

From: Roger Gough, Cabinet Member for Children, Young People and Education

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To: Children's, Young People and Education Cabinet Committee – 28 June 2019

Subject: Elective Home Education and Children out of School

Classification: Unrestricted

Past Pathway of Paper: Elective Home Education Policy

Future Pathway of Paper: Update of Elective Home Education Policy to reflect legislative changes at the appropriate time.

Summary:

This paper is designed to update Members on the significant developments that have been undertaken by Fair Access since the introduction of the County Elective Home Education Policy in 2015. It will highlight the growing demands on the service, the proposed changes in national policy and how KCC has been instrumental in driving change that will help ensure every Kent child receives a suitable education.

Key service performance data is presented in Appendix 1. Appendix 2 sets out the recent KCC response to the DfE consultation on children missing from school. It is hoped that this will help government set out a broader remit for LAs to capture where pupils are not in receipt of education, and require parents to assist the LA in evidencing appropriate education is taking place.

Recommendations: The Children's, Young People and Education Cabinet Committee are asked to:

a) note the content of the report and work of the team in ensuring all Kent children access suitable education at the earliest opportunity

b) receive a further report in the future to include any proposed revisions to the County EHE Policy to ensure this reflects any legislative changes which may be introduced in the near future.

c) note that in the event of legislative changes the additional burdens placed on LAs may mean additional resource may be required to maintain the quality of service with increased service demands.

1. Introduction

- 1.1 Elective Home Education (EHE) has grown considerably in popularity and this is particularly evident in Kent where as of April 2019 there were 2561 children registered as EHE. This figure was 2265 for the same period in 2018 which is an increase of 13% during the last year (More details in Appendix 1). Kent have championed the need for change around the lack of legislation or clear guidance for local authorities and home educators, playing a pivotal role that has formed the foundation of the recent media attention focusing on the true picture of many vulnerable families who home educate. The LA developed its EHE Policy in 2015 and has worked hard since to engage home educating communities to work with us in the best interest of supporting them (where needed) to give their children the best education possible.
- 1.2 Kent were the first authority to present the DfE with data that evidenced that, despite the presumption that home education was primarily adopted by middle class families with the resources and skills to deliver a well-rounded education to their children, in fact the majority of home educators registered in Kent were known either previously or currently to specialist children's services. The Association of Directors of Children's Services (ADCS) helpfully collated data nationally, along similar lines and were able to present a national overview, reflecting the same issues KCC had identified which has now prompted a more proactive approach from the DfE and other education agencies like Ofsted.

2. Background

- 2.1 KCC formalised its Elective Home Education (EHE) Policy in 2015. At that time the services moved from the Attendance and Behaviour Service to Fair Access along with the Children Missing Education Team and the Education Programme. The services now operate an incredibly efficient service delivering swift access to suitable education identified by the most appropriate service area within the Access to Education Division. This new approach has enabled a transformation in the quality of service delivery, provided by dedicated, well trained staff, operating within the confines of strong operational procedures to ensure those children brought to our attention are supported in the most appropriate way to access the education they are entitled to. By co-locating EHE and CME with officers dedicated to supporting parents with accessing school places, Kent children can quickly get the right support to ensure their educational needs are met at the earliest opportunity, be that advice and signposting for home educating families or direct action to assist them in securing a school if they have had difficulties with this.

3. Current

- 3.1 As of May 2019, Kent have 2615 EHE; 1282 registered with the LA since September 2018 and 956 cases of EHE, were closed since September 2018. This evidences that EHE, whilst gaining in popularity is a revolving door, which has resulted in the 6 x EHE Support and Advice Officers splitting a caseload of 3,568 children over the first 8 months of the academic year. The demand on their time shows no sign of diminishing which as a consequence means prioritising visits to those who are known to specialist children's services.
- 3.2 Officers strive for excellence and delivery of best practice. Kent's County Access to Education Manager currently Chairs the South East Elective Home Education

Officer (SEEHEO) Forum which consists of over 40 authorities in both London and the South of England, and links closely with the National Association of Elective Home Education Professionals (AEHEP) where Kent are also represented.

- 3.3 Our strength has been our ability to engage with home educators, breaking down the barriers that have made home educators anxious of LA involvement. Part of our strategy has been to ensure we communicate effectively across a range of media and perhaps our best mechanism has been our Facebook page <https://www.facebook.com/KCCEHE/>, this offers up to date information to parents on events, competitions, key points in the admissions calendar and links to partner agencies e.g.: NHS. This has been a significant success with the EHE community and currently records 468 followers. The EHE & CME Co-ordinator has reached out to local home education groups and there is a much better understanding and respect from both sides; this is testament to the excellent work of the six EHE Support and Advice officers we have covering the whole of the County and the positive reputation they have built with the families they engage with.
- 3.4 Where officers identify families who make every effort to home educate, but do not have the resources available to them and require support, the LA will provide Licenses for the on-line learning packages, 'Mathletics & Reading Eggs' for Key stage 1 & 2 CYP. The LA will also provide financial support for core GCSE's for those who have been registered with the LA for over 12 months and who if in school would meet the criteria for Free School Meals.

4. Next Steps

- 4.1 There are still challenges to address. The team identify schools where there is a disproportionate number of Children off-rolled to EHE and where patterns emerge, such as off-rolling in particular year groups or ahead of exam registration, this can be captured and reported on to external agencies like Ofsted. This data is collated in our termly report and shared with school improvement and area officers. The new Ofsted framework includes looking at these patterns and investigating further the background which has led to a child being off-rolled to home educate.
- 4.2 Kent continue to build positive relationships and are now a respected authority, leading the way with policy and process; recently working collaboratively with Lord Soley, attending and contributing to the focus groups held in Westminster and proactively supporting his drive to change legislation, to ensure every child or young person who is electively home educated is registered with their local authority. (Home Education - Duty of Local Authorities Bill). During the period of Lord Soley's drive for change, Lord Agnew instructed the DfE to review its guidance for home educators and following consultation new guidance was published in April 2019. The updated guidance clearly sets out the expectations regarding roles and responsibilities for both parents and local authorities. This has been helpful; however, without legislation the LA has limited powers where families don't wish to engage or receive a visit. We anticipate this will be addressed in due course and at which time KCC will need to update its policy and operations to meet any new legislative demands that will help safeguard children and ensure they are accessing suitable education.

- 4.3 The parliamentary bill has now been withdrawn and in its place the DfE are consulting on 'Children not in School', which was open for contribution from parents and professionals and closed 24 June. Kent were invited to attend the focus group held at the DfE of the 7 June to discuss how changes to legislation can be best implemented. (Please see KCC formal response to the consultation in Appendix 2)

5. Financial Implications

- 5.1 The operating budget for this service area (which incorporates our statutory duties relating to Children Missing Education) is £444.7k. In the event that proposed legislative changes come into effect officers have estimated the increase to be up to 20%. Couple this with the increasing demand up almost 13% on last year and the team will need to expand in order to maintain the necessary data quality required and appropriate engagement with some of our most vulnerable families who often feel they have had little choice but to Home Educate.

6. Conclusion

- 6.1 Kent, have excellent established practices and are well placed to deliver the proposed changes. The rate of increase in families choosing to EHE is a worrying trend and we continue to build relationships with families choosing this path to better understand the drivers.
- 6.2 Officers will continue to build confidence in the home educating communities to see that we wish to help, and ensure that families have the right support to return to school at the earliest opportunity if they feel they are unable to effectively home educate or feel they were forced into that situation due to strained relationships with their child's previous school. At the same time we continue to respect the rights of parents to home educate and will offer advice and support if needed, to ensure that where families are actively engaged in home education, children receive the best possible education through that approach.

7. Recommendation(s)

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- c) note that in the event of legislative changes the additional burdens placed on LAs may mean additional resource may be required to maintain the quality of service with increased service demands.

4. Background Documents

Link to the current Kent County Council EHE Policy

https://www.kent.gov.uk/_data/assets/pdf_file/0017/52028/Home-education-policy.pdf

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