

Decision Maker: EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Tuesday 10 March 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: ELECTIVE HOME EDUCATION

Contact Officer: Jane Bailey, Assistant Director: Education
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Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards)

1. Reason for report

- 1.1 This report provides contextual information regarding Elective Home Education and includes supplementary data appertaining to students within the Local Authority who have been recorded as electively home educated.

2. **RECOMMENDATION(S)**

- 2.1 The Education PDS Committee is asked to note and comment on the information detailed in this report.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Education Welfare Service
 4. Total current budget for this head: £235,440.00 Controllable; £389,650.00 Total Cost
(This budget includes staffing for one officer allocated to issuing Child Employment and Entertainment Licences and Chaperone Licences)
The Service currently generates £140,000 as a sold service
 5. Source of funding: RSG
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Staff

1. Number of staff (current and additional): Child Employment Officer @0.8FTE; Child Missing Education Officer @1FTE; Education Welfare [Officers @5.4](#) FTE; Senior Education Welfare Officers @ 1.9FTE
 2. If from existing staff resources, number of staff hours: Not applicable
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Legal

1. Legal Requirement: Statutory Requirement The LA has a statutory duty to investigate cases where they believe an offence has been committed under S441 and 441A Education Act 1996; Instigate School Attendance Orders; Consider Education Supervision Orders and issue Penalty Notices. The LA has a statutory duty to identify children that may be missing from education . The LA has a duty to safeguard children in Entertainment and Child Employment. This is undertaken by the issue of licences, where Children Performance Regulations and Children and Young Person Act Apply.
 2. Call-in: Not Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Elective Home Education Referrals
2012-2013 115
2013-2014 111
2014 – Current
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 Elective Home Education

3.1.1 Section 7 of The Education Act 1996, makes it compulsory for the parent of every child of compulsory school age to receive efficient full-time education suitable –

a) to his age, ability and aptitude, and

b) to any special educational needs they may have, either by regular attendance at school or otherwise.

The “or otherwise” , refers to Elective Home Education.

3.1.2 The law places a responsibility upon Bromley Local Authority to satisfy itself that a child’s right to a suitable education, as defined by the Education Act and others, is protected. The LA is charged with a duty to ensure that the education provision will enable the child to develop the skills required to participate fully in contemporary society, as well as ensuring that general safeguarding requirements are met.

3.1.3 It should be noted that guidance on EHE is very clear that the LA and schools should not prevent or deter parents who have decided to “Electively Home Educate”. This is supported in part by the Pupil Registration Regulations. It stipulates that schools must remove from their school roll any student whose parent has written in advising / notifying them that they will be home educated.

3.1.4 Bromley schools should then notify the LA, in line with off rolling procedures.

3.2 The Bromley Process

3.2.1 The Education Welfare Service and in particular the Child Missing Education Officer will make the initial contact with the family, prior to doing so background checks will be made with the school as well as Social Care.

3.2.2 The purpose of the visit is to establish that the family are fully aware of what they have undertaken and to ensure that no coercion on behalf of the school has occurred. If unmet needs are identified the family are offered the opportunity of a CAF – Common Assessment Framework.

3.2.3 All EHE cases are then handed over to the Education Advisor via a multi-agency forum that meets on a fortnightly basis. The forum comprises of Health, Social Services, CAMHS, Police and Education Services. This enables partner agencies to share information held on the family in order to provide an holistic overview of the child and any possible safeguarding concerns.

3.2.4 A Follow up visit is then undertaken by the Education advisor, who is a qualified teacher. This normally occurs within 2 -10 weeks. If the visit should be deemed satisfactory, a further visit will be undertaken 6 months later.

3.2.5 The frequency of visits will be increased should the child be on a Child Protection Plan. The advisor will be invited to attend the Initial Child Protection meeting and any subsequent reviews.

3.2.6 Should the family fail to engage with the Education Advisor and there is no evidence of a suitable education being provided the case is referred back to the CME officer to instigate a School Attendance Order.

- 3.2.7 It should be noted that the law only allows for initial enquiries, and does not empower the LA to enforce compliance.
- 3.2.8 In conjunction with the Admissions Service there is a clear process for students who wish to return to Mainstream education, which will usually be via the Fair Access Protocol for all students.
- 3.2.9 It should be noted that not all families remain within Elective Home Education and the position is fluid with parents frequently choosing that their child returns to mainstream education at key stages of their education career.

3.3 Accumulative Table for Elective Home Education Students 2013-2014

National Curriculum Year Group	Total Number	Boys	Girls
Reception	8	4	4
Year 1	8	5	3
Year 2	14	9	5
Year 3	7	3	4
Year 4	13	8	5
Year 5	6	4	2
Year 6	8	5	3
Year 7	7	4	3
Year 8	12	6	6
Year 9	26	12	14
Year 10	25	11	14
Year 11	37	15	22
Total number in receipt of EHE	171	86	85

- 3.3.1 The last 3 years has seen a consistent and widespread increase in the numbers of UK families declaring home education and this is mirrored in Bromley.
- 3.3.2 The general information available from inter authority meetings supports the view that Bromley's position regards EHE is reflective of our geographical and statistical neighbours and there appear to be no significant issues unique to this borough.

3.4 Table citing reasons for Elective Home Education

Lack of progress/unhappy at school or college	29%
EHE Ethos	19%
Bullying	16%
Waiting for school place of choice	16%
Health issue including school anxiety	12%
New to borough, not happy with school offered	3%
Traveller ethos	5%

3.4.1 It should be noted that the data on reasons for declaring elective home education is based on 31 cases during 2013-2014 where parents disclosed the reasons. Whilst officers may enquire there is no statutory requirement for parents to give their reasons or justify their reasons

3.5 Association of Elective Home Education Professionals (AEHEP)

3.5.1 Bromley has been instrumental in setting up the above association which is due it's official, launch, at the Palace of Westminster, on Thursday 26th February 2015.

4. POLICY IMPLICATIONS

4.1 The LA has a statutory duty to investigate cases where they believe an offence has been committed under S444(1) and 444(1a) Education Act 1996; Instigate School Attendance Orders and Issue Penalty Notices

4.2 The LA has a statutory duty to identify children that may be missing education, and 4 to safeguard children in Entertainment and Child Employment. This is undertaken by issuing of licences. Children Performance regulations, Children and Young Person Act apply.

5. LEGAL IMPLICATIONS

6.1 The London Borough of Bromley is the body charged with ensuring a pupil for whom it is responsible within the context of the Education Act 1996 attends school or receives an appropriate education at home .The London Borough of Bromley is the body tasked within education legislation to take appropriate legal action to ensure a child receives an appropriate education.

Non-Applicable Sections:	Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	[Title of document and date]