

Report of the Cabinet Member
Children's Services and Schools

I have been asked to Report as follows for Full Council on 17 February 2022:

1. By Councillor Letch as follows:

Since the government is moving towards a central register of home educated children, I would welcome a report from the relevant Cabinet member to focus on the following.

1. How do children get on DCC's register (if there is one)?
2. What are the figures for EHE pupils for the past 5 years?
3. How is the suitability and quality of their education checked; by whom?
4. How is their physical and mental wellbeing monitored?
5. What records do we have of academic attainment (GCSE/A Levels)?

2. By Councillor Adams as follows:

Could the Cabinet member for Children's Services please provide a report on what progress is being made to deal with the backlog in processing EHCP requests and to cover in particular:

- Expected timescales for children and parents requesting EHCPs from initial application and how the present waiting list is being prioritised?
- How does Devon County Council propose to meet the need to increase the number of Educational Psychologists, that are essential and lacking, to complete the backlog of EHCPs?

Response

1. Elective Home Education

1. How do children get on DCC's register (if there is one)?

While there is currently no legislation to require parents who have chosen to Electively Home Educate their children to register their child with the Local Authority, there is a statutory requirement for schools to notify the Local Authority when a child is removed from their school roll. All children of compulsory school age who have attended school and then become home educated are therefore automatically registered with Devon's Elective Home Education (EHE) Service so contact can be made with parents.

In addition to this:

- Parents can voluntarily make contact with the Local Authority or the EHE Service and request their child is registered as EHE, for example those who have never been to school.

- We also receive notifications from other Local Authorities about EHE children moving into Devon.
- Some parents who have not registered may confirm their child is being Electively Home Educated when contacted by the Children Missing Education Officer. Checks are then made on the appropriateness of the education being provided.
- In Devon there are approximately 173 who have not been registered as EHE, this includes those as not yet of statutory school age. **On 3rd Feb 2022 the government confirmed that they will go ahead with the creation of a mandatory register for children not in school at the earliest available legislative opportunity.**

2. What are the figures for EHE children for the past 5 years?

Census data

Every year in October schools across the country are required to record the number of pupils they have on their school rolls (Census day). From October 2018 EHE data has also been recorded in this way.

	04/10/18	03/10/19	01/10/20	07/10/21
Number of EHE children - registered	1126	1238	1508	1519
Number of girls	538	571	732	741
Number of boys	583	663	773	776
Number of primary age pupils				662
Number of Secondary age pupils				857

There was a significant increase in EHE case numbers in October 2020, partly attributable to concerns relating to Covid as well as parents choosing Home Education as a positive lifestyle choice following successfully home schooling at the start of the pandemic. Over the course of the 20/21 academic year over 600 children stopped being Electively Home Educated and returned to school, with support from our EHE team.

3. How is the suitability and quality of their education checked; by whom?

Devon County Council commissions Babcock LDP to provide an EHE Service. There are 5 designated EHE Advisers who provide advice and support to home educating families and assess the suitability of the EHE provision. Home visits are offered by the team and many parents choose this option to demonstrate they are delivering a suitable home education provision. However, there is no legal requirement to accept a home visit or for the child to be seen and therefore some parents choose to provide their own report as evidence instead.

Further advice for Parents Home Educating is provided on the Website [Babcock LDP - Elective Home Education information and guidance](#)

4. How is their physical and mental wellbeing monitored?

The EHE team do not routinely monitor physical and mental well-being of EHE children. However, all new EHE families are allocated an EHE Adviser to provide advice and support and in cases where any issues are identified the EHE Family Support Worker would also provide support.

Support may include signposting / referring to relevant services e.g. School Nursing Service, Young Devon, GP, CAMHS, Family Intervention Team and being part of a Team around the Family (TAF). Any safeguarding concerns would also be referred to the safeguarding team.

5. What records do we have of academic attainment (GCSE/A Levels)?

We do not hold any records of academic attainment for EHE students.

The requirement for a parent Electively Home Educating their children is that they provide education that is appropriate for their age, aptitude and ability. There is no legal requirement for EHE students to take public examinations and whilst some do sit GCSE examinations many defer this until post-16. There are several reasons for deferring the exams including:

- The significant cost. Parents assume full financial responsibility for their child's education when home educating, which includes the exam fee entries (that can be in the region of £200 per subject when entering as an external candidate).
- Parents may not have the expertise required to suitably prepare their child to sit public examinations.
- Parents may experience difficulty in identifying a suitable exam centre willing to accept external candidates.

Some Further Education Colleges offer 14-16 provision for EHE students which includes the opportunity of sitting GCSE English and Maths, however, the offer is not guaranteed and is not available in all areas of the county.

The EHE team and CSW work closely to support Year 11 EHE students, particularly those identified as being at a higher risk of becoming Not in Education, Employment or Training (NEET), as they consider post-16 options.

2. Education, Health and Care Plans

The recently appointed new Deputy and SEND Strategic Director has started to create a backlog team of experienced virtual interims to oversee the outstanding annual reviews. Agreement has already been given for 18 temporary staff but current recruiting has focused on temporary interims with experience and agencies have been contacted to recruit an interim backlog team to start work as soon as possible. Four individuals have been recruited so far, the first starting this week.

The Waiting List is prioritised according to statutory guidance. Years 6 to 7 children transferring between phase, (by 15th February) and then post-16 (by 31st March), and Children in Care. The timescales should be 20 weeks but at the moment there is a significant waiting list for Educational Psychologist (EP) assessments. For 77% of assessments completed, there has been an average of an 11 week delay, and 23% are not yet allocated. Measures have been taken but this cannot compensate for the need for EP input.

As a result of a national and local shortage of Educational Psychologists (EPs), a reduction in their capacity from illness or isolation due to the high number of Covid cases in the area and as a result of continued high levels of demand for EP advice for first assessments and amendments the timeliness of statutory assessments has sadly worsened. Currently there is not enough EP resource across the county to complete the essential and legally required advice for the EHC assessments in a timely way. This has not only affected Devon but has had significant impact on services across the country.

In order to improve timeliness and mitigate, as far as possible, the impact of delays in access to EP support or their advice we have put in place an action plan. However, this does not support EHC Assessment being timely. Alongside this, detailed monitoring of advice received occurs on a weekly basis. This is reported internally and to the DfE monthly.

Current actions to improve timeliness include:

- Schools have been asked if EPs employed directly by schools would be prepared to undertake the assessments required, funded by the Local Authority.
- We have contacted over 90 external agencies for consultant support to provide further ongoing capacity: this resulted in us being able to secure additional work that can address the assessments of 100 children. This low number reflects the national position.
- Made as much use as possible of parents' private EP reports to see if these can be used, or expanded, to meet the statutory requirements.
- Put in place clear expectations and weekly monitoring of EP allocations and returns of advice to maintain a level of completion that is appropriate for the EP capacity we do have.
- Approved and put out advert recruitment for 5 new Psychology Assistants to help the EPs complete advice.
- Instigated a campaign to attract more EPs to work in Devon: Educational Psychology Service Devon - Come and work with us!
- Recognised the impact of the cost of housing on recruitment across Education, Health and Care and moved to take action at County level with cross party support.

We have also taken steps to mitigate the impact of the delays on children and schools. This includes:

- Putting extra funding in schools for children if their EHCP assessment is taking longer than 20 weeks.
- Asked schools to talk to parents where we have not yet amended plans, about any immediate changes that might help and they can let us know how we could support.
- Made more information about support available on the Local Offer Devon's SEND Local Offer.
- It may be of interest to note that the number of children we have with EHCP plans in Devon is considerably higher than the national average (4.7% compared to 3.9%).

Andrew Leadbetter

Cabinet Member

Children's Services and Schools