

## **SPECIAL CHILDREN AND LIFELONG LEARNING SCRUTINY PANEL**

<b>DATE</b>	05/02/2025
<b>REPORT OF</b>	Jennifer Steel – Service Director Education, Inclusion and Integration
<b>SUBJECT</b>	Elective Home Education
<b>STATUS</b>	Open

### **CONTRIBUTION TO OUR AIMS**

The North East Lincolnshire Council Plan 2023 – 2026 sets out the key aims of a listening council that is ambitious in its drive to create stronger economies and stronger communities.

Receiving an education regardless of whether this is within a traditional school setting, or within the home environment will contribute towards enabling our children to

- Reach their full potential through skills and learning
- Enjoy good health and wellbeing

And feeds into the Children and Families Vision

- Supporting children so they are ready for school and ready to learn;
- Enable more children and young people to lead lifelong healthy lifestyles with improved social, emotional wellbeing and reduced health inequalities;
- Work in partnership with schools to champion education so all children attend inclusive provision, have high aspirations and are supported to achieve their full potential;
- Help young people into adulthood, to develop life skills, and be ready for work;

### **EXECUTIVE SUMMARY**

All children, regardless of their circumstances, are entitled to an efficient, full-time education which is suitable to their 'age, ability, aptitude' and any special educational needs they may have. Parents have a duty to ensure that their children of compulsory school age are receiving suitable full-time education; this can be in a traditional school setting or at home.

Nationally, post-pandemic, every local authority has seen a rise in EHE numbers, however North East Lincolnshire's numbers are higher than our statistical neighbours.

### **MATTERS FOR CONSIDERATION**

This report to Scrutiny Committee provides an overview of matters related to Elective Home Education (EHE) children of compulsory school age, covering:

- National context and policy
- Local (NEL) policy and practice

- Current and historical EHE data within NEL
- Managing risks

## **1. BACKGROUND AND ISSUES**

### **NATIONAL POLICY & CONTEXT**

#### **National Context**

Educating children at home, can work well when it is a positive, informed and dedicated choice. Legally, any parent in the United Kingdom can choose to provide an education for their child at home. This is a right enshrined in law. Parents do not have to register their child at school.

There are many reasons for parents/carers choosing to home educate. The following reasons are suggested in the DfE guidance as possible rationales for EHE:

- Ideological or philosophical views which favour home education, or wishing to provide education which has a different basis to that normally found in schools.
- Religious or cultural beliefs, and a wish to ensure that the child's education is aligned with these.
- Dissatisfaction with the school system, or the school(s) at which a place is available.
- Bullying of the child at school.
- Health reasons, particularly mental health of the child.
- As a short-term intervention for a particular reason.
- A child's unwillingness or inability to go to school, including school phobia.
- Special educational needs, or a perceived lack of suitable provision in the school system for those needs.
- Disputes with a school over the education, special needs or behaviour of the child, in some cases resulting in 'off-rolling' or exclusion.
- Familial reasons which have nothing to do with schools or education (e.g., using older children educated at home as carers).
- As a stopgap whilst awaiting a place at a school other than the one allocated.

## Current National Policy

Elective Home Education guidance is non-statutory but based on section 7 of the Education Act 1996 which gives parents the right to educate their children at home, also known as Elective Home Education (EHE)

The government wants the many parents who do EHE well to be supported. It is recognised that parents devote time, financial resources and dedication to the education of their children. Most parents who take up the weighty responsibility of home education, do a great job, and many children benefit from being educated at home. It is the parents' responsibility to fund the resources for educating their child, including the associated examination costs.

The Department for Education's (DfE) guidance (April 2019) available at <https://www.gov.uk/government/publications/elective-home-education> provides guidance for Local Authorities in relation to their powers and duties for EHE children, and guidance for parents to ensure they understand their obligations. This includes the requirement that:

The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable

- (a) to age, ability and aptitude, and
- (b) to any special educational needs, he may have, either by regular attendance at school or otherwise “

There is currently no statutory legislation for insisting that families must register with their local authority or follow any specific framework, curriculum or educational ideology in the UK.

The legal responsibility for a child's education remains with the child's family, meaning the local authority is limited in regulatory powers around education. Families can choose any methods they wish for educating their children and these do not have to reflect traditional, established notions of education as “schooling.” Indeed, many families choose to home educate specifically because of a particular philosophy around education that differs from the beliefs held by the state and schools. This includes not following a traditional timetable and set school times for delivery of the education.

Since publication of the April 2019 Guidance, there has been an increased national focus on examining risks and support for families to strengthen home education requirements. This included an Education Committee examination and a consultation on proposed legislation for children educated outside of school. The aim of the consultation was to ascertain views on the proposal of a national ‘Children Not in School’ register, which would enable LAs to employ safeguarding and educational responsibilities more robustly for those children and young people who are not based in education settings.

The Government's response to the consultation was published in February 2022. It set

out the Government's continued intention to legislate for a register of children not in school, and that the Government would engage further with LAs and the home educating sector in developing its proposals.

## **North East Lincolnshire Policy and Practice**

### **Local authority responsibility**

Although local authorities have no formal powers or duty to monitor the provision of education at home, we recognise the need to have oversight of EHE and have therefore, developed and implemented a local policy framework to identify, monitor and review our EHE cohort. It is also important to engage with our families and children and young people who are EHE and may have experienced previous poor learning experiences in a school setting. Our policy which was last reviewed September 2024, has been designed on the basis of the DfE's non-statutory guidance.

Upon receipt of a notification from a school the EHE team make immediate contact with the family offering support with a return to school and advise parents of their roles and responsibilities when educating their child. In addition, the associated safeguarding checks are made and where relevant the child's social worker is informed.

### **School responsibilities**

Where the young person is being withdrawn from school or academy, they will be required to provide information for the LA and parents. This should reach the Local Authority within the ten school days immediately following the date on which the pupils' name is removed from their register. (Education Pupil Registration Regulations 1995). Schools should avoid pressuring parents and carers to choose Elective Home Education (off-rolling). Where parents cite this is the case, this information is shared with Ofsted.

### **Parent responsibilities**

The parents will inform the school in writing of their decision to withdraw their child from school.

The local authority will assess that the efficiency and suitability of education being provided is appropriately focussed in accordance with the young persons' age, ability and aptitude.

The lead EHE officer with qualified teacher status, will quality assure the provision based on the following characteristics:

- consistent involvement of parents or significant other carers
- showing signs of commitment and enthusiasm, and recognition needs, aptitude, and future aspirations,
- opportunities for the child to be stimulated by their learning experiences,
- involvement in a broad spectrum of activities which cater for interests appropriate to the young persons' stage of development
- access to appropriate resources and materials.

The evidence for the educational provision need not be in terms of a physical home visit but must be sufficient enough to assure of its content – this could include one or more of the following;

- Visit to the home
- Teams video call
- Meeting on neutral ground
- Report from the parents
- Philosophical report
- Letter or report from a third party with sufficient expertise

The parent is fully responsible for managing their child’s education should they choose to educate them at home. This means that it is a parental responsibility to financially fund the education (textbooks/tutors/exam fees etc.) Examination costs are the responsibility of parents, and it is important that parents understand virtual learning will not be provided for them, however, information, advice and guidance could be provided in the form of signposting to suitable education websites and materials.

Current and historical EHE data

The rapid and continual rise in numbers of children being educated at home within North East Lincolnshire reflects the national and regional trend overtime and NELC’s numbers remain higher than our statistical neighbours.

Nationally we were ranked 10<sup>th</sup> Highest in Q1 24-25 out of 148 LAs.

Positively, the Q2 return shows NELC to have a significantly larger reduction in rates per 10,000 than National, Regional and Statistical neighbours. This indicates an improvement, we are beginning to see the gap closing and NELC now ranked 19<sup>th</sup> highest.

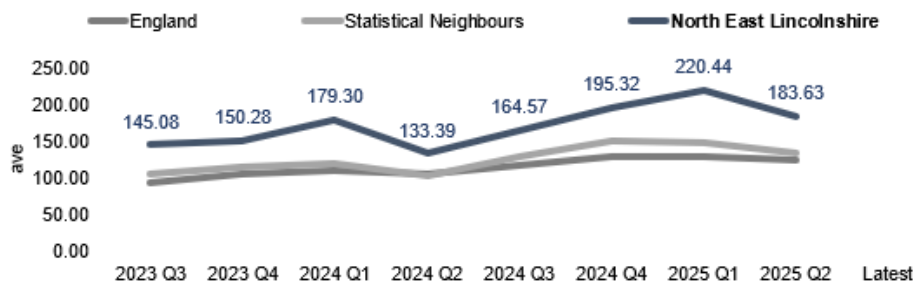
LA Trend Chart (RIIA dataset) - Rates

Select Indicator from drop down list  
EHE

Rate per 10,000 aged 5-16	2023 3	2023 4	2024 1	2024 2	2024 3	2024 4	2025 1	2025 2	Latest	% change from prev. to
North East Lincolnshire	145.08	150.28	179.30	133.39	164.57	195.32	220.44	183.63		Down -17%
England	94.64	106.60	110.84	106.32	116.52	128.46	129.92	124.27		Down -4%
Statistical Neighbours	106.67	115.61	119.63	104.05	130.50	151.74	147.95	134.71		Down -9%
Yorkshire and the Humber Custom Group	102.35	115.30	117.20	106.86	125.12	147.11	141.63	149.78		Up 6%
X Codes Group										- -

\*For details of any possible data issues with your LA's comparators, see the "Data Quality" tab

EHE by quarter (RIIA dataset) - Rate per 10,000 aged 5-16



### **Possible reasons for NEL position**

NEL deprivation indicator - 20<sup>th</sup> most deprived out of 326 local authority areas (indices of deprivation 2019)

26% of children living in poverty compared to 17% nationally (2016)

Significant differences between most deprived wards and most affluent re the proportion of children living in poverty

High levels free school meals Primary 30.3% v National average 23.1%

Secondary 27.7% v 20.9% National average (2022)

### **Current position**

As of 31 12 2024 figures stood at 482 children who are EHE in North East Lincolnshire, with data indicating:

- 138 children have become EHE since the start of September 2024
- 23 / 17% of referrals are from Primary settings
- 15 / 83% of referrals are for children of Secondary school age
- 15/ 10.9% have returned to school
- the highest numbers of EHE pupils are in year groups 9,10,11
- just over ¼ of our EHE children have special educational needs (EHCP 4.56% & SEN support 20.95%)

### **Communication and awareness raising via;**

Newsletters

Pop up events

Weekly drop in sessions- face to face or TEAMS for professionals and families

Attendance at Headteacher and Child Protection Coordinator meetings

Accessible manned inbox

NELC Transformation team established to develop understanding of the current context to enable us to create a strategy (long, medium and short term) to review the most effective ways of engaging and working with families

### **Partnership working with;**

Attendance and behaviour teams

Youth Justice team

Regional EHE networks

Children social care - information sharing and training for social workers

Public health

Educational Psychology

Schools and colleges  
Young Peoples Support Service

### **Managing risk**

It is important to note that there is no causal or inherent safeguarding risk in families electively home educating. Most families respond to informal enquiries positively and provide information that satisfies the EHE officer.

The DFE guidance does however recognise  
*“...the past few years have seen a very significant increase in the number of children being educated at home, and there is considerable evidence that many of these children are not receiving a suitable education. There is a less well evidenced but increasing concern that some children educated at home may not be in safe environments.”*

On occasions where a family do not respond at all; or do not satisfy our enquiries we may issue a statutory School Attendance Order (SAO) which has legal weight to insist the parent registers their child with school.

Should the EHE officer identify or suspect a child is at any risk of harm or neglect, they will use existing safeguarding reporting and referral systems.

### **Children who are being supported by social care**

The general duties of local authorities in relation to safeguarding are the same for all children, however they are educated.

The EHE team will liaise with children's services teams and take steps to ensure that relevant information on individual children is shared.

This policy statement [Keeping children safe, helping families thrive](#) was laid in Parliament on 18 November 2024. It proposes to

*‘introduce a new requirement whereby if a child registered at a school is subject to an enquiry under Section 47 of the Children Act 1989, or on a child protection plan, their parent will need local authority consent to home educate that child. If a child in those categories is already being home educated, the Local Authority will have a power to require them to attend school. This will help ensure further help and protection for children suffering or likely to suffer significant harm’*

**Note** NELC do not currently have any children being electively home educated who are Children in our Care or being supported on a Child Protection plan.

## **2. RISKS AND OPPORTUNITIES**

As this report is for information, there are no direct risks posed to the Council as a result of the details contained herein.

### **3. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

The positive benefit to the Council's reputation will be achieved via the facilitation of information and guidance for children and families who may be considering entering into EHE and the practical support that can be provided at such time a young person would like to return into fulltime education.

The local offer page signposts to the Elective Home Education team [NELC SEND Local Offer | Elective home education and SEND - NELC SEND Local Offer](#)

Regular updates on Elective Home Education are provided to headteachers and designated safeguarding leads within schools.

### **4. FINANCIAL CONSIDERATIONS**

There are no specific financial considerations to acknowledge.

### **5. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

If children do not receive a suitable education, or achieve the appropriate qualifications, this limits their future career and job prospects. For those children who do not mix with their peers, this can impact on their mental health, increase their likelihood of social isolation, and in turn, affect their ability to return to a mainstream school environment successfully.

The Elective Home Education team actively support children in returning to school where this is parental choice.

### **6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

There are no specific direct implications on climate change as a result of changing EHE figures, however it is important to ensure our children are exposed to this crucial agenda and to allow them to understand their role in the future workforce of a Green Borough.

### **7. HUMAN RESOURCES IMPLICATIONS**

In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance or physical assets). As a result no monitoring comments have been sought from the Council's Monitoring Officer (Chief Legal Officer), Section 151 Officer (Director of Finance) or Strategic Workforce Lead.

### **8. WARD IMPLICATIONS**

All wards are affected as children who are Electively Home Educated live across North East Lincolnshire.

### **9.BACKGROUND PAPERS**

None relevant



## BOARD MEMBER QUESTION RESPONSE

1	<p><b>Is there a correlation between home education and CIN/ Children who have been involved in Children's services? le what is the risk level of these children who are out of the school system, and what vulnerabilities are there?</b></p> <p><b>In light of the tragic murder of Sara Sharif it would be useful to know how often our home elected children are seen and if any of them are 'known' to children's services.</b></p>
	<p>There are currently 12 Children in Need, no Children on Child Protection nor Children in our Care.</p> <p>When a child becomes EHE we check records and document current and previous social care involvement. We triage each child to determine the level of risk and prioritise action. Children who are being supported by a social worker or at Early Help, Youth Justice, Special Educational Needs with an EHCP or where we have been advised of specific concerns are deemed highest risk, and key partners are contacted immediately.</p> <p>Under the new legislation any children subject to a section 47 investigation or being supported at Child Protection will be directed back to their original school.</p> <p>Children who are being educated within the home and not being seen may be highly vulnerable on a physical safeguarding level and also in terms of positive mental health and wellbeing, potential limited social interaction, depth, breadth and appropriateness of education offer including meeting special educational needs.</p>
2	<p><b>Is there a correlation between behavioural issues and home education? Is there a correlation between SEND and home education?</b></p> <p><b>I would certainly like to see a more detailed breakdown of the EHE numbers, in particular what proportion are subject to either permanent exclusions, or repeated fixed term exclusions, what proportion are SEND, including those on the Autism spectrum, and those that are receiving EHE purely through parental choice, either because of dissatisfaction with the available offer, or a reluctance to take up an alternative provision offer.</b></p> <p><b>I know that previously data was kept regarding home educated children regarding reasons for parents to not send their children to school – ideological reasons, religion, illness etc. is there any significant uplift in changes to any of these and if so which are they?</b></p>
	<p>Currently 22 CYP have an EHCP (4.56% of EHE), and 101 (20.95% of EHE) have SEN support. This is similar to the percentages of NELC children in 2023/24 with an EHCP 4.9% and higher than the percentage of NELC children at SEND support which was 13.6%.</p> <p>The transformation team are currently gathering further information on</p>

	<p>the reasons for EHE.</p> <p>We know from conversations at initial contact that a number of families are choosing EHE as they feel school aren't meeting their child's special educational (inc emotional ) needs.</p> <p>Initial findings from the survey 14/1/25 indicate the highest reasons are dissatisfaction in schools response to bullying, special educational needs not being met and mental health.</p> <p>The new school form will gather information around behaviour, e.g. previous suspensions and the new platform will give us the exact data on reasons for EHE cross referenced between school and parent.</p>
<b>3</b>	<b>How many Children are successfully re-integrated into schools and what work is going on to make that happens?</b>
	<p>This term 138 became EHE, 15/10.9% have returned to school.</p> <p>An initial home visit/ meeting offered.</p> <p>Reminders and offers of support with finding a school place from Young People Support Service, EHE officer, school nurse, NELC admissions.</p> <p>Communication between involved professionals is enabling more engagement from families.</p>
<b>4</b>	<b>The gap between school education and home education in terms of outcomes and results? Could we have a breakdown of how many of the home educated children in our borough took exams at each level of education eg KS1, 2, 3, 4. Etc</b>
	<p>We cannot access GCSE outcomes for children who are not on a school roll. We suspect many EHE children are not entered for exams possibly since parents would have to arrange and pay for this.</p> <p>NELC Young people's support service (YPSS) recent analysis found large number of the year 12s who have become NEET since leaving school in July 2024 had been electively home educated during y11. 20 young people 14%, this represented the largest number of joiners to the NEET cohort compared to other settings (academies, alternative provision etc).</p>
<b>5</b>	<b>The resource we have to address it, do we have enough?</b>
	<p>The EHE operational work is carried out by one term time 0.89 officer to support 482 young people. There is no DFE funding stream to allocate to this however we are exploring ways to increase the team capacity.</p> <p>Growing numbers (more than 200 Y10/11 EHE) means it is difficult for the YPSS service to support to best effective.</p>
<b>6</b>	<b>Is there any themes with schools or areas who have higher Children drop out for EHE? If so what, and what's being done about it?</b>
	The transformation project is working on gathering parent,

	<p>professional and pupil voice</p> <p>2 schools with high numbers of children electively home educated have agreed to work with us.</p>
<b>7</b>	<p><b>Do we have a strategy to address this and if not can we have one? With clear actions and timescales before it gets worse?</b></p>
	<p>The transformation team commenced work in November 2024. They are currently developing the discover and define phase in preparation for an EHE strategy that is evidence based and relevant to our community.</p> <p>This will involve;</p> <p>Developing media for sharing with all stakeholders (inc families).</p> <p>Creating our EHE NELC webpage</p> <p>Events to raise profile of the EHE</p>
<b>8</b>	<p><b>Do we have an idea of any children at risk of becoming home educated in the near future? Is there an opportunity for any early intervention to stop this happening?</b></p>
	<p>Not currently unless any stakeholders inform us.</p> <p>We aim to raise the profile of NELC's EHE offer, improve and share information to enable early intervention.</p>
<b>9</b>	<p><b>How many Children in EHE do we and don't we have oversight of? What is the process we have in place for monitoring home education progress?</b></p>
	<p>We know who our EHE children are if they have been in a school recently- we maintain a record.</p> <p>If a child has never been on a school roll we do not have any way of knowing these children unless informed by partners such as health visitors.</p> <p>The <a href="#">Keeping children safe, helping families thrive</a> policy statement is recommending that each child has an identifier at birth – which will mean children will be highlighted if they do not start school.</p> <p>Some families accept a visit, others send a report to demonstrate they are meeting the needs according to their child's age, aptitude and ability</p> <p>We ascertain progress on these visits or reports and make a judgement on the overall provision.</p>
<b>10</b>	<p><b>Have we served notice on any parents regarding the standard of education/how many education supervision orders are in place?</b></p>
	<p>NELC has served 5 section 437 notices this academic year (letters requesting information to satisfy the local authority that the child is receiving a suitable education at school or otherwise)</p> <p>Under current guidance we cannot consider an Education Supervision Order unless we have already been through the School Attendance Order process and this has been breached.</p>

<b>11</b>	<b>I would be interested in knowing how many children are currently being home educated, I would also be interested to know if these have always been home educated or if the child had been removed from school after attending and if possible at what ages the removals were – primary, secondary etc.</b>
	We can track a child's educational journey on an individual child basis. Collective data will be captured in the new Children's Services platform allowing us to identify trends.
<b>12</b>	<b>I am also particularly interested in trying to ascertain any instances of off rolling and if there is any evidence to show if any particular schools are guilty of this practice.</b>
	Our new process will improve understanding of off rolling We will investigate if presented with evidence.
<b>13</b>	<b>Is there a required minimum number of hours that children being "home educated" are actually being "educated" in the traditional sense of the word in preparation for future life. Which subjects are covered? Also whether elective home education is sufficiently broad to cover the spectrum of subjects offered at school?</b>
	There are no specific legal requirements as to the content of home education, provided the parents are meeting their duty in s.7 of the Education Act 1996. This means that education does not need to include any particular subjects and does not need to have any reference to the National Curriculum; there is also no requirement to enter children for public examinations. There is no obligation to follow the 'school day' or have holidays which mirror those observed by schools.

**10. CONTACT OFFICER(S)**

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Head of Service responsibility for Elective Home Education.

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