

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
FAMILY AND CHILDREN'S SERVICES SCRUTINY COMMITTEE**

8 SEPTEMBER 2010

**REPORT BY THE DIRECTOR OF SCHOOLS, QUALITY AND
STANDARDS**

ELECT TO HOME EDUCATE POLICY

This report is to inform Members of the FCS Scrutiny Committee of the Royal Borough's revised Elect to Home Educate Policy.

FOR INFORMATION

1. INTRODUCTION

- 1.1 Elective home education is the term used to describe parents' decision to provide education for their children at home instead of sending them to school.
- 1.2 The Local Authority has certain responsibilities to provide written information about elective home education that sets out the legal position, roles, and responsibilities of both the local authority and parents, and to intervene if parents are not providing suitable education.
- 1.3 Following the Review into elective home education, conducted in 2009, the Royal Borough has reviewed its policy in relation to home education to ensure that it is robust and that there are clearly defined roles, responsibilities and timelines to follow.
- 1.4 The below sets out the Royal Borough policy for elective home education.

2. ELECT TO HOME EDUCATE POLICY

- 2.1 Whilst the policy concerns elective home education there are links to the LA's policy and procedures for Children Not in Receipt of a Suitable Education, including those missing from education or at risk of going missing from education.
- 2.2 **Legal Context**
 - 2.2.1 The law allows parents of children in England and Wales to educate their child however they wish. The local authority (LA) has limited powers to intervene or even to be informed about this.

- 2.2.2 If a parent never registers their child at a school, they are not obliged to inform the LA.
- 2.2.3 If a parent registers their child at an independent sector school and then withdraws their child from school to educate them at home, they are not obliged to inform the LA. Nor is the independent school obliged to inform the LA. However, regulation 13 of the Pupil Registration Regulations requires **all** schools to inform the LA if a child of compulsory school age ceases to attend or 'disappears' and the school believes they may not be receiving an education.
- 2.2.4 Where a child has a Statement of Special Education Needs maintained by the LA, the child was placed in a special school and the parent has withdrawn the child in order to electively home educate, the decision about whether the child should remain on the roll of the special school rests with the LA. Careful assessment is needed in these circumstances to ascertain whether the child's special education needs are being met through the education arrangements made by the parent(s) at home.
- 2.2.5 If the parent registers their child at a maintained school and then withdraws their child to educate them at home, they are not obliged to inform the LA. **However, they are obliged to inform the school, which in turn is obliged to inform the LA within two weeks of removing the child from roll.**
- 2.2.6 Where the LA is informed of a parent's desire to educate their child at home, it has limited powers but the parent is required to assure it about the nature and quality of the education they are giving to the child.
- 2.2.7 Where parents appear not to have taken steps to ensure their child is registered with a school or receiving an appropriate education, the LA education welfare or school attendance service should make urgent enquiries about the child's welfare, and interview the child. If the parent fails to comply with the LA's efforts to place the child in school or to receive education in some other way and there are concerns that the child is suffering or is likely to suffer significant harm, this must be referred to LA children's social care as a child protection matter.

2.3 **Safeguarding and Child Protection**¹

- 2.3.1 The London Child Protection Procedures state that "A minimum standard of safety should be afforded to children not attending school".
- 2.3.2 Of the four groups of children identified the pertinent group is defined as "children of school age who are educated at home but where there are concerns about their welfare".
- 2.3.3 The London Child Protection Procedures state that, "... there may be circumstances where the parent is seeking to avoid agency

¹ London Child Protection Procedures, 3rd Edition, 2007

intervention in the child's life to conceal abuse or neglect or where however well meaning, their desire to educate their child at home may give rise to general concerns about the child's welfare. In these circumstances, it may be necessary for LA children's social care to conduct an assessment into whether the child's needs are being met or whether they are at risk of significant harm."

2.3.4 Some children are in need because they are suffering or likely to suffer significant harm – the concept of significant harm is the threshold that justifies compulsory intervention in family life in the best interests of the child and gives local authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering or likely to suffer, significant harm.

2.3.5 With regard to the recognition of abuse and neglect the London Procedures refer to consultation with and/or referral to LA children's social care and/or police. The issue is one of potential neglect through the persistent failure to meet a child's basic physical needs and/or psychological needs, likely to result in the serious impairment of the child's health or development.

2.3.6 Any professional encountering a child of school age who does not appear to be in a school should ask the parent about this and, if the child is not on a school roll or they are concerned that the parent may be evasive about this issue, they must contact their agency's nominated child protection advisor to discuss whether to make a referral to the LA education welfare or school attendance service.

2.4 Internal procedures for the registration of electing to home educate a child or children resident in the Royal Borough²

2.4.1 Notification

All notifications of children where a parent has elected to home educate are to be directed to the School Admissions Team, Tel: 020 7361 2210. Notifications are normally received as follows:

- Direct from the parent/carer.
- From the school. In this instance, the parent would have formally notified the school in writing of their decision to elect to home educate and to request that the school removes their child from roll.
- Via the Education Welfare Service.

2.4.2 Registration

The School Admissions Team will record the child's details on the "Home Education System"³ on the date of notification and send the

² When the EHE information is incorporated into the Local Authority Pupil Database care will be taken to ensure that it is clear which services will have permission to access the data.

parent/carer the '*Statement of Arrangements made for a child Educated Otherwise than at School*' (EHE) form accompanied by the information leaflet. A covering letter will accompany the form and the guidance notes outlining the expectations of the Local Authority concerning the registering of child/children with the Royal Borough where parents/carers have elected to Home Educate and including the expectation for the completed form to be returned to the Admissions Team within **10 school days**.

On the date of notification, the Admissions Officer will notify the Principal Education Welfare Officer and the Principal School Improvement Adviser. This notification will trigger the following:

- i. Routine checks to be carried out by the Education Welfare Service using the Local Authority Pupil Database (LAPD). This will include a search of the database to ascertain whether the pupil has been on the roll of a school in the Royal Borough and/or whether there has been any contact with the family by the Education Welfare Service.
- ii. An Education Welfare Officer (EWO) will be allocated unless this is already in place.
- iii. The allocated EWO will undertake checks with the Special Education Needs (SEN) Section to ascertain whether the pupil has a Statement of SEN, and with the Pupil Support Service (PSS) concerning any history of exclusion.
- iv. The allocated EWO will undertake routine checks with key services including Family Services to ascertain whether the family is known to other agencies.
- v. The allocated EWO will make contact with the family to arrange for a home visit, to be made within **10 school days** of notification. This visit will confirm the child's residence and will be an early opportunity to discuss with the parent/carer the arrangements that they will need to make to educate at home. It will also be an opportunity for the parent/carer to express any concerns they may have and to ensure that the decision to home educate has not been made as an impulsive reaction to unresolved issues at the child's last school. The parent/carer may also need advice or assistance to complete the EHE form, if it has not already been completed and returned to the Admissions Team. EWO will provide written feedback to the Admissions Team and Principal School Improvement Adviser concerning the outcome of the home visit. The Principal School Improvement Adviser will allocate a School Improvement Service (SIS) officer to carry out the EHE visit.

³ Consideration will be given in the future to this information being part of the Local Authority Pupil Database.

- vi. The SIS will record the child's details and schedule a home visit in advance of the return of the completed EHE form and approximately six weeks from the date of notification. The home visit will be arranged for a date and time mutually convenient for the SIS and the allocated EWO who will accompany the SIS on the joint home visit.

2.4.3 When the EHE form is not returned

- i. If the parent/carer EHE form is not returned within the 10 school days notified to the parent/carer, this will trigger a second letter to be sent by the Admissions Team (copied to the EWO) to remind the parent to return the form within **10 school days** and advising them that they will be contacted as soon as the form is returned by the SIS to arrange a home visit.
- ii. If the form has not been returned after the second reminder (i.e. within 20 school days of the EHE form being sent to the parent/carer by the Admissions Team), a final letter will be sent to the parent/carer by the Admissions Team (copied to the EWO and SIS) advising the parent of a proposed date and time when the EWO and SIS will visit the family and stating that the SIS and EWO will assume that the date and time is convenient unless the parent/carer contacts the LA to advise otherwise.
- iii. Family Services will be informed at this point.

2.4.4 When the EHE form is returned

- i. On receipt of the returned EHE form, the Admissions Officer will record this on the Home Education System and send the form via email for the attention of the SIS and copied to the Principal Education Welfare Officer.
- ii. The SIS will identify a provisional date for a joint home visit with the allocated EWO. The parent/carer will be contacted in writing regarding the proposed visit and invited to contact the SIS if the suggested date for the visit is not convenient so that a mutually convenient date and time can be identified. Once the appointment is confirmed the SIS will notify the Admissions Team of the date to record on the Home Education System.

2.4.5 Following formal home visit

- i. Following the home visit by the SIS and the EWO, the SIS's Elect to Home Educate monitoring report from the visit must be completed within **5 school days**. A copy of the report should be sent to the Admissions Team to be logged on the Home Education System and a copy sent to the allocated EWO (via email).

- ii. ***Where any safeguarding concerns arise from contact with the parents/carers Family Services MUST be informed immediately.***

2.4.6 When Home Education is 'satisfactory'

When the education at home has been assessed as satisfactory by the SIS, the parent/carer will be notified within **10 school days** of the outcome with a copy of the report. This will be notified by the SIS and copied to the Admissions Team and allocated EWO. The parent/carer will be informed that a follow up visit will be scheduled within a maximum of 12 months time.

2.4.7 When Home Education is 'not satisfactory'

- i. If the education arrangements are not satisfactory further discussion will take place between the Principal Education Welfare Officer and Principal School Improvement Adviser to identify which services need to be involved in the next steps.
- ii. Options:
 - a. The education is not satisfactory but the SIS has provided advice/guidance to assist the parent in putting additional arrangements in place to remedy the situation. Follow up visit in three months.
 - b. Education arrangements not satisfactory. Consider taking action as per these options:
 - i. Parents to secure a school place through contacting the Admissions Team and with support from the EWS where needed.
 - ii. Admissions and EWS to refer pupil to Children Out of School meeting.
 - iii. EWS to initiate School Attendance Order proceedings. Admissions to secure agreement of a school to being named in the School Attendance Order.
 - iv. EWS refer to Family Services immediately if there are any concerns about the child's wellbeing or safety.

3. RECOMMENDATION(S)

- 3.1 It is recommended that Members endorse this policy. If Members have any questions or comments please respond to the Director for Schools, Quality and Standards.

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