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REPORT TO:	<i>Children and Young People Scrutiny Sub-Committee</i> <i>14 June 2016</i>
AGENDA ITEM:	8
SUBJECT:	<i>Home Schooling in Croydon</i>
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CABINET MEMBER:	<i>Cllr Alisa Flemming</i>
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	<i>Elaine Grant</i> <i>Monitoring and Support Teacher Elective Home Education</i>

ORIGIN OF ITEM:	This item is contained in the sub-committee's agreed work programme.
BRIEF FOR THE COMMITTEE:	To scrutinise the quality of home schooling in the borough, the inspection framework and child safeguarding issues relating to home schooling

1. EXECUTIVE SUMMARY

This report gives a brief overview of the legislative framework, local practice, LA engagement with parents and carers of electively home educated children, examination outcomes and an analysis of strengths, weaknesses, opportunities and threats.

2. Home Schooling in Croydon

2.1 Elective home education is the term used to describe parents' decisions to provide education for their children at home rather than at school. This is different from home tuition provided by a local authority.

Parents decide to educate their children at home for various reasons. These can include, but are not exclusive to, the following:

- Distance from school
- Religious or cultural beliefs
- Philosophical views
- Bullying

The responsibility for a child's education rests with their parents. Parents have a duty to ensure their child is accessing education but this is not necessarily in a school. Section 7 of the Education Act 1996 provides that:

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

(a) To his age, ability and aptitude

(b) To any special educational needs he may have

Either by regular attendance at school or otherwise.”

There is no requirement on parents who choose to home educate to register with or seek approval from the local authority and no requirement to follow the National Curriculum. Elective home education requires the parent to take the full responsibility for identifying and resourcing their child's education provision. When parents choose to electively home educate their children they assume financial responsibility for their children's education. As a local authority we should not be seen to be encouraging this. The first step for assuming the responsibility is for the parent to research the process and make their own enquiries – rather than being 'encouraged' and supported through the initial process by local authority professionals. Local authorities may encourage parents to inform them directly of the withdrawal of a child from school, but have no legal right to insist that parents do so.

Local Authorities have a statutory duty under section 436A of the Education Act 1996, to make arrangements to establish the identities, so far as it is possible to do so, of children in their area who are not receiving a suitable education. Local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis.

Local Authorities, can, however, intervene under section 437(1) of the Education Act 1996, if it appears that parents are not providing a suitable education.

Some parents may welcome the opportunity to discuss the provision that they are making for the child's education during a home visit but parents are not legally required to give the local authority access to their home. They may choose to meet a local authority representative at a mutually convenient and neutral location instead, with or without the child being present, or choose not to meet at all.

Where a parent elects not to allow access to their home or their child, this does not of itself constitute a ground for concern about the education provision being made.

Where local authorities are not able to visit homes, they should, in the vast majority of cases, be able to discuss and evaluate the parents' educational provision by alternative means. If they choose not to meet, parents may be asked to provide evidence that they are providing a suitable education. If a local authority asks parents for information they are under no duty to comply although it would be sensible for them to do so. Parents might prefer, for example, to write a report, provide samples of work, have their educational

provision endorsed by a third party (such as an independent home tutor) or provide evidence in some other appropriate form.

2.2 Local Practice

Rigorous processes have been established in Croydon to monitor and support children receiving elective home education. Once a parent has registered their interest around home educating their child, the local authority offers to meet with them to discuss their decision and to ensure that they understand their responsibility.

If they proceed with this choice to home educate, the local authority arranges to meet with them, usually in the home, although not always, within a period of 3 months from the initial registration (it usually falls within the school term following the registration) in order to view the education programme being implemented.

If the local authority concludes that the education provision is 'efficient and suitable', the visits continue on an annual basis unless the parent requests it to be more frequent.

In cases where the local authority identifies concerns regarding the education provision, a return or follow up visit is implemented at 6 week, 3 month or 6 month intervals depending on the level of concerns. These follow up visits are used to help the parent implement a more efficient and suitable education or to guide them to school admissions to apply for a school place.

Parents are still not legally bound to register to home educate with the local authority – therefore there are still a number that we have no knowledge of who are home educating.

The local authority has the responsibility to ensure that a child is receiving 'an efficient and suitable education' – however there is no statutory guidance about how frequently these checks should be carried out. Although most local authorities conduct these checks on an annual basis, this depends on the good will and working relationship between the families and the EHE officer to effectively implement. Since 2009 positive relationships have been built up to ensure effective engagement and feedback with home educating families in Croydon, with over 74% consistent face-to-face meetings with families. Every review of home education is recorded with a written report.

There is no obligation for the parent to meet with the local authority EHE monitoring support teacher in their home and there is no legal right to see the child in regards to home education. Some parents meet with the local authority in the office or at the local library. Some provide detailed information over the telephone or will send work and plans through the post. Although such cases are the minority - in the year 2014-15 =22% – it does highlight safeguarding concerns – particularly if we can establish that no professional is seeing the child.

Children whose parents choose to submit work samples by email or post are tracked to determine when they were last seen by other professionals – checks

made with health; community; social care; benefits; police; and housing to determine when a child might have been last seen. Checks are made using social media to determine a child's whereabouts and activities. Links have been forged with local tuition centres and libraries to create dialogue regarding a child's attendance and engagement. Dialogue with colleges have determined, clarified or confirmed parental claims regarding ongoing further education.

In cases of elective home education, if it appears that a suitable education is not being provided, the elective home education monitoring and support teacher will seek to gather any relevant information that will assist reaching a properly informed judgement. This will include seeking from the parents any further information that they wish to provide which explains how they are providing a suitable education.

If it appears that a child is not receiving a suitable education a written report will be made and copied to the parents stating whether the authority has any concerns about the education provision and specifying what these are, to give the child's parents an opportunity to address them.

Parents will be given the opportunity to address any specific concerns that the authority has. The child will be given the opportunity, but not required, to attend any meeting that may be arranged or invited to express his or her views in some other way.

Ultimately parents might be sent a formal notice asking them to satisfy the local authority that their child is receiving suitable education, and if this is not forthcoming then the local authority will look at serving a School Attendance Order requiring parents to send their child to school.

2.3 **Current Delivery and Engagement**

It should be noted that in providing the numbers of EHE children in a local authority that there is likely to be a number of home educated children that are not known to the Local Authority.

As of May 2016 there are 199 students recorded as being home educated with the Local Authority.

Recorded ethnicity of known electively home educated pupils as of 21/01/16 was as follows:

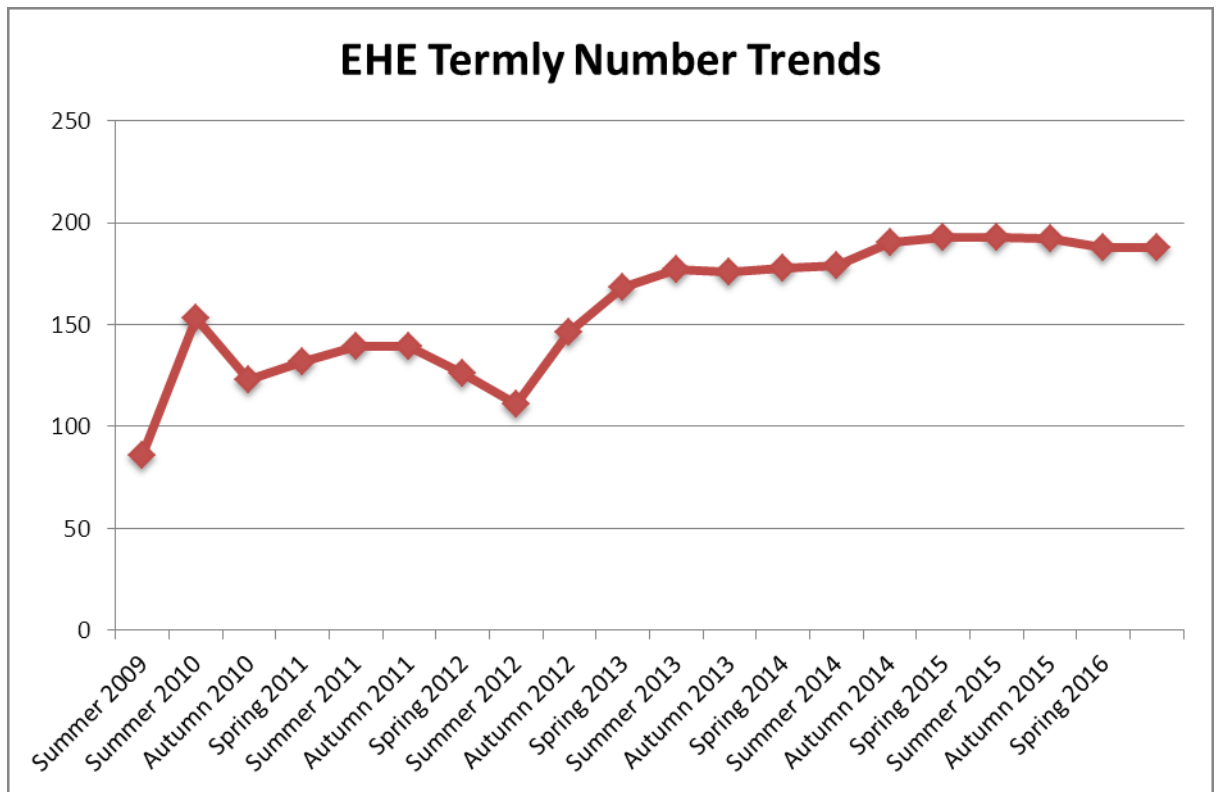
In full:	Code:	Number in EHE:
Bangladeshi	ABAN	1
Indian	AIND	3
Any other Asian background	AOTH	11
Pakistani	APKN	5
Black African	BAFR	14
Black Caribbean	BCRB	15

Any other Black background	BOTH	5
Chinese	CHN	1
Any other Mixed background	MOTH	11
White/Asian	MWAS	5
White/Black Caribbean	MWBC	3
Any other Ethnic Group	OOTH	3
Refused	REFU	41
White British Traveller - Irish Heritage	WBRI	49
Any other White background	WOTH	7
Gypsy/Roma	WROM	1

Reasons recorded for parents deciding to home educate in the 2014/15 academic year were as follows:

Reason recorded	Number of pupils
Moved into LA as EHE	4
SEN identified by parent as not being met	4
School relationship breakdown	2
Lifestyle choice	49
Concerns with schools	15
School place preference	15

Of the 199 pupils recorded as being home educated in May 2016 36 pupils (18%) are recorded as being home educated for the entirety of their education history and are not recorded as having been withdrawn from any school.



EHE numbers are mobile and children are tracked when coming out of EHE to ensure they are accessing education in another setting. Links with schools provide confirmation of a child's start date and attendance. Cross borough liaison facilitates notification to other local authorities when an EHE family moves into a borough, handing over contact details and previous EHE history and involvements.

The implementation of the Missing Monday panel has been effective in 'picking up' EHE cases that have been identified as not demonstrating commitment to EHE and signposting agreed actions to specific agencies to ensure appropriate education provision and family support.

EHE annual reviews/inspections in 2014-15 concluded that 88% of the EHE register are broadly achieving outcomes appropriate to the child's age, ability and aptitude. IGCSE exam access has been variable.

2.4 Exam Access for EHE Students in Croydon

The local authority has no duty to monitor exam outcomes for privately educated pupils. Parents are responsible for the exam provision for home educated children. Since 2011 Croydon has been able to facilitate IGCSE exam access for EHE students through Springboard. This has been welcomed by Croydon EHE families and recognised as good practice by the Education Select Committee. The Springboard environment appeals to EHE families and students due to the nurturing and supportive ambience and small numbers of students.

Exam access is a desirable provision for EHE families and the facilitating of the provision at a competitive cost has encouraged previously unknown EHE families to come forward and make themselves known in order to access this service. This is in recognition of the fact that accessing exam provision as external candidates is a challenging aspect of EHE and families are keen to avail themselves of the advice and support that Croydon provides.

The numbers of EHE accessing this facility:

2011 = 5 (1 made known to EHE to access exam provision)

2012 = 9 (5 made known to EHE to access exam provision)

2013 = 6 (5 made known to EHE to access exam provision)

2014 = 12 (2 made known to EHE to access exam provision)

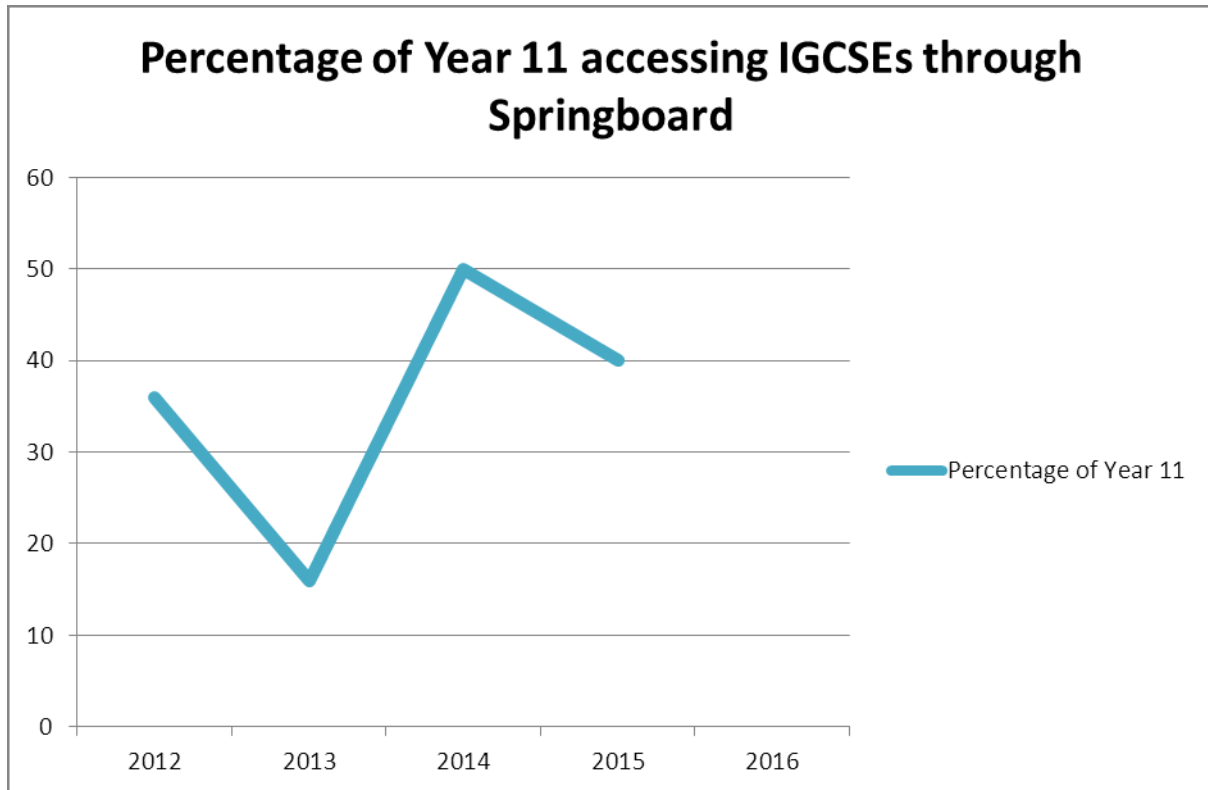
There is a significant take up of the IGCSE exam provision through Springboard for Year 10 and 11 EHE students. There was a **100% increase** in exam access taken up in 2014 compared to 2013 and a **10% increase** in A* - C grades achieved. It is also noticeable that with this facility in place a number of families home educating Key Stage 4 students are implementing a structured curriculum with IGCSEs as a desired outcome.

Due to the recent move of Springboard into a building which is shared with Bramley Bank with effect from September 2015, it is necessary to identify a new location for the IGCSE exams to be sat. Springboard will continue to be the exam centre but cannot accommodate the exam environment once the building is shared with Bramley Bank.

The exams run in two periods each academic year – January and May/June. Based on the numbers recorded from previous years, any identified space will need to accommodate up to 15 – 20 students max. (Although the numbers can fluctuate)

The challenge we are currently presented with is maintaining this recognised example of local authority 'good practice'; continuing to provide a desired and sought after service to our EHE families; continuing to explore and extend effective ways of engaging EHE families; and identifying an appropriate venue that can be utilised for a fixed period in January and May/June as an exam hall.

EHE IGCSE Exam Access Analysis:



Academic Year	Number of students	Number of examinations	Number of A-C* Grades obtained
2012/13	6	27	20
2013/14	12	35	22
2014/15	11	39	14

IGCSE Information And Guidance (IAG) Meeting Indicators:

2012-13: 45 invited; 4 attended = 9%

2013-14: 46 invited, 11 attended = 24%

2014-15: 45 invited, 12 attended = 27%

2015-16: 55 invited, 7 attended = 13%

Year 11 destinations in 2015 indicated 55% transition to ongoing EHE, identified training, or FE/Sixth Form. Year 11 transition information is shared with Participation Officers to ensure FE IAG events are disseminated and students are notified of Steps to Success. Steps to Success is the branding that School Standards (14-19 Team) have used for the following initiatives:

- Drop-in information advice and guidance (IAG) service offered to NEET and at risk of NEET young people in Croydon Library from June – July 2015
- NEET Event on 7/9/15: all young people who were known to be NEET, at risk of NEET (including previously home educated young people) and or whose intended or actual destinations were 'Not Known' were invited
- 16-19 Opportunities Bulletin: this is a NEET reduction initiative produced as a monthly publication including opportunities suitable for 16-19 year olds in education, employment with training, personal development opportunities. It is sent directly to NEET young people and a wide network of professionals within and external to the local authority. An education, and employment with training guide is also available to young people and professionals.
- NEET Outreach: the 14-19 Team endeavour to engage with NEET young people at events where they are likely to be present, e.g. in 2015: Skills London, South London Jobs Fair, Thornton Heath Carnival.

Details of the young people without known destinations post year 11 have been passed on to the schools standards 14-19 team. Letters were sent to each of these young people between 07/07/2015-10/07/2015. The 'tracking' letter requests the young person to advise us whether they have an offer of education, employment (with training in line with RPA) or training for September 2015 in line with our statutory responsibilities.

Young people who are recorded as not having a known offer were offered an information and guidance phone call during 17-19th August in advance of IGCSE results. Young people without an offer were invited to a 'Steps to success' careers event in September 2015. Any young people whose destinations remained unknown were contacted again from November 2015.

2.5 The EHE Landscape in Croydon

Strengths:

- The Monitoring and Support Teacher Elective Home Education has strong subject knowledge and awareness of changes in policy and practice through consultation before the Education Select Committee; chairing a forum of 39 regional local authorities; and committee of newly formed National Association. This has successfully established consistency of practice and consultation with local authorities.
- The National Association of Elective Home Education Professionals has recommended that in 2015/16 all local authorities adopt the same reason criteria for EHE, as laid out in the 2007 Guidance, in order to identify a national picture of trends and patterns.
- Enquiry and interview processes are refined to ensure all known EHE referrals are cross checked with other agencies; that there is understanding of the 'story' of how a family comes to decide on EHE; to identify any examples or trends in schools encouraging EHE; to record family profiles re-ethnicity, child's age, and SEN.
- Rigorous and robust processes in place to safeguard children and with rag rating escalation process to escalate cases of concern or non-engagement.
- Regular monitoring and consistent practice through visits and reviews has ensured parental realisation that annual monitoring visits require evidence of progression. This practice is now embedded and is an important element of safeguarding procedures.
- Access and training to other agency systems within the local authority to ensure coherent working practice – CRS and housing.
- Current 2007 guidelines are intended to enable local authorities to build effective relationships with home educators that function to safeguard the educational interests of children and young people: relationships that are rooted in mutual understanding, trust and respect. While there is no legal obligation on local authorities or home educators to develop such relationships, doing so will often provide parents with access to any support that is available and allow authorities to better understand parents' educational provision and preferences. Since 2009 we have established improved dialogue, respect and trust with our local EHE community.
- In the academic year 2014-15 we addressed 145 enquiries about EHE from parents and conducted 118 face-to-face meetings to support parental understanding of the information, advice, and guidance around EHE and the duty and responsibility entailed. This was to ensure that parents choosing EHE were making an informed decision.
- Safeguarding is consistently addressed in home visits when reviewing EHE. There have been a number of national Serious Case Reviews involving EHE and local

authority concerns. In the academic year 2014-15 we made 3 MASH referrals, and one was escalated to a Section 47 enquiry and a Child Protection Plan was put in place.

- In the academic year 2014-15 there were 90 new cases opened as EHE. 59 referrals were made via other agencies (not parents voluntarily informing) including health; supplementary schools; neighbours/members of the public; MASH; and other boroughs. 42 of these referrals were investigated and opened as EHE. The enforcement of compulsory registration and the opportunity to see the child, at least on an annual basis, would provide a far more comprehensive picture of the nation's EHE children and provide improved opportunities to safeguard vulnerable children.

- We provide a consultation and advisory service with the 14-19 Participation Team for Year 11 students in EHE. Finding ways to engage some of these students in training or education is not always easy. In the academic year 2014-15 45% of the Year 11 EHE cohort became NEET (Not in Education, Employment or Training) and did not have the basic accreditation to take up post 16 courses.

- Cross borough working continues to be effective in identifying and monitoring private tuition centres, ensuring conformity with DfE registered schools status. Online communication is effective in confirming student enrolment in online education provisions.

- We have developed consistency of local authority practice regionally and nationwide in monitoring and supporting EHE through the improved links established through the National Association of Elective Home Education Professionals and the London Home Education Officers regional forum.

- If a family is known to Children's Social Care, the Youth Offending Team or the Education Welfare Service and a choice is made to home educate, information is shared between all relevant agencies.

- If a child has a statement of SEN/EHCP and the parent chooses to home educate, information is shared between the SEN casework officer and the monitoring and support teacher for EHE. Copies of any reports around the home education provision are copied to the SEN case worker and EHCP updates are accessible on Sharepoint to inform the EHE reviews.

- Although the local authority has no statutory duty to monitor the quality of home education on a routine basis, contact is made with parents once a year to ask for up-to-date information and the EHE Officer proactively tries to see and talk to the child at these annual visits.

Weaknesses:

- In providing the numbers of EHE children in a local authority, we don't know what we don't know.
- The monitoring and support teacher for elective home education has limited resources to actively seek out unregistered schools although we would of course act upon any concerns arising from information obtained from our general interaction with EHE families
- A number of SCRs (NSPCC Home Education: Learning from Case Reviews March 2014) have identified that, in a small number of cases, elective home education can lead to isolation and obscuring of children from normal services that could act as a monitor of their welfare. We recognise that it is important that consideration is given to these issues so that the very small number of children who are abused in a home education setting can be protected more effectively. Local authorities are looking at ways to establish local protocols that recognizes that a CPP must identify and draw up an identified action regarding the child's schooling provision as a protective factor. This is already established in Hounslow and Medway.
- If a child has already been identified to be vulnerable and at risk and placed on CPP, we, as a local authority, recognise that in home education, section 175(1) does not extend local authorities' functions. It does not for example give local authorities powers to enter the homes or otherwise see children for the purposes of monitoring the provision of elective home education.
- Serious Case Reviews have acknowledged that within Home Education there is a very real risk that home-educated children can become invisible to the authorities. The isolation and invisibility of home educated children has consistently been flagged as a serious issue in SCRs.
- Under current legislation it can be difficult or impossible for the authority to satisfy itself that any arrangements made are suitable. Parents can be reminded of the duties placed on local authorities but are not required to comply or co-operate. Local authority home education officers cannot insist on visiting a home or seeing a child. It can be impossible to positively establish that a child is not being suitably educated if there is simply not enough information available to the authority.

Opportunities for 2016/2017:

- In line with other local authorities, we can develop the registration questionnaire which has a section parents are invited to complete to provide tuition details, although these will only be voluntary responses.
- We hope to re-instate IGCSE exam centre provision which provides a positive service desired and sought after by EHE families and encourages families to engage with the local authority.
- We aim to create a local practice through consultation with childrens' services and the Croydon Local Safeguarding Board to establish local protocol (consistent with other local authorities) recognising that home education cannot be seen as a protective factor for children on CPP.

Threats:

- Being over inquisitive raises suspicions within the EHE community and threatens the delicate relationship with them.
- The current climate of uncertainty around possible potential changes in EHE legislation appears to be resulting in increased resistance of families engaging with the local authority.
- There is an increase in cases of EHE less secure in their delivery or evidence of delivery of suitable and effective education. There is a significant increase of families in 2015-16 declining face-to-face meetings and opting to provide updates remotely.
- The overall numbers in EHE have increased – with more complexities. Many of the current cohort of long standing EHE families have completed statutory schooling in 2015-16.

2.6 Unregistered Schools

An independent school is defined by the Department of Education as any school at which full-time education is provided for five or more pupils of compulsory school age, or one or more such pupils with an Education Health and Care plan or a statement of educational needs or who is “looked after” by a local authority. It is an offence to operate an unregistered independent school and any individual who does so is liable for prosecution by the Department for Education.

In November 2015 Ofsted raised concerns nationally with the Secretary of State for Education about the safety of children who are educated in unregistered schools.

Ofsted highlighted the fact that such schools being unregistered means that they are hidden from the view of local authorities, The Department for Education and Ofsted.

Locally, concerns about EHE pupils attending an unregistered school in a neighbouring borough were shared with the local authority in which the school was situated and resulted in the appropriate local authority visiting the 'school', advising about legal process for registering, referring to DfE and the unregistered school closing whilst completing the necessary processes for becoming registered with DfE. If an EHE parent mentions a tutoring group or regular meeting of home educated children the local authority will ask supplementary questions to establish what is going on 'on the ground'. In line with other local authorities, all we can act on are snippets of information we receive from various sources and these will only be voluntary responses. We work collaboratively with other boroughs to share information to help identify provision that may not be registered. We have implemented collaborative working with colleagues to make sure schools get the onwards destination of students and follow this up by checking (with the DfE and Ofsted) that these are registered schools.

Consistent with other local authorities, we do ask home educating families about what other groups they are part of or if they use tutors but it does depend on what the parent is willing to share. Harder to determine are the groups of EHE parents who share teaching in one another's homes with varying numbers of children, and rotating a timetable around homes.

In 2015, as part of the Quality Assurance of alternative provision, the LA reported a local alternative provision provider to the Department for Education for operating as an unregistered schools and appropriate action was taken by the department.

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