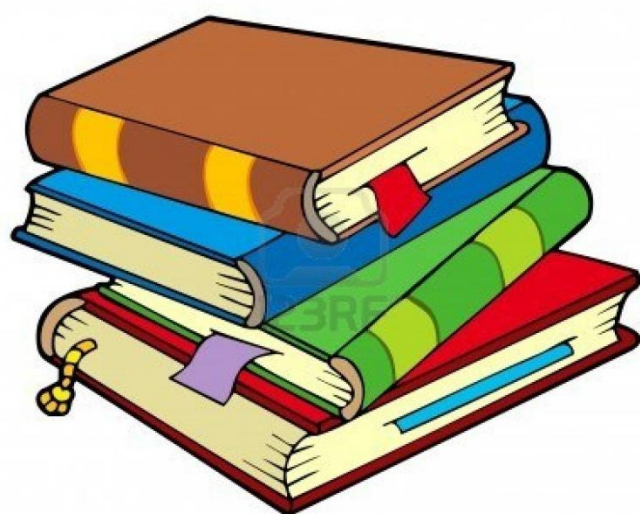


Overview and Scrutiny Report

# Elective Home Education



March 2017



North Tyneside Council

## **2. Reason for the study**

- 2.1 At its meeting in July 2016, the Children, Education and Skills Sub-committee received a report which set out background information in relation to Elective Home Education.
- 2.2 Members of the sub-committee had expressed some concerns as to the authorities' ability to check the quality of education being received by those outside of the formal school process. As the Attendance and Placement Team was due to review North Tyneside's policy on Elective Home Education, it was agreed that a review be undertaken to look at the current practices and local authority role in relation to home educating.
- 2.3 The topic linked to the Our People theme of the Our North Tyneside Plan, especially 'Be supported to achieve their full potential, especially our children and young people'.

## **3. Remit and method**

- 3.1 Following consideration of background information in relation to Elective Home Education, the sub-group agreed the following remit at the beginning of the study:
  - What are the key motivations for parents wanting to home educate their parents?
  - Is the increased demand on school places impacting on the number of parents that choose to home school?
  - Do parents feel supported by the local authority in their choice? Do they require additional assistance?
  - Should the government be lobbied to change the law to permit local authorities access to elective home educated children?
  - To advise the officer team on the authorities policy statement on home education and what networks could be established to reassure Members that all children being home educated were known about.
- 3.2 The following Members volunteered to serve on the group:
  - Councillor Matthew Thirlaway (Chair)
  - Councillor M Rankin
  - Councillor L Spillard
  - Mr G O'Hanlon (Church representative)
- 3.3 The group met with officers in the Attendance and Placement Team to gather information on the role that the Council has in relation to Elective Home Education and the powers available to the Council in ensuring an appropriate education is provided. The sub-group also obtained information relating to why parents choose home education and the latest figures.
- 3.4 The sub-group felt that it was important to consult directly with parents that were currently home educating. Through information provided by the service area, the sub-group was able to invite all current known home educators along to a meeting to discuss their experiences and the relationship that they have with the local authority. Unfortunately, only one parent was able to attend the meeting. However, the discussion provided the sub-group with

invaluable insight into home educating and ideas as to how minor changes could be made to current processes, in order for additional support to be available for home educators.

- 3.5 Following the meeting, a further email request was sent to home educators asking for any general comments on their experiences or ideas to improve the dialogue with the local authority. This generated one further representation.

## **4. Findings and evidence**

### **4.1 Definition of Elective Home Education**

4.1.1 Elective Home Education (EHE) is the term used to describe parents' decision to provide education for their children at home instead of sending them to school. This is a different situation to home tuition provided by a local authority or education provided by a local authority other than at a school. Children whose parents elect to educate them at home are not registered at a school. Some parents may choose to engage private tutors or other adults to assist them in providing a suitable education, but there is no requirement to do so. Learning may take place in a variety of locations, not just the family home.

4.1.2 In England, education is compulsory, but school is not. 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.”

Whilst an 'efficient' and 'suitable' education are not defined in the Education Act 1996, 'efficient' has been broadly described in case law as an education that 'achieves that which it sets out to achieve' and a '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'.

4.1.3 Parents are not required to register or seek approval from the local authority to educate their children at home. Exercising the right to home educate can begin from a very early age and the child may not have been previously enrolled at school. Parents may also elect to home educate at any other stage up to the end of compulsory school age. When parents choose to electively home educate their children they assume financial responsibility, which includes all learning materials and examination entries. A child can re-enter the schooling system at any point (though not necessarily the school they left depending on the current demand). The most common reasons for doing this are the financial burden placed on families, especially in relation to examination fees, and the desire of the child to be in the school setting.

## 4.2 National and Local Picture

- 4.2.1 Responses from Freedom of Information requests from 190 local authorities placed the number of children home educated in the UK at 36,609. However, as there is no legal obligation for parents to inform the local authority they are home educating, it is likely that this figure will be significantly higher. Available data demonstrates that nationally there has been a 65% increase in children recorded as home educated over a period of 6 years.<sup>1</sup> Parents being more astute about the law and social media promoting home educating has been attributed to this rise in children being educated outside of school. Reasons for parents choosing to home educate include lifestyle, dissatisfaction or disagreements with local schools, special needs, bullying and religion.
- 4.2.2 In North Tyneside there are currently (as of February 2017) 41 children (that are known of) being electively home educated. This number fluctuates on a regular basis, particularly at the beginning of the school year. Reasons provided for home educating by families in North Tyneside include: not getting their desired school; unhappy with certain arrangements at current school; lifestyle choice; medical and child refuses to attend school. For some young people the reason is unknown as the family have opted not to engage with the local authority.
- 4.2.3 The sub-group recognised that 41 children was a very small percentage of the overall school population (0.14%) but felt strongly that the education of each child was of the utmost importance and therefore the local authority should do all it can to support parents in their choice to home educate. This is particularly important as research demonstrates that the trend for home education is on the rise. The group was clear that they (and the authority) fully respect the right and the choice of parents to home educate.

## 4.3 Legal position of local authorities

- 4.3.1 Once the local authority is informed by a school (or other agency) that a child is being home educated, contact will be made with the parents/guardians to try and arrange an appointment to visit the family. The visits, made by the authorities Attendance and Placement Officer, are there to monitor the range of the activities/lessons being delivered and to offer some advice. Some parents choose to engage in this process, however, some decline the opportunity to share any information with the local authority.
- 4.3.2 Local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis; parents are under no duty to respond to informal enquiries. However, under section 437(1) of the Education Act 1996, the local authority can intervene if it appears parents are not providing a suitable education. If this is suspected, perhaps following information provided by family members or friends/neighbours, the authority can issue a school attendance order. The order would specify the school where the child should be registered. If parents did not comply with the order, they would be committing an offence, unless they could prove their child was receiving a

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<sup>1</sup> BBC News, 21 December 2015, <http://www.bbc.co.uk/news/education-35133119>

suitable education. The sub-group recognised that this situation would very much be a last resort.

- 4.3.3 Members of the sub-group expressed concern at the limited access local authorities have to monitor the education of children being electively home educated. This was both from an educational and safeguarding point of view. Whilst the group fully recognised that there would be families providing a very good level of education within the home, there may be other instances where parents/guardians are not equipped to deliver a suitable education. It was also felt that there needed to be a clearer definition of what constituted a 'suitable' and 'efficient' education, with some minimum standards that should be achieved by a particular age. This would help parents to plan and deliver the education that they devise.
- 4.3.4 The group felt that the local authority should have an automatic right of access to a child being electively home educated. This was on the basis that every child is entitled to a good quality education. The group also discussed the potential safeguarding issues in relation to home education and the difficulties between the local authority being responsible for safeguarding and promoting the welfare of children and having no guaranteed access to children being educated outside of the school system.
- 4.3.5 The group acknowledged that in the vast majority of instances there are no safeguarding issues related to a families choice to home educate, stating that a child in the school system is just as likely to be the victim of some form of domestic abuse. However, it was acknowledged that it was more likely that signs of abuse and/or neglect would be picked up within the school setting and interventions could be put in place. On this basis, the group felt that it was important for the local authority to have a right to access home educated children.
- 4.3.6 The group felt that the government should be lobbied to make changes to the law to ensure that local authorities are able to carry out its duty in promoting safeguarding and welfare in relation to electively home educated children. It was also agreed that the government should be lobbied to change and strengthen the definition around what an 'efficient' and 'suitable' is and to set down some minimum standards that should be worked towards. The group was clear that this was in no way trying to take away the right of a parent to home educate, rather it was trying to support the right of a child to a good education.

**Recommendation 1: The Mayor write to the Minister for Education asking for a change to the law which would give local authorities guaranteed access to children being home educated and provide a clear definition of a 'suitable' and 'efficient' education, along with some minimum educational standards and also encourages other Leaders, Elected Mayors and Executive Members for Education at other Local Authorities to do the same.**

#### **4.4 Support for parents and children/young people**

- 4.4.1 Once a parent(s) decides to electively home educate their child(ren) they take full responsibility for devising and delivering a learning plan and providing all the associated resources. Parents at different stages of their home educating

journey will have valuable tips that could be useful to other families. This could include ideas of lesson plans, good places to get resources, events that are happening and places to visit that have educational packs.

- 4.4.2 Whilst there are some networking structures in place for elective home educating parents (independent of the local authority) to share ideas and in some instances teach collaboratively, it was acknowledged that not all parents engage in these and therefore lack any additional support. The sub-group thought about how the local authority, whilst respecting its role in the delivery of home education, could provide parents with some additional support and help them to help themselves. Whilst the local authority will try to engage with parents to get an impression of how they intend to provide an efficient education within the home and/or community setting, they will not provide any expert advice on the delivery of education. Parents in similar situations would be best placed to share this information.
- 4.4.3 Members felt that a 'notice board' type area on the relevant part of the Council's website would provide an opportunity to allow parents to share helpful tips and information. This would have to be facilitated by the Attendance and Placement Team, with parents sending them relevant information to be uploaded. Officers felt that this wouldn't be resource intensive to facilitate and that it may help increase the number of families willing to engage with the local authority. As the website can be accessed by all, it would ensure that all elective home educating parents, whether engaged in networks or not, would have access to some additional support and resource. The 'notice board' could be reviewed 6 months from implementation to identify levels of usage and parents could be canvassed on whether they have found the facility useful.

**Recommendation 2: Cabinet ask officers in the Attendance and Placement Team to establish a 'notice board' page on the relevant section of the Council's website to allow parents to share advice and tips in relation to elective home education.**

#### 4.5 Identifying resources

- 4.5.1 When parents decide to electively home educate, they assume all financial responsibility for the delivery of a suitable education. This includes books, equipment, examination entries and excursions. This can amount to a significant amount of money and is one of the reasons children are re-introduced to the schooling system. At the meeting that the sub-group invited parents to attend, it was highlighted that some steps could be taken to try and help home educating parents to acquire resources at a reduced cost.
- 4.5.2 Whilst it is not compulsory for home educating parents to follow the National Curriculum, some choose to do so or at least to some extent. It was raised that text books used in school, which become redundant due to changes in the curriculum, would still be useful to families home educating. It was suggested that schools could offer these unwanted books, along with any other resources such as science equipment, to parents for a small cost. This could save parents on the expense of buying materials and also provide a small amount of additional income for the school. A school could inform the Attendance and Placement Team that they have equipment available, who would then email parents to offer the opportunity on a first come first served

basis. Alternatively, if a dedicated area of the website is implemented (see Recommendation 2), this is the sort of information that could be posted, providing an efficient and accessible means of communicating with parents.

**Recommendation 3: Officers in the Attendance and Placement Team liaise with schools to explore the possibility of offering, for a small cost, surplus text books and equipment to electively home educating parents.**

#### 4.6 Communication with parents

- 4.6.1 The sub-group recognised that some families are starting their home educating journey following a disagreement or dissatisfaction with the local authority, perhaps relating to allocation of places or processes within a school. It can therefore sometimes be difficult to establish a relationship with the parents and child(ren) due to a reluctance to engage with the local authority. The limited number of parents that engaged with the review was a possible indicator of this.
- 4.6.2 However, for the local authority to provide an adequate level of support to families home educating, to help young people access a quality education, effective relationships need to be built around mutual respect. The sub-group noted that the way in which the local authority communicates with parents could be changed, in order to make the interaction more friendly and informal. Reference was made to the letters sent out to parents seeking to arrange an appointment to visit the family and how these could be revised to be free of council jargon. It was also noted that communications needed to be changed dependent on the authorities' interaction with the family; those with a long standing relationship do not need a formal letter seeking an annual visit. It was also highlighted that the use of email should be promoted to a greater extent, as a more efficient means of communication.
- 4.6.3 During the course of the review, officers in the Attendance and Placement Team were reviewing the 'Elective Home Education Guidance for Parents and Carers' document. The sub-group highlighted the need for this document to also be as user friendly as possible and minimise the use of jargon/legal speak. It was felt important that the guidance needs to clearly set out the rights of families to choose to home educate and how the authority respects this decision. The tone of the guidance needed to balance the rights of the family against the role of the local authority in the delivery of education.
- 4.6.4 To be able to support home educators effectively, the local authority needs to be aware of what support parents feel they need, so that this can be signposted. The sub-group noted that this may be difficult to achieve due to the reluctance of some electively home educating parents to engage with the authority. It was felt that when consulting with parents on issues related to home education, i.e. reviews of guidance, officers should use different methods (email, social media, focus groups) to try and engage parents in order to establish their needs and concerns.

**Recommendation 4: Cabinet ask officers in the Attendance and Placement Team to review (and establish a continuous review process) all forms of written correspondence with parents electively home**

educating to ensure that material is clear, jargon free and demonstrates mutual respect.

**Recommendation 5: Cabinet ask officers in the Attendance and Placement Team to review the consultation processes currently in place, with a view to increasing the feedback the authority gets from electively home educating parents.**

#### 4.7 Sharing key messages

- 4.7.1 During discussions with an electively home educating parent, it was highlighted that, whilst children within the school system will routinely be offered (and given) inoculations, parents electively home educating will need to find this information for themselves. There was concern that this could lead to some children not having the opportunity of inoculations due to lack of awareness. This is information that the authority has readily available and could share with families where the child(ren) is not educated within the school system.
- 4.7.2 It was acknowledged that some information has been passed onto parents in the past, but this needed to be done in a systematic way to ensure no families were missed and information distributed at relevant times. It was suggested details could be sent out at the beginning of each school year to all families known to the local authority.
- 4.7.3 The group discussed other public health messages that routinely get sent out to all children through schools, especially in relation to diet and exercise. This information could also be sent to families that are home educating, which would include guidance on healthy meals and the benefits of exercise, including the communal aspect of sport. It would also signpost any opportunities to get involved in free swims or free activities. Spreading this information to all parents, not just those with children registered at school, gives everyone the same access to key public health messages designed to tackle issues such as childhood obesity.

**Recommendation 6: Cabinet ask officers in the Attendance and Placement Team to arrange for information on inoculations to be sent to all electively home educating parents on an annual basis.**

**Recommendation 7: Cabinet ask officers in the Attendance and Placement Team to liaise with colleagues in Public Health to ensure that all public health messages sent out via schools are also circulated to families that are home educating.**

#### 4.8 Reintegration into school system

- 4.8.1 It was suggested that, due to the upward trend in home schooling, there may also be an increase in the number of children re-entering the school system having been educated at home for a period of time. This may be due to changes in family circumstances or a desire of the child to go to school. Whilst there would be no guarantee of a place being available in the school they may have withdrawn from, a child/young person can re-enter the schooling system at any time.



- 4.8.2 The sub-group expressed concern at the difficulties that individuals may face re-integrating into school life. There were concerns of potential bullying and isolation. Reference was made to the 'buddy' systems that often operate in schools where an older pupil would look after/be a point of contact for a younger pupil. It was suggested that a similar arrangement could be looked at for when previously home educated children start school, though the 'buddy' would be from the same year group, to help them settle and familiarise with the new routine. Members felt that schools should be encouraged to make such arrangements, especially as the rise in the number of children being home educated may in turn increase the number of people re-entering the school system.

**Recommendation 8: Cabinet ask officers in the Attendance and Placement Team to write to all schools in the borough to establish whether a buddying system is already in place and if not to enquire if schools would consider such a system in future especially in circumstances of home educated young people returning to school.**

## **5.0 Conclusion**

- 5.1 The sub-group recognises and supports the right of parents to home educate their children and the many different techniques and styles that can be applied to deliver effective education outside of the school setting. However, concern still remains that the lack of a robust definition or standard of what comprises an 'efficient' or 'suitable' education, and the lack of powers local authorities have to monitor this, may mean that some children may not be in receipt of the level of education they are entitled to.
- 5.2 The sub-group therefore feel it important that the Mayor lobby the Minister for Education asking for a change to the law that details more clearly what constitutes an 'efficient' or 'suitable' education and compels parents to engage with the local authority to demonstrate how this education is being delivered.
- 5.3 Whilst the local authority has a limited role in relation to elective home education, the sub-group has indentified some steps that could be taken, at low or no cost, to try and provide some additional support to families. Some of these are also aimed at trying to improve the relationship between families home educating and the local authority.

## **6.0 Background Information**

Elective Home Education – Guidelines for Local Authorities

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/288135/guidelines\\_for\\_las\\_on\\_elective\\_home\\_educationsecondrevisev2\\_0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/288135/guidelines_for_las_on_elective_home_educationsecondrevisev2_0.pdf)