your local authority area?

LA hold numbers of all young people/children known to their service who are EHE.

We know the breakdown of gender, ages, school year groups, ethnicity, free school meals status, special educational needs information, previous school information (if been at a previous school) This information is generated from schools, nurseries, NHS and parents themselves.

28. Do you have any comments on any of the contents of the call for evidence document in relation to equality issues?

GRT community should be subject to the same rules around EHE.

29. Comments on Section 1: What is elective home education?

Section needs to be clear on the minimum requirements for home education as its not clear.

30. Comments on Section 2: Reasons for elective home education - why do parents choose to provide it?

2.3 – This whole section causes issues for LA's. Without any specific guidance over what "efficient" looks like the LA can end in a dispute with parents about what skills their child may or may not need to function effectivity when they are an adult. Parents will often quote this very section as the reason why they do not need to "work" in effect as the guidance makes it very clear what they don't have to do but gives no clarity about what they do or should be doing to ensure the best outcomes for their child.

31. Comments on Section 3: The starting point for Local Authorities.

Again without any specific guidance over what "efficient" looks like the LA can end in a dispute with parents about what skills their child may or may not need to function effectivity when they are an adult. Parents will often quote this very section as the reason why they do not need to "work" in effect as the guidance makes it very clear what they don't have to do but gives no clarity about what they do or should be doing to ensure the best outcomes for their child. This leaves the LA almost out on their own with no nationally agreed framework for EHE that they can follow, causing huge disparity in how LA's treat their EHE community.

3.3 and 3.4 could be scraped as they don't add any detail as to what efficient looks like.

32. Comments on Section 4: How do local authorities know that a child is being educated at home?

Children who haven't ever attended school – A national agreed framework would need to be in place to exchange information between NHS, HM and Customs Services in order to allow LA's to have a full scope of all young people who have ever attended school who are in their area.

33. Comments on Section 5: Local authorities' responsibilities for children who are, or appear to be, educated at home.

5.1- A duty should be clear that LA's need to monitor educational provision on a routine basis, at least every 6 months.

5.3- A legal framework of how EHE should work for each LA would prevent confusion between LA's and parents nationwide and would reduce friction between parental EHE support groups and LA's nationwide as everyone would be clear about expectations and requirements.

Monitoring of unregistered provision is not the role of the EHE officer however we would make safeguarding teams aware of this as necessary.

34. Comments on Section 6: What should local authorities do when it is not clear that home education is suitable?

6.1 – definition required of “equality”, what does this mean.

6.2- Definition of “reasonable timescale” needs to be clearer and nationally agreed

6.5 – use stronger wording than “very easy for the authority to conclude”. Should be something “they will conclude”.

6.7 – flexi-schooling should be removed from this guidance as is a separate program.

6.10 – definition of minimum requirement needed.

6.20 – Weakness in SAO. If a parent does not comply with the order the process should NOT have to be completed again. This poses a risk to the educational attainment of the young person/child and also to the welfare of that young person/child.

35. Comments on Section 7: Safeguarding: the interface with home education

7.3 There should be a national statutory policy for EHE including safeguarding guidance.

7.4 Policy should be clear that not seeing the child repeatedly is a cause for concern.

36. Comments on Section 8: Home-educated children with special educational needs (SEN)

8.6- Oversight of SENTEAM to ensure provision is suitable for children with EHCP is vital and gives families an additional support network of professionals who are able to offer advice and support to ensure the needs of the child are best being met.

37. Comments on section 9: what do the section 7 requirements need?

9.3 – Need a definition of ‘efficient’

9.4 – Define this standard and what suitable looks like

9.5 – Needs a national definition of stability and efficient education

9.7 – Remove “archives what is sets out to achieve” as this is unclear and unhelpful

38. Comments on section 10: flexi school

10.7- Should be separate programme and issue

Parents guide

39. Comments on section 1 : what is elective home education?

Needs to be clear on full responsibility lies with parent

Doesn't set out clear requirements for EHE for parents to follow

40. Comments on section 2: what is the legal position of parents who wish to home educate children?

2.6 – Confusing and wordy for parents to follow

2.7/2.8 – Doesn't explain what efficient looks like

2.10 – Doesn't define what “minimum expectation” is

41. Comments on section 3: So what do I need to think about before deciding to educate my child at home?

3.1 – What curriculum? This has not been defined

3.2- Remove as unhelpful and no definition

3.6 – Needs to remove SEND bit here and be dealt with in Section 5.

42. Comments on section 4: if I choose to educate my child at home what must I do before I start?

4.2 – Parents DO need to inform someone of the reason for their off registration from a school. They cannot simply remove them without reason.

4.4 – Doesn't define what efficient and full time could look like.

4.5 – Infers that if EHE child wishes to return to education they will go straight to their school of choice or the LA will teach the child or fund alternative – this is NOT the case.

43. Comments on section 5: what are the responsibilities of your local authority?

Section needs to be clear about CiN/CP and EHE, if this is suitable and if government feels the parents have the right to EHE if LA feels there are enough safeguarding concerns for family to be open to Social Care.

Needs to set out reasonable timeframes for all LA's to follow

44. Comments on section 6: further information

6.13 – Lots of authorities don't have a specific traveller teaching service therefore this would need to be removed.