

Electively Home Educated and Children Missing Education Briefing

Report of the Director of Childrens Service and Head of Education & Learning

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

1) Recommendation

That the Children's Scrutiny Committee be asked to:

- (a) Review the Draft Annual Report for Elective Home Education 2022-23
- (b) Review the data relating to Children Missing Education 2022-23;
- (c) Support proposals to review CME & EHE Policy and resources through the Autumn Term.

1. Background

- 1.1 Elective Home Education (EHE) is when a parent or appropriate adult chooses to provide education for their children at home or in some other way which they choose - instead of sending them to school full-time.
- 1.2 Children Missing Education (CME) are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. These children may have been previously on roll at a school and have come off roll, children who have not secured a school place or children whose home education has been deemed unsuitable.
- 1.3 The report provides an overview of the 2022-23 academic year for students identified as Electively Home Educated (EHE) and Children Missing Education (CME). EHE and CME data and performance are included in the ILACS.
- 1.4 The report also confirms plans to review the EHE and CME policies as well as other policies such as Admissions Fair Access.

2. 2022-23 Draft EHE and CME Report

- 2.1 The Annual Report for EHE can be found in Appendix 1. The report highlights a continued increase in the requests for Elective Home Education and an overall reduction, in percentage terms, for lifestyle and choice being the reason to seek EHE. Whilst all Local Authorities, post Covid, are experiencing increases in the number of learners EHE, evidence suggests that Devon is an outlier, being above national averages as a proportion of school population.

2.2 In response to the continued increase in the number of learners who are EHE, the Service intends to review the EHE policy during the Autumn term including for example, increasing the ‘cooling off period’ for decisions regarding EHE and increasing priority for in year admissions back into school through fair access. The policy review will include conversations with schools who have seen high numbers of students moving to EHE to better understand the complexities of this policy area as well as seeking views from parents and children. Existing networks with other Local Authorities, including a meeting with statistical neighbours in early September, will provide opportunities to consider any different policy or practice although the number of EHE reflect wider policy, practice and performance relating to Inclusion, SEND and Attendance.

2.3 At the time of writing this report, the 2022-23 Children Missing Education Annual Report has yet to be drafted. The headline **draft** data confirms:

- An 11% increase in children and young people identified as CME over the year (total 574);
- A percentage increase in the number of learners with EHCPs identified as CME, 23% of the total CME population compared to 21% in 2021-22 and 19% in 2020-21. The data is similar for SEN Support.

There has been a significant increase in the number of children and young people with a social worker being identified as CME.

2.4 There are numerous complex factors resulting in learners being identified as CME, this data will inform a review of policy and practice as well as a review of resources which are under significant strain.

2.5 A review of data published by the DfE based on the number of children registered as EHE and CME (Spring 2023) as a percentage of the statutory school age population confirms:

	Devon	Statistical Neighbours	National
EHE	1.90%	1.50%	1.07%
CME	0.12%	0.22%	0.31%

Devon has the highest proportion of learners registered with EHE as a per proportion of statutory school age compared our statistical neighbours (who submitted data) and is 142nd out of 145 nationally. For CME this is 3rd out of 9 for statistical and 52nd out of 140 nationally.

3. Consultations

- 3.1 Any proposed changes to policy and practice will undergo a robust period of consultation with key stakeholders including Scrutiny Committee.

4. Strategic Plan

- 4.1 The review of policy and practice and resources will support the Strategic Plan overarching priority of Growing Up, Living Well and Prosper by ensuring that Children and Young People have access to full time education, preferably in a school setting that meets their education needs.
- 4.2 Policies and practice will continue to be ambitious for children and young people and align to the education priority of 'Every child thriving in an education setting every day'. Proposals will support some of the most vulnerable learners and contribute to tackling poverty and equality.

5. Financial Considerations

- 5.1 There are no specific financial considerations for this paper although the cost of interim packages of support and education directly impact on the High Needs Block. A review of resources is likely to confirm a shortfall in capacity to meet current demand across EHE and CME.

6. Legal Considerations

- 6.1 There are no specific legal considerations for this paper but changes in policy and practice will need to align to statutory guidance.
- 6.2 However, the local authority needs to be mindful of its obligation under section 436A of the Education Act 1996 to make arrangements to identify, as far as it is possible to do so, children missing education (CME). This duty applies to all children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than at school (either at home or in alternative provision).

7. Environmental Impact Considerations

- 7.1 There are no specific environmental impacts for this paper.

8. Equality Considerations

- 8.1 A high proportion of learners who are formally registered as EHE/CME will be vulnerable and the impact of not accessing full time education in a school setting will impact on their life chances. A significant number will have identified special educational needs and to a lesser extent, will be known to social care.

8.2 The development of all policies and practice will ensure the Council has exercised its Public Sector Equality Duty under the Equality Act 2010, highlighting how the policy/scheme will eliminate discrimination, advance equality of opportunity and foster good community relations. This will be evidence through a full Impact Assessment.

9. Risk Management Considerations

9.1 The review of policy and practice of EHE and CME will endeavour to mitigate the risk to children and young people as well as the Local Authority.

10 Summary

10.1 This report demonstrates the increasing call on limited resources to support learners who are EHE and CME.

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Electoral Divisions - All

Cabinet Member for Children's Services and Schools, Councillor Andrew Leadbetter

Local Government Act 1972: List of background papers

Background Paper

Date

File Reference

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