



Elective Home Education (EHE) Policy and Procedure Review Report

AUGUST 2015

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Introduction and purpose of the review

Oxfordshire County Council (OCC) recognises the right of parents* to educate their children at home and is committed to working in partnership with parents, along with supporting services, to ensure that home educated children and young people are provided with efficient, effective, full time education suitable to their age, ability, aptitude and to any special educational needs they may have. Elective Home Education (EHE) is the term used by the Department for Education (DfE) to describe parents' decisions to provide education for their children at home rather than at school. In 2014/15 over 450 children and young people were registered with OCC as electively home educated.

Guidelines on EHE were issued by the previous government in 2007 entitled "Elective Home Education – Guidelines for Local Authorities" and these state that each local authority should have a policy on EHE and that it should be regularly reviewed to enable it to reflect changes in legislation and to comply with the guidelines. Oxfordshire County Council made some changes and compiled a revised draft elective home education policy, procedure and associated documents with a view to making improvements to further develop efficient and effective working practice, improve its partnership with home educating families and ensure that current legislative requirements and government recommendations are reflected. In order to achieve this, home educating parents and other key stakeholders' views were sought.

Findings from this review will go towards informing further changes to both policy and procedure.

Process and methodology

A revised draft "Elective Home Education Policy and Procedure" document and "Information for Elective Home Educators" leaflet was produced in December 2014, and issued for consultation from 19th January to 2nd March 2015. As part of the consultation the following stakeholders were informed:

- All known parents of home educated children in Oxfordshire;
- Public consultation: published on the Oxfordshire County Council Public Consultation Portal;
- OCC: EHE Team members, Oxfordshire Safeguarding Children Board, Social Care Area Service Managers, Special Educational Needs Service Manager, Head of Law and Governance and Schools and Learning Manager.

Invitations to respond to the consultation were sent via post and email to all known parents of home educated children. The consultation was also publicised via home educators' social media networks on Facebook, Twitter and Oxfordshire Home Educators' Yahoo Group. Responses were made via completion of a questionnaire (see appendix 1), available online and in paper form, and general comments were also made via email.

*read "parent" as "parent/carer" throughout this document

Responses and key themes

Several common themes emerged. The overriding view from respondents was that there should be more clarity around the requirement to receive a home visit from the EHE Team: With regard to the role of the Elective Home Education Visitor, a few respondents questioned this role and the duties outlined in the policy document. In particular, the assumption or request that the officer would visit the home, as this is not a statutory requirement. They questioned the value of such a meeting. Respondents often cited the need for more emphasis on the right to refuse a home visit.

With regard to children with special educational needs being home educated, respondents stated that there is no legal requirement for parents to be “approved” and parents do not need to meet the requirements of the statement or Education, Health and Care Plan (EHCP), one stated “the annual review of the statement or EHCP is NOT an inspection of the parents’ provision!”. Respondents were concerned that this section required revision, ensuring reference is made to the Special Educational Needs and Disability Code of Practice (SEND). Recommendations were made that there should be clarity around the different primary legislation and different SEN codes of practice covering statements and EHCPs.

Questionnaire responses

Responses: 37

Question 1: This document is easy to understand

Most respondents found the document clear and easy to understand.

| | |
|-------------------|----|
| Yes | 24 |
| No | 0 |
| Not sure | 3 |
| No response given | 10 |

Question 2: It clearly sets out the law and the rights of the home educator (see pages 2 and 3)

Special Educational Needs

With reference to section 9, respondents queried the procedure in relation to home educated children and young people with special educational needs. One stated “This section is not good and needs to be gone over with someone who understands statements and EHC plans” and another “It is good. Except for the SEN section”. It was pointed out that “provision has to be suitable for the child’s SEN, rather than following what is set out in the statement or EHCP, which does not apply at home” and “the law does not provide for a “trial period” of home education”.

Question 2a: It clearly sets out the law and the rights of the home educator (see pages 2 and 3)

More than half of those providing a response felt the document clearly set out the law and rights of the home educator and the local authority's responsibilities.

| | |
|-------------------|----|
| Yes | 20 |
| No | 3 |
| Not sure | 4 |
| No response given | 10 |

Question 3: It clearly and accurately explains the local authority's responsibilities (see page 4)

| | |
|-------------------|----|
| Yes | 16 |
| No | 7 |
| Not sure | 1 |
| No response given | 13 |

Question 4: The job title change to EHE Officer is preferable to EHE Visitor

| | |
|-------------------|----|
| Yes | 7 |
| No | 11 |
| Not sure | 7 |
| No response given | 12 |

As feedback had been received from parents in the past that the title of "EHE Visitor" implied the right to visit, a proposed change to "EHE Officer" was suggested. The majority of respondents did not prefer the change of job title, stating that "Officer" is too official and implies engagement with the local authority is required:

- "Officer may sound like "enforcing" to some"
- "Officer is ok but quite official. Visitor implies you must visit"
- "Officer implies that there is a legal requirement to engage. I find this term deeply misleading and at odds with your stated aim to develop trust and cooperation. Visitor is also unhelpful as it implies that visits are required. I would suggest Elective Home Education Liaison"
- "Officer was too regimental but visitor implies that a visit is compulsory. I would prefer supporter or liaison worker"
- "I would feel less welcoming towards an "officer", and more on the defensive I think"
- "Keep to the old name as officer sounds like a policeman".

Suggestions for an alternative job title included "EHE Liaison Officer", "EHE Link", "EHE Mentor" and "Home Education Consultant".

Question 5: The Outline Plan form is simple and easy to complete (see appendix 3)

| | |
|-------------------|----|
| Yes | 17 |
| No | 5 |
| Not sure | 1 |
| No response given | 14 |

Question 6: The Record of Discussion form is a helpful format for recording information shared at a meeting

| | |
|-------------------|----|
| Yes | 16 |
| No | 2 |
| Not sure | 7 |
| No response given | 12 |
| | |

Question 7: I am happy for my child's views on home education and their aspirations to be shared with the EHE Officer

| | |
|-------------------|----|
| Yes | 12 |
| No | 7 |
| Not sure | 2 |
| No response given | 16 |

Question 8: Additional comments on the "Elective Home Education – Policy" document

The following issues were raised by several respondents:

- **What constitutes a full time education?**
Some felt that stating the number of hours children do in school is not necessary and unhelpful to home educators:
 - "In response to the statement "Children in school usually spend between 22 and 25 hours working each week for 38 weeks of the year." The following sentence correctly indicates that this measure is entirely irrelevant to home education. It is therefore confusing to cite these numbers at all."
 - "I think the idea that children in school do 22 or more hours of "work" is weird. I thought it was illegal for children to work for that many hours and it is odd to have a word with such negative connotations used to describe a 5 year olds experience in school. Isn't there a more positive term you could use such as "structured learning time"?"

- **Clarity regarding home educators' engagement with the Local Authority**

Some respondents suggested that the LA should only act/make contact where there are concerns in relation to EHE and should be reactive, not proactive: Several mentioned the need to emphasise that parents do not have to accept home visits:

- "The right of the parents to refuse a home visit by an EHE officer should be mentioned sooner, at least by the time the idea of a home visit is introduced in 9.2, perhaps mentioning the possibility of holding a meeting at 'another convenient location' so parents know they can arrange something mutually helpful rather than taking an all-or-nothing approach to support."
- "Your inclusion of Appendix 3 is misleading as it suggests that filling in this form is required. There is no legal obligation for any parent to fill in this form and return it. You need to state at the top: 'You are not obliged to fill in and return this form'", "the culture of pushing visits on people, misleading them as to their obligations under the law and generally being hostile to home education remains"
- "HE parents have no requirement or obligation to involve the OCC or tell them ANYTHING at all...you need to be perfectly honest and clear and this document does not go far enough."
- "I would like the part about parents not having to accept home visits to be made more clear"
- "The document implies that the LA must inspect home education and that parents must provide information. Given that the LA's legal duty is reactive rather than proactive (i.e. the LA must intervene if it appears that a child is not receiving a suitable education but the LA has no legal duty to inspect all families as a matter of routine to discover whether this is the case), this is misleading."
- "You do not need to embolden: Local authorities have a statutory duty, under section 436A of the Education Act 1996 to make arrangements to enable them to establish (so far as it is possible) the identities of children in their area who are not receiving a suitable education...The default position should be to assume that all HE children are receiving a suitable education. ..Thus, there should never be any need to 'track down' HE parents, as by definition they are providing a suitable education. Unless there is cause to believe there is lack of education (begging, shop work, etc), then there is no need to establish identity.
Thus, only if there is evidence that education is not suitable should contact need to be initiated by the EHE team. Otherwise, the EHE's role should be to respond to contact FROM parents who request support. This is not only the legal position, but also is a cost effective and pragmatic approach."
- "If a home visit is not compulsory, why would you offer it in the first instance? As you have stated, there are many other ways a home educating family can fulfil initial enquiries."

- "I think you can go further in this document and say that you support and encourage HE. Also, that you'll leave people alone, assuming that all is well, but will be there as a resource if required."

- **Safeguarding and home education**

Concerns were raised in relation to the Local Authority appearing to encourage schools to raise concerns with Social Care when a child is removed from school to be home educated:

- "The School Exit Form encourages schools to make referrals to Social Care where appropriate. If the school's concerns had met the threshold for referral then this should have been done earlier, as soon as issues arose. If the school's concerns did not meet the usual threshold for referral, home education does not constitute grounds for lowering that threshold and making a new referral. There is no evidence that HE is an additional risk factor."
- "Home education is not itself a safeguarding concern"
- With reference to the statement "The school is responsible for raising any safeguarding concerns relating to a child with the LA's Children's Social Care Team.": "While this is true in general, it does not apply specifically to home education and therefore does not belong in this document. It implies that home education is in some way a safeguarding risk. There is no evidence that this is the case."

Respondents felt strongly that that safeguarding should not be an issue just because their children were not attending school.

- **Need for signposting by Local Authority to Oxfordshire Home Educators' Yahoo Group**

Some respondents suggested that parents should be directed to the local home education groups: "EHE families would be better served if the local authority directed them towards the Oxon HE Yahoo group where local activities and groups are listed, and families can make contact with each other and ask for information and support that they need." (See responses to question 13 for further feedback received regarding this point).

- **Policy and Procedure document is much improved over previous document**

Comments were received that the document was an improvement over the previous policy and was clear and positive: "Overall the draft document represents an improvement on previous documentation", "I have nothing negative to say about the draft policy or School Exit form", "the draft Policy and Procedure is a vast improvement over the old one. I really appreciate the points raised during the meeting the EHE staff had with home educators a few years ago have been taken into consideration. Thank you to everyone who has worked on this", "...this is an enormous improvement over the previous OCC

documents and is much more in line with central Government policy” and “I thought it was clear and quite positive towards Home Education”.

Question 9: This document is easy to understand.

| | |
|-------------------|----|
| Yes | 17 |
| No | 2 |
| Not sure | 2 |
| No response given | 16 |

Question 10: It would be useful to new home educators?

| | |
|-------------------|----|
| Yes | 17 |
| No | 3 |
| Not sure | 2 |
| No response given | 15 |

Question 11: Parts may be useful to more experienced home educators.

| | |
|-------------------|----|
| Yes | 9 |
| No | 5 |
| Not sure | 7 |
| No response given | 16 |

Question 12: Signposts resources/information that may be useful to parents who are home educating.

| | |
|-------------------|----|
| Yes | 15 |
| No | 4 |
| Not sure | 2 |
| No response given | 16 |

Question 13: Additional comments on “Information for Elective Home Educators” leaflet

The following areas were raised by several respondents:

Support from the Local Authority and the Home Education community

Many felt that parents who were new to, or considering, home education would benefit from drawing on the expertise and experience of other parents and that this should be made very clear in the document:

- “There is nothing that you can offer that the home ed community cannot do better. Please leave us alone to educate our children without interference from you.”
- “The EHE community seems highly efficient at supporting themselves as long as they know each other exist. Be great to have more links to the EHE community for new and existing EHE-ers, as I still meet people who have no idea the network is there.”
- “In response to "It is also well worth talking to someone who has experience of the highs and lows of home education before finally making the decision." it would be useful to list *here* the yahoo group and web address of the OxonHE group. This is the best place for those considering home education to contact experienced home educators and find out more.”
- “The yahoo group isn't even mentioned on the list of independent resources, yet this is - and has been - the main source of support for home educating families in the area with over 300 members. Once a parent has joined this yahoo group they can find out most of what they want.”
- “In response to the statement "Deciding to educate your child at home is a major step that, as you know, not only involves commitment but also a tremendous investment in time and energy." this is patronising, and implies that parents will find home education difficult. It is likely to alienate parents who have considered and researched their decision carefully, as most do. The statement equally could be made of sending children to school, and yet parents who are on the point of enrolling their children in school are not implicitly warned to reconsider their decision. However, the recommendation to talk to "someone who has experience of the highs and lows of home education" is welcome: many parents say that talking to other home educating parents is an important part of their decision.

Feedback was received that support available from the local authority was also valuable:

- “The information, support, expertise and understanding I have received from the EHE Team, both when I made my initial enquiries about home education and in my meetings with the EHE Officer, has been invaluable.”

- “The team are extremely approachable and professional and I can't thank you enough for the advice, encouragement and support we received at a very difficult and upsetting time following the bullying of our daughter at school.”

List of sources of support, advice and information

General feedback was that the resources section was useful. Some felt that references to fee paying companies should be removed. There were conflicting points of view on the content and some changes were suggested:

- One respondent stated “As far as resources are concerned. You do not mention the OXONHE Yahoo group or Facebook page. I don't think that you should include any commercial organisations as these constituent advertising and endorsement by OCC which I find inappropriate. It also suggests that one must to fork out loads of money to HE, and this is not the case.” Similarly another stated “Useful (independent) sources of information should take priority. Sadly this list still contains a considerable amount of references to fee-paying companies. This gives the impression that home education is expensive to do. It is essential that the local authority emphasises that there is absolutely no need to use expensive resources or online schools. There are lots and lots of free resources (many of us home educate on a budget and one of the initial concerns of those considering home education is the potential cost).” In contrast another stated “HE is not always an easy option, it is expensive, time consuming and requires a large personal commitment. It is time that EHE recognised the important contribution that HE parents make to their children's education and accept and celebrate this diversity”.
- “I thought the list of contacts and resources was very comprehensive. Lots of organisations that I have not come across. I found it helpful as a Home Educator of 6 years. I didn't feel the document was misleading or negative in anyway.”
- Local authority sources of support should be listed last. Listing them first gives the impression that home educators are required to use them or that these authorities have information useful to home educating families (most don't). The first contacts on the page are The Admissions Team and the Early Intervention Hub - not very home ed friendly!
- “I really don't think it is necessary to list everything the local libraries can provide a simple reference to the county libraries website would be more than sufficient. Ditto OXME - a reference to the website and a v.short outline would be fine.”
- “Oxfordshire home educator’s website and yahoo group for OxonHE should be listed at the TOP of the list of resources.”

Question 14: Please select the category that best describes you as a respondent

| | |
|-------------------|----|
| Parent | 18 |
| General Public | 1 |
| Other | 2 |
| No response given | 16 |

Question 15: Please indicate the first part of your postcode

| | |
|--------------|----|
| OX12 | 1 |
| OX14 | 2 |
| OX15 | 1 |
| OX16 | 2 |
| OX2 | 1 |
| OX25 | 1 |
| OX3 | 3 |
| OX4 | 3 |
| OX5 | 1 |
| OX7 | 1 |
| RG9 | 1 |
| Outside Oxon | 1 |
| Not supplied | 19 |

Recommendations and Conclusion

The “Elective Home Education Policy and Procedure” document and “Information for Elective Home Educators”, together with associated paperwork, will be revised to incorporate many of the suggestions by made respondents as set out above before formally adopting the policy. The comments relating to SEN will be shared with the SEN Service Manager and the SEN section re-written to ensure SEN primary legislation is included.

The job title of “EHE Visitor” be changed to “EHE Link Worker” to remove the implication that the role is enforcing one. This will also signify that the EHE Team has links with supporting services and can advise parents on what is available to them and signpost parents to relevant support. Parents should feel less intimidated by this and it is hoped that this, along with other changes, will improve the Local Authority’s relationships with the home education community and ensure that as many families as possible have access to the support available, should they require it. This is particularly important with regard to liaising with the Health Service to ensure home educated young people have access to the health services offered via schools.

OCC will make clear in all documentation that there is no obligation to accept a home visit or to complete the “Outline Plan Form” from the EHE Team and advise of alternative ways of engaging with the local authority where appropriate (this is already made clear in the initial letter sent to new home educators). Home educators will be made aware that further information will be sought in cases where there are concerns that a suitable education may not be provided.

Clarification will be made to schools and academies that home education is not, in itself, a risk factor for abuse or neglect. Occasionally, when a child or young person is withdrawn from school to be educated at home a Headteacher or member of staff has concerns of a safeguarding nature it wishes to pass on and it is important that they are clear that they seek advice on their concerns from the appropriate part of the local authority. OCC will ensure that safeguarding issues remain a priority for all children and are robust and effective for vulnerable families, but endeavour to ensure that the policy does not reflect that home education is considered a greater safeguarding risk than school education.

In the resources section of the “Information for Elective Home Educators” leaflet an emphasis should be put on the fact that there are numerous free resources available to home educators. The availability of Oxon Home Educators Yahoo Group, where local activities and groups are listed and families can make contact with each other to ask for information and support if needed, will be highlighted. The EHE Team has sought information from the group with regard to activities offered via them in and around Oxfordshire in order that can also share with home educators registered with the local authority and included in the “Information for Elective Home Educators” leaflet.

In conclusion, feedback from all stakeholders was generally positive with constructive and helpful suggestions for further improvements. The views of those parents and experienced home educators who took time to get involved in this review were considered most important. These views will help ensure that support mechanisms are in place to ensure the best education possible for home educated children and young people.



Your views on our
“Elective Home Education (EHE) Policy and Procedure”
and
“Information for Elective Home Educators” (appendix 2)

The local authority has made some changes and recently compiled a draft policy and procedure document and information in relation to Elective Home Education.

We would very much appreciate your feedback and comments. These will be taken into consideration and inform further changes if appropriate. Please send your response by 2nd March 2015.

Please rate the statements below according to how strongly you agree or disagree.

“Elective Home Education Policy and Procedure (and appendices)”

- 1. This document is easy to understand Yes No Not sure
2. It clearly sets out the law and the rights of the home educator (see page 2) Yes No Not sure

If not, how could it be improved?

[Empty box for improvement suggestions]

- 3. It clearly and accurately explains the local authority’s responsibilities (see page 4) Yes No Not sure
4. The job title change to EHE Officer is preferable to EHE Visitor Yes No Not sure

Would prefer something else (please indicate)

- 5. The Outline Plan form is simple and easy to complete (see appendix 3) Yes No Not sure

6. The Record of Discussion form is a helpful format for recording information shared at a meeting with an EHE Officer (see appendix 5)

Yes No Not sure

7. I am happy for my child's views on home education and their aspirations to be shared with the EHE Officer during their discussion with us (see appendix 5)

Yes No Not sure

8. Additional comments on the "Elective Home Education – Policy" document (is there anything you would like to see changed?)

“Information for Elective Home Educators” (see appendix 2)

Please bear in mind that the information is mainly aimed at those families new to home education.

9. This document is easy to understand Yes No Not sure

10. It would be useful to new home educators Yes No Not sure

11. Parts may be useful to more experienced home educators
Yes No Not sure

12. The information on accessing exam centres is useful

Yes No Not sure

13. Additional comments on “Information for Elective Home Educators” leaflet

Please send this form to:

Elective Home Education Team

FREEPOST

OXFORDSHIRE COUNTY COUNCIL

(No further address required)

Thank you for completing this form, we value your feedback.