

Ripon & Skipton ACC

EHE update

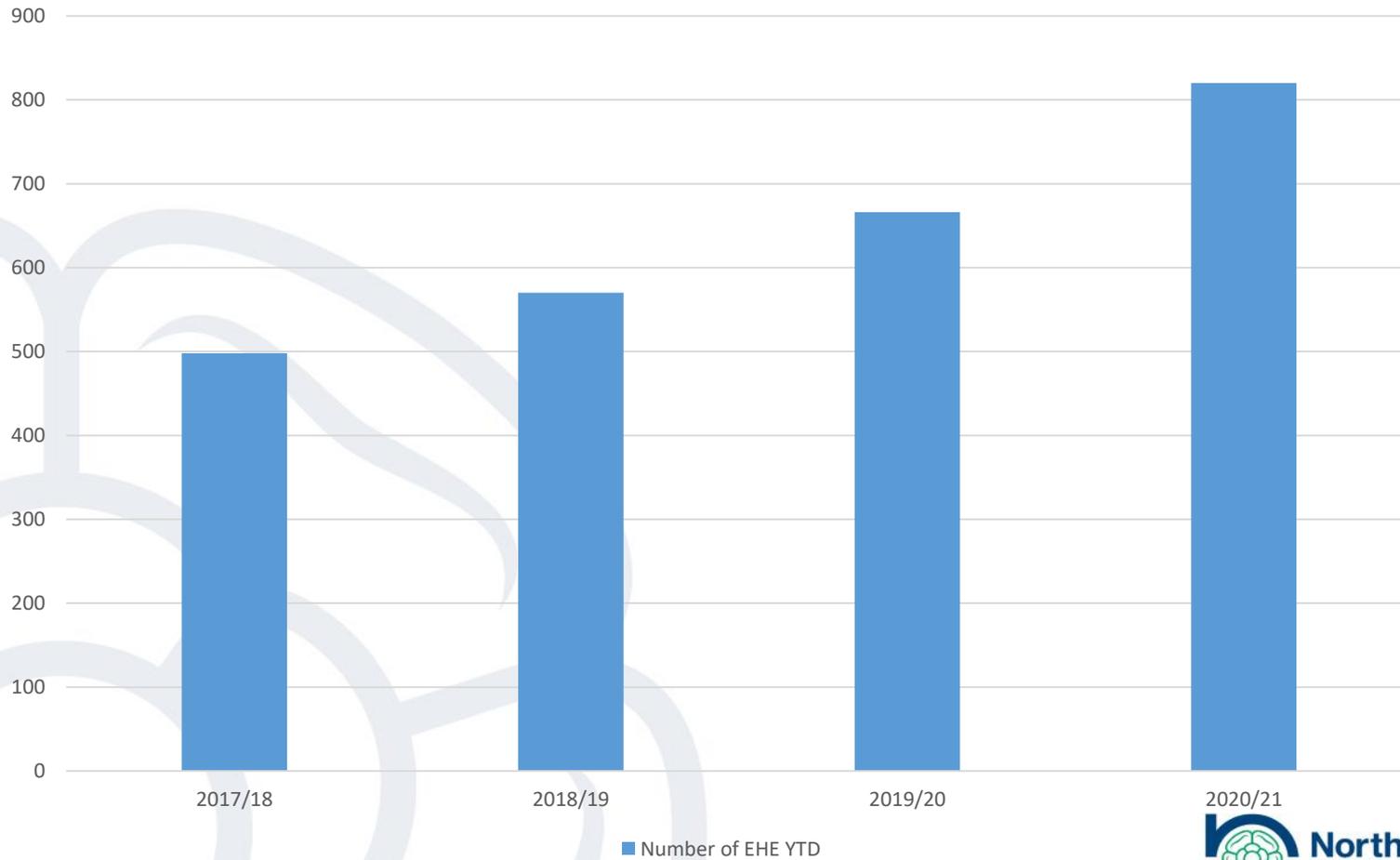
27th May 2021

The impact of the pandemic on home schooling in the county

What impact has the pandemic had upon the number of children who are being home schooled and what is the role of the Council in the oversight of home schooling provision?

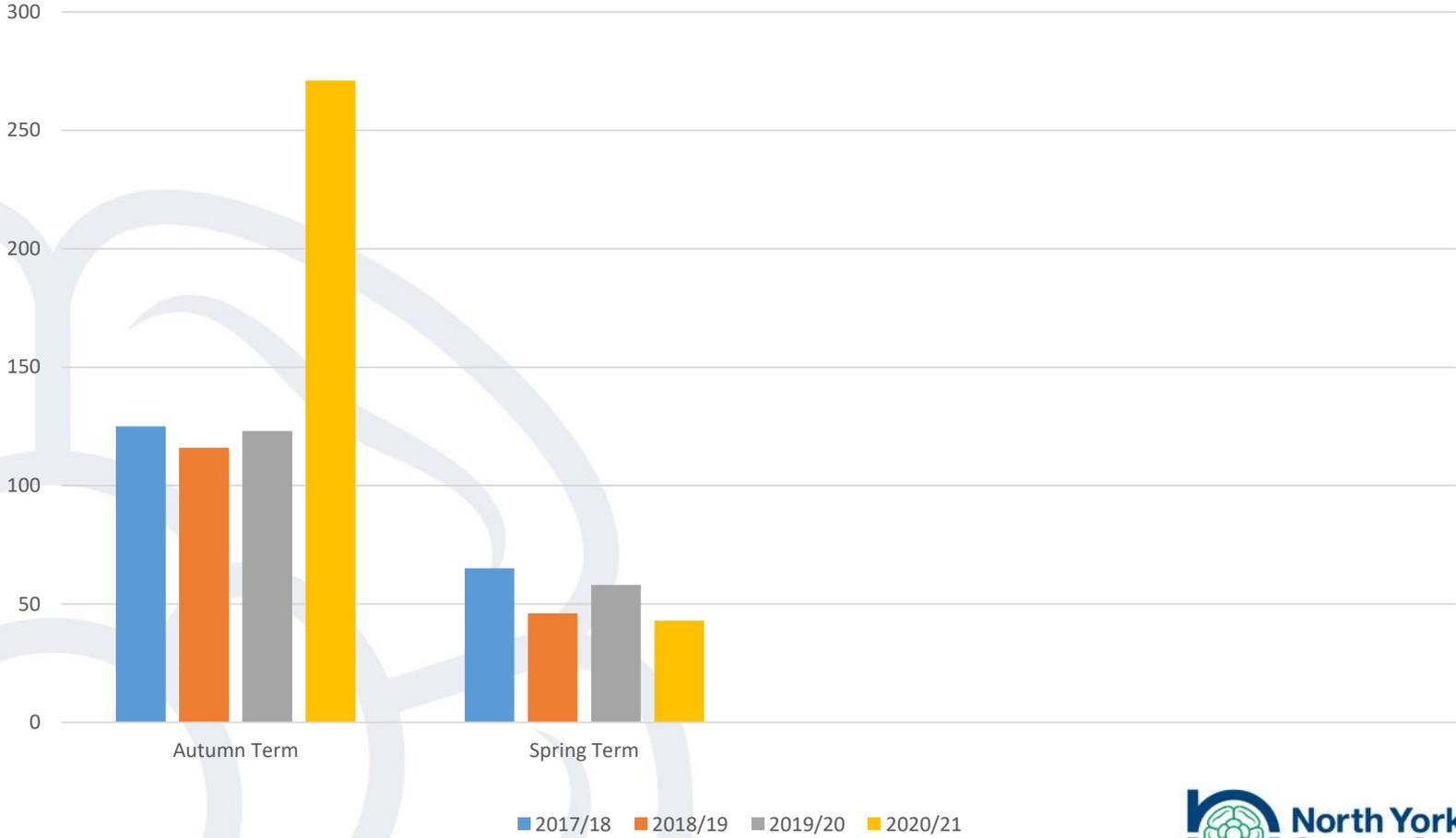
Context

Number of EHE Year To Date



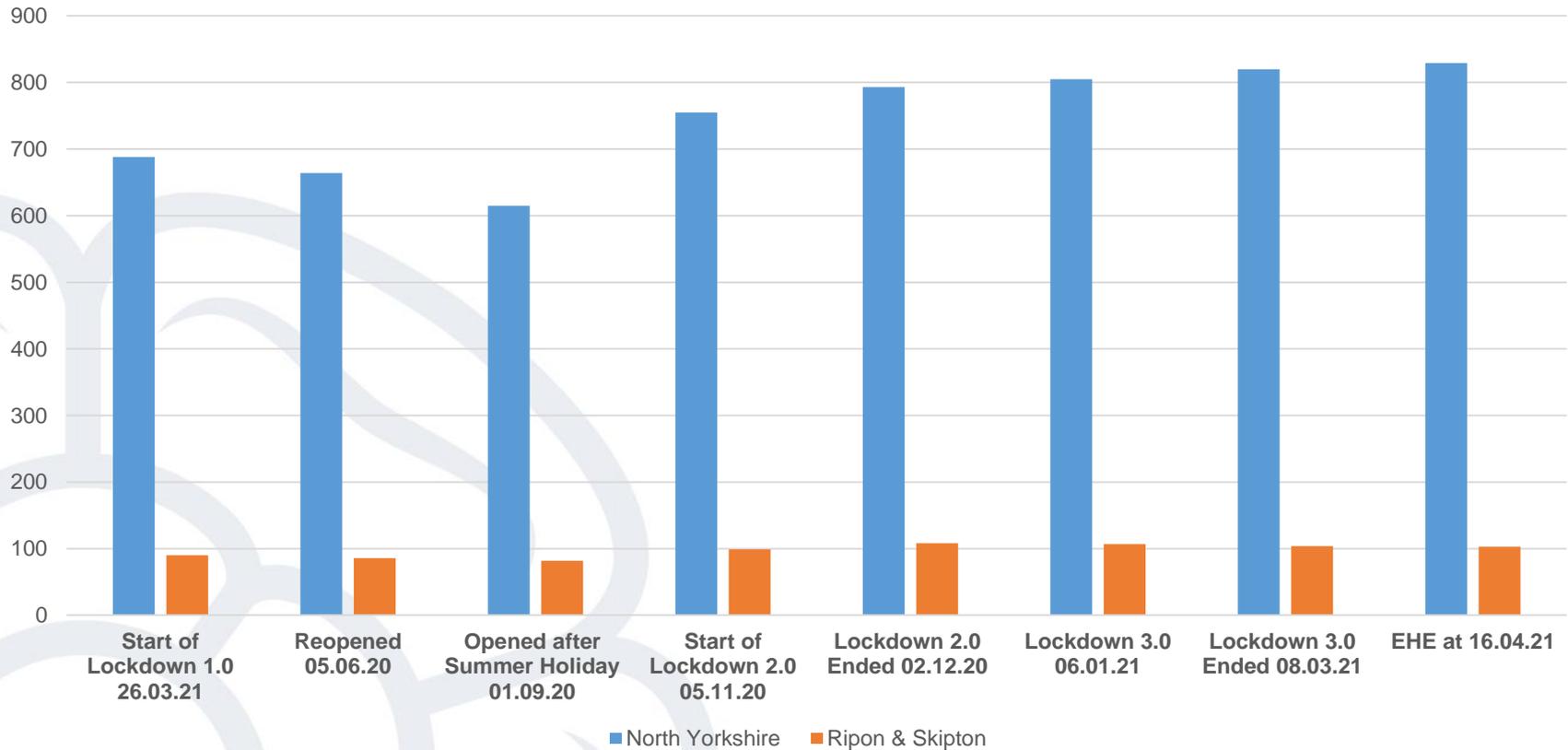
Impact

EHE Notifications by Term

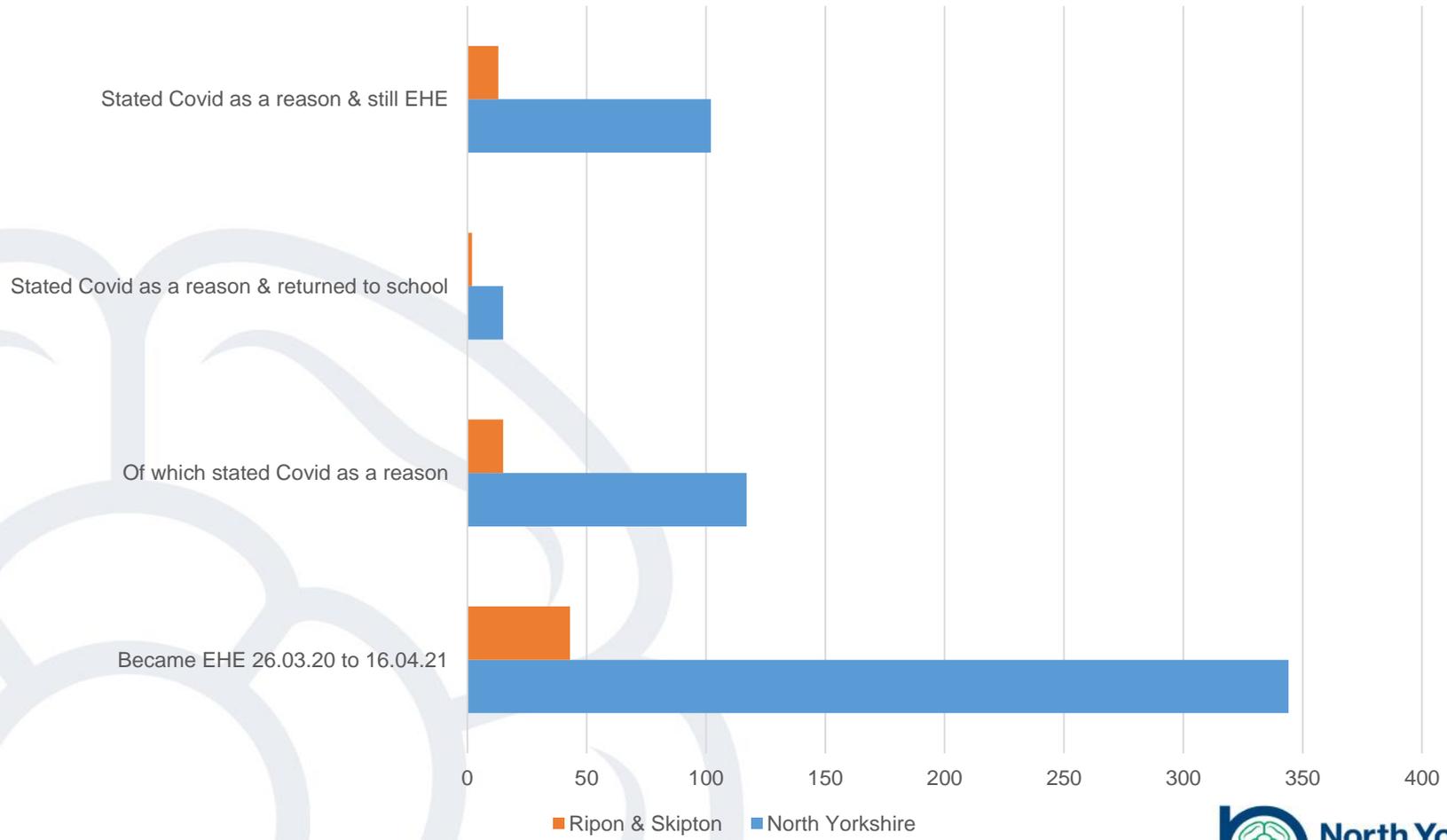


Impact

Number of children EHE



Impact



Potential reasons for increase

- Parents didn't feel their child was safe during the Covid-19 pandemic
- Parents didn't feel the family were safe during the Covid-19 pandemic
- Unknown risks associated with Covid-19
- Positive experience of EHE during Lockdown
- The child experienced
 - bullying in school
 - anxiety which was escalated by attending school
 - fixed term exclusions/ permanent exclusion
 - poor attendance at school resulting in parents facing penalties

Roadmap out of Lockdown: Is it expected that the numbers of children being home educated will fall as the vaccination programme is delivered?

A recent survey indicates that 42% of parents who have recently decided to EHE will return their child into education post COVID.

Background of EHE at NYCC

A Review of Elective Home Education was undertaken in 2020 encompassing:

- Pathway and roles across CYPS
- Reasons for EHE
- Oversight of appropriateness of education
- Advice, guidance and support for parents
- Powers if education is not deemed appropriate
- Policy and guidance

Background of EHE at NYCC

Changes informed by the review:

- Responsibility for EHE has moved to Sarah Fawcett in the Inclusion Service
- Referral and monitoring pathway has been updated to join up responsibilities across the directorate for all areas – early help, school improvement and Inclusion
- 4 EHE Advisors currently being recruited to manage the EHE processes across localities
- Policy update underway
- CYPS Info updated and series of webinars to be arranged for schools to communicate developments

What is the role of the Council in having some oversight of the quality of education that is provided?

NYCC has a duty to ensure all children in North Yorkshire are receiving an **efficient suitable full-time education** for the child's **age ability and aptitude** as set out in DfE Guidance 2019 '[Elective home education: departmental guidance for local authorities \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/414247/Elective_home_education_departmental_guidance_for_local_authorities.pdf)'

The guidance enables a LA to '**identify children who are not receiving a suitable education and to do something about it. The end result should be that every child is receiving a suitable education in a safe and appropriate setting, whether at home or in school**' (*EHE: departmental guidance for LA's, DfE 2019*).

What is the role of the Council in having some oversight of the quality of education that is provided?

S.2.4 states that ‘there are no specific legal requirements as to the content of the 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 reference to the National Curriculum; and there is no legal requirement to enter children for public examinations. There is no obligation to follow the ‘school-day’ or have holidays which mirror those observed by school’.

Section 7 of the Education Act 1996 provides that:

*‘The parent of every child of compulsory school age shall cause him/her to receive **efficient full-time education suitable** –*

*To his/her **age, ability and aptitude**, and*

*To any **special educational needs** he/she may have, either by regular attendance at school or otherwise’.*

If parents do EHE, section 7 means that the child should be receiving an **‘efficient, suitable full-time education’**.

What is the role of the Council in having some oversight of the quality of education that is provided?

If a child is being EHE NYCC is required to enquire what education is being provided. Identification of children who are EHE forms a significant element of fulfilling NYCC's duty under *s.436A of the Education Act 1996* – **to make arrangements to enable the authority to establish, so far as it is possible to do so, the identities of children in its area who are not receiving a suitable education.** Until NYCC is satisfied that a child who is EHE is receiving a suitable full-time education, then a EHE child is potentially in scope of this duty (*S.4.2 EHE: departmental guidance for LA's, DfE, 2019*).

What is the role of the Council in having some oversight of the quality of education that is provided?

New Pathway June 2021

4 x 0.5 FTE EHE Advisors

Parents/Carers must satisfy NYCC that suitable education is in place

EHE: Pre-Decision Meeting

- DfE advice was provided to LAs in Autumn 2020 to facilitate meetings between school and parents prior to a decision being taken to EHE
- NYCC's response to DfE advice included updating EHE pathway and introducing a pre-decision meeting which now takes place as soon as parent/carer are considering EHE & prior to a final decision being made
- Schools to contact Lead EOTAS Sarah.Fawcett@northyorks.gov.uk to organise pre-decision meeting
- Purpose of meeting:
 - Discuss why EHE is being considered
 - Explore alternative options to EHE
 - Identify if LA can help parents/carers & school overcome any issues
 - Ensure parents/carers have an informed understanding of EHE

Suitability of Education

NYCC's Overall Factors DfE Guidance 2019:

- Where the education takes place
- When the education takes place
- Resources/Materials used
- Educational Content
- Evidence of Learning & Progress
- Appropriate for child's age, ability, interests & future choices
- Access to accreditation as appropriate
- Access to learning that will benefit adulthood
- Opportunity for socialisation & interaction
- Child's views including their aspirations

New EHE Pathway

- If Education is deemed suitable by EHE Advisors parents/carers will be contacted again in around 12 months time as per DfE Guidance
- If Education is found not suitable:
 - EHE Advisors will advise parents/carers where education is falling down so they have a clear understanding of what changes need to be made to meet suitability threshold
 - EHE Advisor will take record of education to panel 15 days after it is found unsuitable, parents may choose to attend and may supply further evidence of education that has been put in place in last 15 days. Panel will hear from EHE Advisor, parents/carers (optional) & will look at evidence supplied to reach outcome
 - Feedback from panel is shared with parents/carers
 - If panel find education is not suitable a School Attendance Order (SAO) may be served
 - Parents may also face Prosecution
 - If parents/carers do not comply with SAO an Education Supervision Order (ESO) will be applied for



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