

TITLE:	ELECTIVE HOME EDUCATION (EHE) 2022-2023
FOR CONSIDERATION BY:	Children's Select
REPORT DATED:	1st September 2023
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1. Purpose of Report

- 1.1 Parents have a right to educate their children at home (Section 7 of the Education Act, 1996). This report provides an update on the Council's role in relation to Elective Home Education (EHE Guidance for Local Authorities, DfE, 2019), current data and future development priorities.

2. The Wiltshire Context for EHE

The information below is based on academic years.

2.1

Academic Year	EHE Actual
2015-16	385
2016-17	437
2017-18	619
2018-19	640
2019-20	648
2020-21	731
2021-22	811
30 th May 2023	909
1 st September 2023	876

Highest numbers of EHE children are represented in years 8, 9, 10 and 11 (Key Stages 3 and 4), which is typical of the national profile.

There continues to be significant mobility within the EHE cohort, with 549 new EHE notifications in the 22-23 academic year and 400 EHE notifications ended.

On 1st September 2023, there were 876 EHE children in Wiltshire.

2.2 There are 73 EHE children with an EHCP, an increase of 12 from the previous year.

The Children Absent from Education (CAFE) group has identified an increase in the number of EHE children with cases open to children's social care, with Child in Need cases increasing by 6 from the previous academic year and Child Protection cases also increasing by 6.

The Education Welfare Officers who monitor EHE, work closely with colleagues in Support and Safeguarding teams where there are Child in Need and Child Protection concerns and contribute to any statutory meetings, including strategy discussions, CP conferences and Core Group meetings where appropriate. The EWS progresses with legal interventions in cases where suitable education provision is not being made by the family.

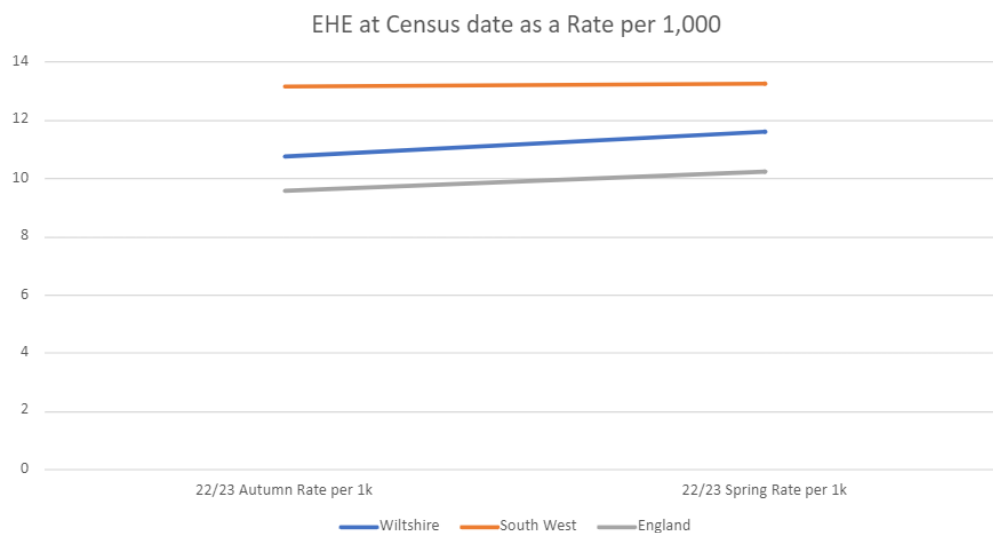
Current Caseload by Type	
Type	Total
Current EHE Caseload - Current EHCP Final Plan	73
Current EHE Caseload - Current EHCP Under Assessment	14
Current EHE Caseload - Current FSM Pupil Premium	99
Current EHE Caseload - Current SEN Support	231
Current EHE Caseload - Current Social Care CIN	22
Current EHE Caseload - Current Social Care CLA	0
Current EHE Caseload - Current Social Care CP	6
Current EHE Caseload - Current Social Care Support	16
Total Current EHE Caseload	952 *

* Total before Y11 leavers removed

2.3 Benchmarking of Wiltshire EHE data is possible for the first time this year as the DfE has asked all Local Authorities to submit EHE information as part of a national data collection exercise.

National benchmarking data was published by DfE for the first time on 18th May 2023, reporting on the autumn and spring returns. The EHE data returns to the DfE are not yet statutory, so not all LAs have responded. In Wiltshire we have made all 3 submissions to DfE this year.

The published data shows that Wiltshire's EHE rate in the autumn and the spring were approximately 1% higher than the England rate, but 2-3% lower than the South West rate.



3 Reasons for EHE

3.1 There are no significant patterns relating to geographical area for pupils being removed from roll. There are some schools where the total number of pupils removed from roll is higher than others with a similar demographic. This is explored and addressed through TASC meetings with School Effectiveness.

3.2 We ask parents to provide a reason for EHE, although not all families will choose to respond. Typically, reasons provided for wanting to remove their child from the roll of a school, include:

- School refusal (emotionally based school avoidance)
- Avoiding prosecution for non-attendance
- Bullying
- Dissatisfaction with school
- Lifestyle/philosophical belief
- Medical needs of the child
- Choice related to home learning experience during pandemic and improved mental health of their child
- Advice of the school (*where this is the case there is robust challenge to the school by LA services*)

3.3 Reasons for EHE now form part of the DfE data collection, although this part of the data set has not yet been published. Once available, we will use this data to inform further development of support and advice for schools and families.

4 EHE Causing Concern

4.1 23 pupils currently have a red RAG rating indicating that they are not receiving a suitable education.¹ In these cases, the Education Welfare Officer will provide timely support to families to help them make improvements where provision is a concern, or to take steps to secure education through a school placement.

4.2 Where support has been offered but not engaged with, or where necessary improvements have not been made, the Education Welfare Service initiates a warning process, or the Local Authority consults with governing boards to commence School Attendance Order proceedings.

A small number of pupils have School Attendance Orders in place. In some instances, pupils are now registered with a school but are not attending and enforcement action has commenced. In other instances, pupils have not been registered at a school and prosecution for a breach of the School Attendance Order has commenced, with appropriate involvement of children's social care.

4.3 Any child not receiving suitable EHE is recorded as a Child Missing Education (CME) by the Local Authority.

5 EWS Actions

5.1 New EHE referrals are followed up by an Education Welfare Officer to establish that efficient and suitable education is in place.

Parents and carers must inform the school if they intend to withdraw their child in order to educate at home. The school then has the duty to inform the Local Authority. Apart from those circumstances, the decision to inform the local authority or not is entirely for the parents/carers to make. There is no statutory requirement for parents and carers to inform the local authority that they have elected to home educate.

5.2 The government's schools bill included a legal duty for councils to maintain a register of children not in school and for parents to supply information for it. The schools bill did not proceed, however the DfE has said it remains committed to statutory registers.

There is no statutory requirement for the Local Authority to provide ongoing reviews of suitability of elective home education, unless a concern is raised. However, in Wiltshire, annual checks are made with home educating families by the Education Welfare Service.

6 Additional Support

6.1 A resource has been developed alongside colleagues in Health to enable EHE families to access advice and information about voluntary services who can provide support where there are health/mental health concerns. Regular discussion between Education

¹ Suitable education is not defined in the 1996 Education Act, but has been described in case law as one that 'primarily equips a child for life in the community of which he/she is a member'.

Welfare and colleagues in specialist health services takes place to ensure that children with additional needs are receiving their full entitlement.

- 6.2** An offer remains in place for schools and families to meet with an EWO to discuss implications of EHE prior to the child being removed from roll. There is limited uptake of this offer as parents will often explicitly state in their correspondence to schools that they wish to decline any such meeting.

7 Development

- 7.1** Priorities for development in 2023-24 include:

- Utilisation of the newly published DfE data set for benchmarking and understanding our EHE drivers in Wiltshire.
- Conclusion of the CAFE exploration of case data and review recommendations in light of increase in EHE children open to social care after leaving school roll.
- Access category of need reporting for SEN Support cases.
- Analysis of cases to understand why pupil movement in and out of EHE is significant.
- Work with Wiltshire Parent Carer Council to better understand parent/carer reasons for choosing EHE for their child with SEND, to inform local practice.
- Work with Wiltshire Centre for Independent Living to ensure that the voices of our EHE children with SEND are heard and that we can respond to what they tell us about their experiences.
- Support development of thresholds in neglect strategy for 'educational neglect' and any implications in relation to EHE, e.g. CIN and CP cases.

8 Recommendation

- 8.1** The committee is recommended to accept this report as an accurate update on delivery of the Council's duty in relation to Elective Home Education.