

**Manchester City Council
Report for Resolution**

Report to: Children and Young People Scrutiny Committee - 21 June 2016
Subject: Elective Home Education
Report of: Director of Education & Skills

Summary

This report provides an overview of the statutory requirements regarding elective home education. It also contains information on the number of children who are home educated in Manchester, the reasons why parents/guardians choose to home educate, LA policy and processes, engagement with families who home educate, impact and next steps for development.

Recommendations

To consider and comment on the information in the report

Wards Affected: All

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Background documents (available for public inspection):

None

1.0 Introduction

This report provides an overview of the statutory requirements regarding elective home education. It also contains information on the number of children who are home educated in Manchester, the reasons why parents/carers choose to home educate, LA policy and processes, engagement with families who home educate, impact and next steps for development.

2.0 Background

Elective Home Education (EHE) is the term used by the Department for Education (DfE) to describe parent/carers' decisions to provide education for their children at home instead of sending them to school. This is different to home tuition and education other than at school provided by the local authority (LA). Children educated at home are not registered at mainstream, special or independent schools, Pupil Referral Units (PRUs) or other alternative provision, colleges or children's homes with education facilities.

2.1 Statutory Requirements

The responsibility for a child's education rests with their parents*. In England, education is compulsory, but school is not. Parents' legal duty is set out in the European Convention on Human Rights and in the Education Act 1996.

Section 7 of the Education Act 1996 states that "the parent of every child of compulsory school age shall cause him to receive efficient full time education suitable to a) his age, ability and aptitude and b) any special educational needs he may have either by regular attendance at school or otherwise."

An "efficient" and "suitable" education is not defined in the Education Act but has been described in case law as an education that "achieves that which is sets out to achieve" and "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 life to adopt some other form of life if he wishes to do so." .

Parents who home educate are not required to teach the National Curriculum or to teach a broad and balanced education. However the DfE guidance states that LAs 'should offer advice and support to parents on these matters if requested'. This includes the promotion of British Values.

Parents may decide to exercise their right to home educate their child from a very early age and not enrol the child at a school. They may also elect to home educate at any stage up to the end of compulsory school age.

2.2 The Local Authority (LA)'s Statutory Duties in relation to children who are Electively Home Educated

The LA has a duty to maintain a register of all children known to be home educated.

The LA may make 'informal enquiries' but parents do not need to agree for LA officers to see their children, visit their home or to provide any information to officers.

The term 'parent' is used in this document to apply to both parents and to carers who have parental responsibility

The LA has a duty under Section 437(1) of the Education Act 1996 to intervene if it appears that a parent is not providing a suitable education to the age, ability, aptitude and special educational needs of the child.

The LA, in partnership with other agencies, including Social Care and Health has a duty under Section 175 (1) of the Education Act 2002 to safeguard and promote the welfare of children and under the statutory guidance 'Working Together to Safeguard Children', March 2015.

All LA officers who work with families who home educate have had appropriate training and are able to assist in the recognition of risk or concerns, including neglect, domestic abuse, radicalisation, Forced Marriage, FGM and CSE. In Manchester, in order to meet statutory duties in relation to children who are electively home educated, the LA follows guidance set out in the DfE document 'Elective Home Education Guidance for Local Authorities' (2007 and 2013) which states that 'Education is the fundamental right for every child and we recognise that parents have the right to choose to educate their child at home rather than at school.'

2.3 Overview of Manchester Data

The number of children known to be home educated in Manchester has increased significantly over recent years. This is in line with national trends. In December 2015 the BBC published an article based on FOI requests to 190 local authorities. For 133 of the local authorities, there was data from 2009-10 to 2014-15, showing that numbers had risen by almost two thirds.

Data in Manchester, as in other LAs, may be an under-estimate as children who never apply for a school place because their parents have elected to home educate them, may not be known to the LA. In cases where a child has got a school place, headteachers have a duty to inform the LA if a parent has withdrawn their child from school to educate them at home.

Below are the total numbers registered as EHE on 1st September for the last 5 academic years.

Sept 2011/2012 = 155
Sept 2012/2013 = 209
Sept 2013/2014 = 193
Sept 2014/2015 = 229
Sept 2015/2016 = 227

The table provides a breakdown, by school year group, for the children on the elective home education register on 1st September 2015 who began home education in 2015.

Year	Children	Year Group	F	M	Total pupil cohort
2015-16	67	Rec = 4	37	30	
		Y1 = 7			7012
		Y2 = 6			6981
		Y3 = 5			6745
		Y4 = 7			6596
		Y5 = 6			6329
		Y6 = 4			5877
		Y7 = 4			5370
		Y8 = 8			4889
		Y9 = 3			4627
		Y10 = 6			4522
		Y11 = 6			4577

2.4 An analysis of 227 children on the MCC EHE Register at 1st September 2015

There is a high level of mobility of children who are home educated. Some may only be on the EHE Register for a few weeks. This may be because their parents choose to home educate short term eg if planning to move from the city or whilst awaiting an offer of a place at their preferred school, especially where children are either Reception age or Year 6. Alternatively this may be because home education is not deemed suitable following a visit by the Local Authority and the children are returned to a school.

The largest group of parents however home educate long term, usually for philosophical or ideological reasons. Of the total 227 children on the EHE Register on 1st September 2015:-

- 59 children had been suitably home educated from before 2012
- 42 children began suitable home education in 2013
- 55 children began suitable home education in 2014
- 67 children began suitable home education in 2015

Parents do not have to give a reason for withdrawing a child from school, but it is part of the LA process in Manchester, as in other LAs, to discuss this with parents. In line with data published by the BBC, the two main reasons given by the majority are philosophy and dissatisfaction with the school system.

See table below for an analysis of reasons given by parents for home education. The categories are taken from the DfE guidance. 'Dissatisfaction with the system' includes 85 children who were home educated as an interim arrangement whilst waiting for their preferred school.

1. Dissatisfaction with the system	115
2 Religious and cultural beliefs	0
3 Philosophical or Ideological views	106
4 Short term intervention for particular reason	0
5 Special Needs	0
6 Child unwillingness or inability to go school	1
7 Parent/Carer desire for a closer relationship with their children	2
8 Health	1
9 EHE registered with previous LA, new to Manchester	2

Home educated children are resident in all areas of the city, with the highest number in South (86) and North (63) and the lowest number in Wythenshawe (23).

The gender split is even and children across all key stages from Reception to Post 16 were home educated.

There are children from many ethnicities on the register. The largest group are White British.

There are 12 children with statements and 1 child with an Education, Health & Care (EHC) Plan.

A very small minority of children are also known to Social Care.

2.5 Notifications from 1st September 2015

There is a high level of mobility of children joining/leaving the EHE Register. In the first 2 quarters of this academic year, there were 163 new notifications. Of these 33 have been confirmed suitable and 43 have returned to a school or left the city.

The remaining children are still in the assessment process. A service standard for the processing of assessments has been set at 20 days.

2.6 EHE Processes in Manchester

The lead responsibility for ensuring that home educated children are receiving a suitable education lies with the Schools Quality Assurance Additional Provision Team, in partnership with the Education Casework and Admissions teams. When a new notification is received, the child is placed on the EHE Register and an officer is allocated to contact the parents and assess suitability of the education offer being provided at home.

If EHE is deemed unsuitable, the allocated LA officer will support the child to access a school place, either at their original school if appropriate, or through the Child Missing Education (CME) or In Year Fair Access Protocol (IYFAP) processes. If parents refuse to take up an offered place, the usual attendance procedures will be followed.

For the majority of Manchester families who home educate, EHE is deemed suitable and they continue to home educate for as long as they feel it meets the needs their child. The child's name remains on the EHE Register and an LA representative is allocated as the main contact for the family.

Where a family are providing suitable home education but wish for their child to return to mainstream school, the family will apply to the admissions service who will allocate a place where available at the preferred school. If a place at the preferred school is not available as the school is full in the relevant year group, the child's name will remain on the waiting list until the end of the term in which they applied. All names are removed from all waiting lists at the end of each term.

Where a family is providing education which is deemed unsuitable, the child's details will be referred to the admissions service and the child's case will be discussed at the monthly IYFAP meetings to identify the most suitable education provision for the child.

2.7 Engagement with EHE parents/communities

As recommended in the DFE Guidance, the LA makes information available to parents through the MCC Website, a parent's booklet and through named officers whose role is to offer advice and support and build positive relationships with the families and communities who home educate.

LA officers communicate with families where home education has been deemed suitable by agreement with the parents usually once a year. LA officers promote positive engagement & relationships with parents and facilitate home educated children to have a voice, where possible. A variety of means are used, including phonecalls, emails, home visits and meetings in other venues, as agreed with the parents.

Families will receive relevant information and updates eg regarding access to the local exam centre or their responsibilities for continuing participation when children reach Post 16.

Families are also invited to network meetings and events where they can share practice and meet with both other home educating families and also with LA officers. Recent events have included inputs from the Central Library, the Whitworth Art Gallery, the Youth Forum and the elections staff.

3.0 Main Issues

3.1 Safeguarding vulnerable Children

Routine checks are made with Social Care and the Health authorities during the initial assessment process and during ongoing liaison/monitoring. If an LA officer has any reasonable cause for concern about a child's welfare, including signs of radicalisation, a referral will be made to Social Care.

If parents of a child who is on the roll of a special school notify of their intention to home educate, the child's name may not be removed from the school register without the LA's consent. It remains the duty of the LA to ensure that a child's special educational needs are met under the new SEND arrangements and in line with DFE guidance.

In most cases, if a child is looked after (LAC), the LA would not expect the child to continue to be home educated. Advice will be sought from Social Care and from the Virtual Head for LAC.

In most cases if a child is on either a Child Protection Plan, or considered to be a Child in Need, the LA would not expect home education to be suitable. However both the child's and the parent's views will be considered and advice sought from Social Care before any decision is made.

4.0 Next Steps for Development

In order to continue to develop relationships with home educating families, to ensure that home education is suitable and that the (very rare) welfare concerns are identified in a timely way, the LA is taking the following steps:-

4.1 Data Analysis

Data sharing and collation systems are continuing to improve to enable more accurate analysis of trends and identify any issues/concerns regarding both individual children and groups of children.

4.2 A Suitable Education

There is currently no statutory requirement for parents who home educate to engage with the LA. Families vary in their willingness and it can be challenging in a small number of cases for the LA to establish that education is, or continues to be, suitable.

4.3 Parents and Communities

Although there is no statutory requirement for parents who home educate to engage with the LA, officers will continue to contact all families who home educate at least annually and prioritise any where there has been no contact with families for over a year

Additionally the programme of networks and events for families who home educate is developing. For example, holding smaller more local events has been very successful. Recently successful links have been made with organisations that offer support and opportunities to home educating families.

Recent events have included inputs from the Central Library, the Whitworth Art Gallery and the Duke of Edinburgh Award Scheme. There were also inputs aimed at encouraging home educated children to understand more about British Values through involvement in the Youth Council and information about the 'Make Your Mark; campaign.

It is important to continue to build positive relationships with home educating parents and communities to ensure they have access to relevant information eg updates to policies and to listen to their views.

4.4 Partnerships & Policy

Officers from Education & Skills are working with key partners from Health and from Social Care to improve policy and processes. The Manchester EHE policy is in the process of being updated, with the aim of strengthening processes in regard to ensuring the safety and wellbeing of all home educated children in the city. This includes::

- strengthening the process for children with a statement of SEN or an Education Health Care Plan
- developing the process for ensuring that the child is seen at least annually and their views are sought
- strengthening links with Social Care

The new policy will be implemented in September 2016 following a training programme for staff across the City Council and partners.

The LA follows DfE guidance and will take account of any findings or advice from the current All-Party Parliamentary Group chaired Graham Stuart.

Recently the Government has expressed increasing concerns about 'illegal schools' or unregistered provision and the possibility that children registered as home educated may be attending them. There has been a consultation about strengthening the arrangements to ensure the safeguarding of children educated by these organisations, especially as regards potential radicalisation and OFSTED have carried out a number of inspections where there have been specific concerns.

LA officers have shared information about unregistered provision and undertaken one joint visit with HMI. There is currently no indication in Manchester that any home educated children are attending any unregistered provision.

LA Officers will continue to work pro-actively with OFSTED to monitor developments in this area, to identify any concerns in a timely manner and to promote good safeguarding practice.

5.0 Conclusion

Numbers of children electively home educated continue to increase. This is in line with the national picture and during a time when there has been a substantial increase in the overall population of the City. The significant proportion of these

families choose to home educate for philosophical reasons and provide a suitable education for their child. The LA is working with all partners to strengthen the offer for these families.

The LA has processes in place to ensure that all children where we are notified that they are being home educated are visited. Where provision is deemed unsuitable children are returned to school. In addition further work is underway to strengthen the existing policy in relation to vulnerable children where parents elect to home educate.