

REPORT TO: EXECUTIVE MEMBER FOR EDUCATION, CHILDREN & YOUNG PEOPLE

**REPORT FROM: LINDA JACOBS
PERSONALISED LEARNING MANAGER**

DATE: 4TH JUNE 2007

TITLE: ELECTIVE HOME EDUCATION

Purpose:

1. To seek approval by the Executive member of a Local Authority Policy for Elective Home Education (EHE) and accompanying guidance for those parents who elect to home educate.

Recommendations:

2. To approve the Elective Home Education policy and guidance.

Background

3. A city-wide consultation has taken place between January and March 2007 with regard to the policy and revised guidance for EHE. There are a number of reasons for which this has been timely:
 - 3.1 The Local Authority's (LA) functions in respect of elective home education have been jointly carried out by the Education Welfare Service and the Learning and Achievement Service. In September 2006 the Directorate realigned the overall responsibility into the Learning and Achievement Service, within Personalised Learning. The new policy and guidance seeks to clarify the roles of LA officers in respect of this realignment.
 - 3.2 Pupil Regulations Guidance (2006) requires schools to inform the Local Authority about deregistration when a parent elects to home educate. Parents do not directly have to inform the LA that they are home educating. This means there will be some home-educated children who have never been to school or who move into the city about whom the LA may not know. The LA policy needs to acknowledge that there could be such 'gaps'.
 - 3.3 The Department for Education and Skills (DfES) made guidance available for elective home education in 2005, which is readily available to parents through the Parentcentre website. It suggests that Local Authorities seek to make positive relationships with its home educators. There are, however, no rights of access either to children who are home educated or to visit homes, which has been confirmed in a current DfES consultation that focuses on Guidance to Local Authorities.
 - 3.4 The Education Act 1996 states that if there are grounds to evidence that a home educator is not providing a suitable education, the LA has a duty to proceed to a

School Attendance Order. Case law has subsequently decided that a LA may make informal enquiries of a home educator. In practical terms this means there has been some difficulty about producing evidence to proceed to court in the case of SAOs. The revised policy and guidance will explain why evidence is likely to be limited. In fact, it may be the absence of evidence that determines the need to proceed to a SAO.

4. EHE is a sensitive area for a LA, with legal responsibilities but little or no actual rights. There is a need for a flexible approach arising from transparent guidance to parents that is supported by a policy. Our procedures must, at all stages, aim to make positive relationships with home educators so we have the widest possible knowledge of the children of statutory school age who are educated outside of the formal system, and can therefore enact our legal responsibilities.

Commentary

5. In Portsmouth there are 56 children and young people of statutory school age who are known to be home educated. Many home educating parents join 'Education Otherwise' and there is a local group in Fareham and Gosport (Faregos) who offer weekly support and teaching to GCSE level. Most home educators find out about EHE by access to the Internet, and there are, on average 3 enquiries per school week to the Local Authority. Not all of these result in parents electing to home educate.
6. While most families accept the LA's offer of an annual visit, a number of them are reluctant to have face-to-face contact. It is important that we consistently offer a range of options about contact.
7. A systematic approach has been adopted since November 2006, which enables key personnel to track very easily the most recent parental contact. The work currently takes 1 day a week of admin time and 1 day per week of LA Adviser time for parental contact, visits, reports and liaison with other involved professionals. This time is supplemented by time from the Education Welfare Service via pupil specific referral.
8. Most parents who have elected to home educate do so because school does not meet their child's needs in one way or another. Examples include:
 - being unsuccessful in an application for a preferred school, e.g. on entry to secondary education. In practice this group of children appear to be those whose provision is least effective. Waiting for a school place is not a suitable reason for home education.
 - children either with special educational needs or who are gifted and talented and whose parents feel those needs are better met at home. In practice, many of these children appear to have effective provision, although it can be difficult for the LA to address the identified needs of a Statement of SEN.
 - religious reasons, e.g. Exclusive (also known as Plymouth) Brethren. There are very few such children known in Portsmouth.
 - avoidance of an attendance prosecution.
 - unresolved tensions with a school, e.g. bullying or other emotional issue.
 - strong parental belief in an autonomous education as an alternative to school.

There are currently no travellers in the city who have elected to home educate but nationally an increase is reported and there is DfES guidance in relation to this group of home educated children.

9. In addition there is one (formally) flexi-schooled pupil in the city. Flexi-schooling is a legally acceptable form of home education and so guidance is also embedded within the documents.
10. There are an increasing number of home-educating families but our numbers are average when compared to our statistical neighbours. In 1997 there were reported to be fewer than 20 known families in the city, making almost a three-fold increase in the past 10 years. A similar increase is reported by some of our statistical neighbours, particularly Medway. Given the tenuous nature of the enquiries LAs can make, it is not possible to say whether Portsmouth's knowledge of its home-educated population is better or worse than our neighbours.

Statistical neighbour	Size of School Population	Number of known home-educated children	Percentage (average=0.21)
Tameside	36317	32	.08
Stockton-on-Tees	31000	37	.12
Sunderland	44837	41	.09
Southampton	27579	54	.19
Portsmouth	25000	56	.22
Derby	37176	66	.17
Rochdale	35158	83	.23
Plymouth	40000	100	.25
Bolton	45905	114	.25
Sheffield	74891	132	.18
Medway	45905	221	.48

Statistics compiled – December 2006

11. The DfES has opened a period of consultation, until July 2007, on its existing guidelines. The DfES is not proposing any changes to current monitoring arrangements or legislation. The proposed policy for Portsmouth has anticipated the national consultation and is in line with the likely updated DfES guidance.

Local consultation on the proposed Portsmouth policy

12. The consultation to date on the revised policy and guidance has taken into account existing procedures and is consistent with that which is suggested by the DfES, Education Otherwise and other Local Authorities, who have recently undertaken a similar revision. It has been widely circulated to relevant LA officers (including Legal Services), the Parent Partnership Service, Connexions, the Primary Care Trust, Chairs of Community Improvement Partnerships, Chairs and Secretaries of Headteacher Conferences, all Portsmouth school via Headteachers, and all home educators with whom contact has been made since December 2006.
13. There have been very few responses – some from home educators, from Legal Services, the Education Welfare Service, Education Otherwise, and the Portsmouth Educational Psychology Service. Suggested amendments have been helpful and made accordingly. Parents who have responded welcome the revised guidance, which is substantially fuller than what was formerly in place, is more flexible and now cross-references to information available through the Internet.

Next Steps

14. The intention is that, once approved, the guidance for parents should be available through the PCC website so that local information is increased.
15. A systematic overview of the provision made by home educating families will continue to be maintained by the Personalised Learning Manager in line with the new policy. In addition, the Local Authority's responsibilities will continue to be supported by the Education Welfare Service (EWS) through initial visits, which seek to
 - identify the provision planned by the home educator,
 - ensure closure visits for Year 11 pupils, and
 - jointly conduct visits where there are concerns that might lead to a School Attendance Order, which would be enacted by the EWS.

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Strategic Director – Children, Families & Learning

Access to information

*Background list of documents –
Section 100D of the Local Government Act, 1972*

The following documents disclose facts or matters that have been relied upon to a material extent by the author in preparing this report.

Title of document	Location
Consultation response file	Learning & Achievement Office, Core 1, 2 nd Floor, Civic Offices

Approval to the recommendations:

The recommendation(s) set out above were approved/approved as amended/deferred/rejected by the Executive Member on

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Executive Member for Education, Children & Young People