

Written evidence submitted by Rotherham Metropolitan Borough
Council

The Committee invited written submissions addressing any or all of the following points in blue. Please see responses in black.

- The duties of local authorities with regards to home education, including safeguarding and assuring the quality of home education;

Despite clarification given about LA and parent duties with regard to EHE in the April 2019 guidance, there are still aspects which are very open to interpretation, such as the LA duty to take action when it appears that education may not be suitable, without a clarification about what is or isn't suitable for age, ability and aptitudes. Also, without any duty or right to see the children at any time, or in any venue, safeguarding checks must not be reliant on EHE officer information.

- whether a statutory register of home-educated children is required;

A statutory register would significantly improve the understanding of where children are. Currently, parents are under no duty to inform authorities about a child being educated at home. If support services are to be allowed to carry out their statutory duties, e.g. health interventions, safeguarding and confirmation of education suitability, it is essential that parents are under a duty to register EHE children and for them to be visible to services. Being registered does not need to mean that there are any further checks on the child if there is no desire to amend that part of legislation and duty, but for tracing potential children missing education or for planning support services, a register is essential if children are to be offered services that they have a right to access.

- the benefits children gain from home education, and the potential disadvantages they may face;

For some children and families, EHE can offer a more supportive and bespoke curriculum than a government funded education can facilitate. This can be the case not only for children not only where specialist health or social care needs cannot reasonably be facilitated in a school-type setting, but also for children where a particular skill or talent can be pursued fully with the flexibility possible in EHE. E.g. children with elite sporting prowess who require specialist training in different venues across the UK and abroad. EHE can also be a useful stepping stone for providing a suitable education at medically

or emotionally challenging times for a child. E.g. child physical or mentally unwell.

Disadvantages can be that children may not receive a basic education which equips them for progression on a par with their peers and so can impact negatively on their work and life choices.

- the quality and accessibility of support (including financial support) available for home educators and their children, including those with special educational needs, disabilities, mental health issues, or caring responsibilities, and those making the transition to further and higher education;

Access to sufficient support for mental health needs is a challenge for a large proportion of children whether they are in schools or not. A lack of access to such support can often be a contributing factor in a parental decision to withdraw a child from a school setting where they cannot cope and where additional support is not easily available. The delays in providing appropriate support in a school can be due to a range of issues, such as a child masking mental illness and anxiety or learning difficulties in school, specialist teaching expertise and the complexities of the Education, Health & Care Planning process.

Parents taking the responsibility to electively home educate their child do so fully, including in financial terms. Local Authorities receive no specific, ring-fenced funding with which to be able to offer activity and support to families who elect to home educate. Where children are fortunate to have been able to gain an Education, Health and Care Plan (EHCP) prior to or close to leaving school, they may be supported at a future return to a school or college setting, otherwise this becomes more difficult to achieve as formal learning assessments become outdated for a child who is no longer in a school-type setting.

This local authority has developed existing close working links with the local FE sector even further so that EHE learner transition to further education is supported by LA EHE Officers, Early Help Officers and FE College staff to try to ensure that a positive post-16 learning destination is arranged and accessed.

Access to Higher Education is beyond the age currently supported by this LA EHE Officers, but is generally supported by post-16 school and college tutors.

- whether the current regulatory framework is sufficient to ensure that the wellbeing and academic achievement of home educated children is safeguarded, including where they may attend unregistered schools, have been formally excluded from school, or have been subject to 'off-rolling';

The practice of so-called 'off-rolling' is very difficult to evidence due to the verbal nature of conversations between families and schools. However, anecdotally, all EHE officers across the UK are aware that this practice takes place, sometimes with school staff feeling that it is truly the best option for a child without having a full understanding of the implications. This LA is fortunate in not knowingly having any unregistered schools within the borough. We are aware that a small number of EHE children have previously attended such provision in a neighbouring LA, under the watchful eye of that LA.

- the role that inspection should play in future regulation of home education;

A variety of issues are felt to have contributed to the marked increase in the proportion and complexity of children being withdrawn to EHE in EHE Officer experience. The increased pressure of inspections of schools, the reduced offer of vocational/non-academic learning in schools and the perceived pressure to achieve higher GCSE grades have contributed to issues affecting the well-being of children in schools, with the resultant increase in withdrawals to EHE.

With regard to inspection of LA oversight of EHE and support, if increasing the scrutiny of EHE would lead to more clarity of the LA duty and provision of funding to support more staff and resources, then it would be challenging but welcomed by LA EHE Officers. However, without clearer and more detailed duty and impact information/recognition, increased inspection of a service which has no means to act above the current law would be meaningless and frustrating. Clarifying examples of what LA Officers should be able to see within a home educating provision would be required as a benchmark for assessment.

Also, any further inspection of EHE will have an increased financial impact on LAs. With no funding currently available to LAs and the lack of clarity around the frequency and depth of contact with families, LAs can only ever provide light-touch contact with the majority of EHE families. For the majority of time, this isn't a problem, but by the very nature of light-touch contact, with families able to

refuse all contact, in a few serious cases the impact on child welfare can be very significant.

- what improvements have been made to support home educators since the 2010-15 Education Committee published their report on [‘Support for Home Education’](#) in 2012;
 - The EHE Officer role was separated from the Education Welfare Service to recognise that parents have a right to elect to educate their children themselves and this in itself is not a reason to consider enforcement action.
 - Additional staff capacity was introduced in 2013 so that families could be contacted at least annually, or more if required.
 - Local processes for Governance and oversight have been reviewed and refreshed in line with the changing education and social landscape since 2012.
 - Local processes for multiagency co-working have improved whilst taking account of changes since 2012 such as academisation of most schools and issues such as GDPR compliance.

- the impact COVID-19 has had on home educated children, and what additional measures might need to be taken in order to mitigate any negative impacts.’
 - The number of families considering Electing to home educate increased prior to lockdown with families expressing concerns for their own health or that of family and friends.
 - Some families have found that with the easy availability of educational resources and support, they have taken advantage and included the information available.
 - Some families have enjoyed the experience of remote learning with their children and opted to continue into EHE rather than returning to schools. It is too early to know how many families will continue EHE as supporting resources are withdrawn.
 - EHE families report that EHE network events and learning opportunities have reduced significantly due to social distancing measures so that children have been more isolated, in the same way that children on school rolls have been. These are private arrangements
 - A small number of Y10/Y11 EHE learners were expecting and had booked to sit GCSE examinations as private candidates. As they aren’t on a school roll, these children could not receive a teacher assessed GCSE grade in August. This may have had an impact on their progression plans. We have a good relationship with the local FE

sector who understand EHE and will have been as accommodating as possible using other assessment and interview methods.

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