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# NOTICE OF MEETING

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## EDUCATION, CHILDREN & YOUNG PEOPLE SCRUTINY PANEL

FRIDAY, 3 NOVEMBER 2017 AT 4.00 PM

### CONFERENCE ROOM B - CIVIC OFFICES

Telephone enquiries to Lisa Gallacher, Local Democracy Officer 02392 834056

Email: [lisa.gallacher@portsmouthcc.gov.uk](mailto:lisa.gallacher@portsmouthcc.gov.uk)

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

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### Membership

Councillor Neill Young (Chair)  
Councillor David Tompkins (Vice-Chair)  
Councillor Ben Dowling

Councillor Paul Godier  
Councillor Suzy Horton  
Councillor Will Purvis

### Standing Deputies

Councillor Dave Ashmore  
Councillor Alicia Denny  
Councillor Gemma New

Councillor Matthew Winnington  
Councillor Rob Wood

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(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

### A G E N D A

- 1 Apologies for absence
- 2 Declarations of interest
- 3 Minutes of the previous meeting - 11 July 2017 (Pages 3 - 6)

**RECOMMENDED** that the minutes of the meeting held on 11 July 2017 are confirmed and signed by the chair as a correct record.

**4 New topic for review - School Attendance and part time timetables**  
(Pages 7 - 104)

A draft scoping document is attached for discussion and agreement.

Alison Jeffery, Director of Children's Services will be in attendance to provide some initial evidence for the review.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

# Agenda Item 3

## **EDUCATION, CHILDREN & YOUNG PEOPLE SCRUTINY PANEL**

Minutes of the meeting of the Education, Children & Young People Scrutiny Panel held on Tuesday, 11 July 2017 at 9.30 am in Conference Room B, Second Floor, Civic Offices, Portsmouth

### **Present**

Councillor Neill Young (in the Chair)  
David Tompkins  
Ben Dowling  
Paul Godier  
Suzy Horton  
Will Purvis

#### **1. Apologies for absence (AI 1)**

There were no apologies for absence.

#### **2. Declarations of interest (AI 2)**

Councillor Godier declared a personal interest as his sister-in-law works for the youth offending team.

#### **3. Minutes of the previous meeting - 8 November 2016 (AI 3)**

**RESOLVED that the minutes of the Education, Children and Young People Scrutiny Panel held on 8 November 2016 be confirmed and signed as a correct record.**

#### **4. Review into Child Sexual Exploitation (AI 4)**

Members of the panel had received a draft copy of the report for discussion before the final sign-off. Councillor Young as chair introduced the report which the panel had completed before he was appointed chair of the panel in May this year. He felt that this was a very comprehensive report which had good recommendations.

Councillor Dowling said it was disappointing that recommendation 7 regarding holding further Operation Makesafe training sessions did not state that these should be compulsory. He felt this is what the panel discussed and agreed although realised there would be a cost implication of this. Councillor Tompkins pointed out that recommendation 8 stated that CSE training should be mandatory for taxi drivers. It was therefore agreed by the panel to amend recommendation 8 to read: 'That PCC makes CSE training mandatory for taxi drivers and considers the possibility of making this mandatory for other licensees. Officers should investigate how other local authorities have achieved this and explore the best model for Portsmouth.'

The panel had no further amendments or comments to make to the report and were happy for this to be signed off by the chair.

Councillor Young advised that the panel's report and the Director of Children, Families and Education's response report would be considered by Cabinet in September.

**RESOLVED that the panel officially sign-off their report for submission to Cabinet in September 2017.**

**5. Discussion on future topics for the Education, Children and Young People Scrutiny Panel (AI 5)**

The Chair invited Alison Jeffery, Director of Children's Services to introduce the two possible topics put forward on the agenda. Alison said that the two topics suggested were both areas that she felt would benefit scrutiny.

**(1) The council's offer to vulnerable adolescents.** Alison said that there is considerable pressure on social care in relation to teenagers, including requests to accommodate young people. The recent peer review of the early help offer considered that support for vulnerable adolescents could be strengthened.

**(2) School attendance and part time timetables.** Alison explained that Portsmouth's school attendance levels are in the bottom quarter nationally. There has been a drive to improve attendance with some success but more progress needs to be made. Pupils should only be on a part time timetable for up to 6 weeks before returning to full time education; however this is being exceeded which is a concern. This can also create issues for placement stability for looked after children on part time timetables as foster carers need to look after these children for longer. In addition when children are not in school they are more at risk of exploitation, alcohol and drug misuse. Alison added that the council has seen a doubling of the number of children being home schooled over the last five years, which is also a national issue.

Councillor Young said he agreed that the increase in the number of children being home educated was an issue in particular how the progress of these children is monitored. Parents are not required to tell the local authority why they have chosen to home educate their child. The reasons vary including the child experiencing bullying or the parent choosing that home education will provide the child with a different philosophical reasoning.

Councillor Godier added that in his experience there have been issues of trust between parents and schools and concerns about how the school addresses concerns raised by parents. He said he had seen examples where a parent has complained to the school and because this is not addressed the parent decides to take their child out of school. Alison said that this could be incorporated in this review.



Councillor Horton said that there are some really good examples of good practice in the city that the panel could draw on for this review. She added that parents/pupils could have a completely different experience with a school compared to another family.

Councillor Purvis said he was happy to put forward school attendance to the Scrutiny Management Panel as the first topic. He said that historically the panel have alternated their topics between children social care and education and as the last review was children's social care related, it was logical that the next topic was education based. In addition he had received many casework queries from parents about part time timetables.

The panel felt that in light of the above that the first topic should be school attendance and part time timetables.

**RESOLVED that the suggested review topics be put forward to Scrutiny Management Panel for agreement:**

**(1) School attendance and part time timetables**

**(2) The council's offer to vulnerable adolescents**

The Local Democracy Officer advised that there was not currently a date for the Scrutiny Management Panel (SMP) to meet to agree upon topics for the themed scrutiny panels but it was likely to be in early September. The Chair said that once the topics had been agreed by SMP a meeting of the panel would be arranged to start scoping the review. Once the scope of the review is agreed, he felt that the school attendance review might benefit a late afternoon/early evening evidence gathering meeting where schools, parents etc. could be invited to give their views. This would allow for some in depth discussions around the table. This could then be followed up by a separate meeting to compile all the evidence.

Councillor Horton said it would be useful if the panel could have some written evidence from children to find out their experiences as to why they did not attend school. It would also be useful to identify young people who have successfully re-integrated into mainstream schools. Alison said that she could look at the social care caseload to identify some potential children who could be asked their views.

The Chair said he would have some initial discussions with the Director to discuss potential witnesses and methods of getting parents and children involved in the review.

**RESOLVED that a date of the first ECYP Scrutiny Panel would be arranged once the SMP had agreed the work programme for the panel.**

The meeting concluded at 10.00 am.

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Councillor Neill Young  
Chair

# Agenda Item 4

## EDUCATION, CHILDREN AND YOUNG PEOPLE SCRUTINY PANEL

### SCOPING DOCUMENT

#### A review of school attendance and part time timetables in Portsmouth

##### 1. Background

This topic was agreed by the Scrutiny Management Panel (SMP) on 29 September 2017. Portsmouth's school attendance levels are in the bottom quarter nationally. There has been a drive to improve attendance with some success but more progress needs to be made.

##### 2. Objectives of the inquiry

- To understand the main reasons for school absence and review the Council's strategy to improve school attendance.
- To explore how children on part time timetables are supported to resume full time attendance as early as possible and consider how to minimise the use of part time timetables.
- To investigate where we have good practice and where there is scope for improvement in relation to ensuring children attend school. Particular focus shall be given to vulnerable children, children with SEN, persistent absentees, those on part time timetables and elective home education.
- To review arrangements for ensuring that where children and young people are out of school for significant periods through reduced timetables or poor attendance, there is good multi agency risk assessment and action where necessary to reduce their vulnerability to exploitation.
- To investigate the reasons why parents are choosing to home educate their child and how their progress can be monitored and their safeguarding ensured.

##### 3. Witnesses

- Alison Jeffery, Director of Children, Families and Education
- Mike Stoneman, Deputy Director Education.
- Neil Stevenson - Admissions, Attendance, Exclusions and Reintegration Manager
- Sarah Christopher - Portsmouth Education Partnership
- School Attendance Team Leader?
- Headteachers/inclusion leads - visits to three schools to talk to them.
- Parents and pupils - including those who are home schooled
- Virtual School Head - LAC perspective

#### **4. Timeline**

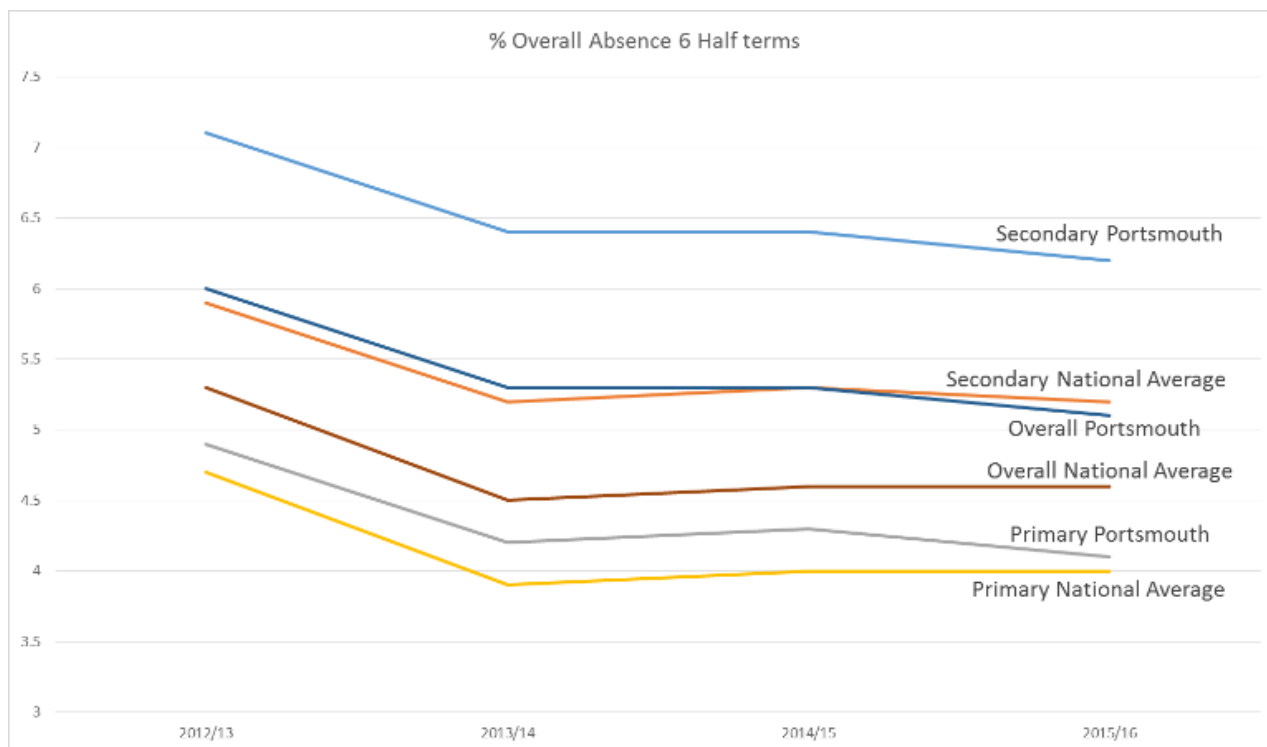
- Initial meeting to agree the scoping document, receive first evidence from Director of Children's Services and agree evidence gathering programme (including proposals below)
- Panel members to visit three schools (Two members to visit an early years, two to visit a primary school and two to visit a secondary) along with Sarah Christopher/relevant PCC officer, to talk to the headteacher/inclusion leads about their attendance strategies etc. Members to then present their findings to the next meeting.
- Consultation with the Parent and Carer Forum, Portsmouth Parent Voice and the Council of Portsmouth Students
- Focus group(s) of parents/children (to include those who are home schooled and foster carers) the evidence obtained from this meeting to be fed back to the next meeting.

#### **5. Background documents**

- PCC Guidance for schools on the use of reduced timetables
- School Attendance Data
- PCC guide for home schooling.
- Pupils missing out on education Ofsted guidance (November 2013)
- Elective Home Education guidance for local authorities

### School Attendance Overview

In recent years we have seen improvements in attendance rates in Portsmouth schools. These have been achieved through hard work by schools, parents and partners. However, the fact is that Portsmouth pupils do not attend school as regularly as their peers nationally, so there is still more work to be done.



The work needed to improve school attendance is outlined in the priorities within the strategy and is overseen by the Behaviour and Attendance Group (BAG). We must note that there is also other legislation, guidance and vulnerable groups that sit within the broad umbrella of non-attendance: those on reduced timetables and those who are not on roll of a school, classed as children missing education. Equally there are those who have elected to home educate, some of whom we may have concerns around the reasons for having elected to do so and whether education is taking place.

We know that those most likely to be absent from school in Portsmouth are white British, eligible for free school meals, those with special educational needs and have a history of absence. The main reason in Portsmouth for absence, which is mirrored nationally is health related absence. These account for approx. 60% of absences.

Persistent absentees (PAs) (those that were absent for 10% or more of the possible sessions) are a local and national focus (in 2015/16 the percentage of PAs was 12.8% in Portsmouth and 10.5% nationally)<sup>1</sup>.

Portsmouth has also selected to identify a further subgroup of absentees and has termed these Chronic Non-attenders (CNAs) (those who attend school for less than 50% of the possible sessions). These are a subgroup of PAs.

<sup>1</sup> [Most Recent National Data for a whole academic year 2015/16](#)

In Portsmouth we encourage supportive pastoral action to be taken alongside the more punitive legal routes. Evidence shows that consistency of application in respect of the framework of legal action is supportive to early help intervention and move in tandem.

## **Attendance Strategy**

Portsmouth has an attendance strategy (Appendix 1) which has 4 main priorities:

1. That parents meet their responsibilities to ensure their child attends school regularly
2. That schools have effective leadership and management of attendance in place
3. That partners provide additional needs based support that contributes to improvements in attendance.
4. That a high profile of the key attendance messages is maintained in the community

Within the strategy each of those priority areas (which were widely consulted on and endorsed by the Behaviour and Attendance Group) are expanded to explain how we are and should move forward to achieve that result.

## **Health Related Absence**

In recognition of the need to combat absence due to health related reasons, a pilot is currently running with 11 schools to increase the amount of school nurse time and intervention.

## **Persistent Absentees**

These are reviewed electronically with schools on a six weekly basis. This ensures that schools discharge their duty to report all irregular attenders to the LA and also provides opportunity for the LA to monitor action being taken as well as to advise of action that should be taken. In 2016/17 there were 3509 pupils reported whose attendance was below 90% (see appendix 2).

## **Chronic Non-attenders**

There is no comparable national data available for this measure but given that there is a wealth of evidence around school as a protective factor, it is key that this group have particular focus. In recognition that it is likely to be services and agencies other than schools that can affect the most change, these are referred to the MASH to be picked up by the multi-agencies teams in each locality by assigning a key lead to each case. From this academic year, schools with refer cases in but the school attendance team will also provide a list of those identified to the MASH and Early Help locality leads each half term.

## **Reduced Timetables**

Reducing a pupil's timetable is a strategy that a school might look to employ in order to regain success with a pupil who is displaying challenging behaviour, to reintegrate a pupil from a prolonged period of absence or for medical reasons. Portsmouth has guidance (attached at appendix 3) in place to ensure that schools assess carefully the relevance of this strategy and plan as part of this, how the pupil will progress back to full-time within the 6 week timeframe that the guidance gives as the maximum length. The current activity, data (Current Picture of those on a reduced timetable (not for medical reasons): Number of Primary aged pupils at mainstream on a reduced timetable = 13, number of Secondary aged pupil at mainstream on a reduced timetable = 12, number of pupils in special school on a reduced timetable = 40) and

recommendations are reflected in a recent report to the PSCB (Appendix 4). If we exclude those that were on reduced timetables for medical reasons in the academic year 2016/7, there were 177 pupils that at some point had their hours reduced.

### **Children Missing Education**

Children missing education 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. A recent report to the PSCB outlines the current position and recommendations (attached at appendix 5). There were 172 pupils that were deemed missing at some point last academic year (2016/17) but all bar 4 were located without having to refer to the police at the point of the snapshot.

### **Elective Home Education**

Portsmouth has a clear policy around Elective Home Education (EHE) (see appendix 6) that endeavours to be as robust as currently guidance (appendix 7) allows and makes explicit to parents the responsibilities they are taking on in electing to educate at home (see appendix 8). A recent report to the PSCB shows the trend data and a breakdown of the reasons that parents choose this option. There are currently 139 pupils who are registered with the LA as electively home educating (appendix 9).

### Appendices

- Appendix 1 - Portsmouth Attendance Strategy
- Appendix 2 - Percentage ranking of on track persistent absentees by each half term 2016-17
- Appendix 3 - PCC guidance on the use of reduced timetables
- Appendix 4 - Reduced timetables report to PSCB
- Appendix 5 - Children missing Education report to PSCB
- Appendix 6 - PCC guidance on elective home education
- Appendix 7 - Elective home education - guidance for local authorities
- Appendix 8 - PCC elective home education frequently asked questions
- Appendix 9 - Elective home education report to PSCB

### Background information

Link to the most recent National data

[Most Recent National Data for a whole academic year 2015/16](#)

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# Improving school attendance in Portsmouth

2016







# Our vision

The vision for education in Portsmouth is clear and consistent: to make education outcomes for all Portsmouth's children the best they can possibly be. For this to happen children need to attend school regularly where they can access an education that is tailored to their needs.

This document sets out what we all need to do to achieve this vision. Our work will focus on four priorities. These are:

- 1. That parents meet their responsibilities to ensure their child(s) attend school regularly**
- 2. That schools have effective leadership and management of attendance in place**
- 3. That partners provide additional needs based support that contributes to improvements in attendance.**
- 4. That a high profile of the key attendance messages is maintained in the community**

Our aspiration is for Portsmouth children to attend school more regularly than their peers nationally.

Schools, parents, young people and partners have worked with us in the development of this document. By partners we include all those other than schools whose work directly or indirectly impacts on school attendance.

## Executive summary

This strategy has been developed through the work of the Behaviour and Attendance Group (BAG) who have the remit for improving attendance across Portsmouth schools.

In recent years we have seen improvements in the attendance rates in Portsmouth schools which is most welcome. We understand that these have been achieved through hard work by schools, parents and partners. However, the fact is that Portsmouth pupils do not attend school as regularly as their peers nationally so there is still more work to be done.

By not attending school regularly children and young people are leaving themselves vulnerable to risks which can reduce their life chances. For example those who do not attend school regularly are more likely to:

- Leave school without any qualifications
- Leave themselves at risk of other poor outcomes such as:
  - » Poverty
  - » Long term unemployment
  - » Criminal involvement
  - » Alcohol and substance misuse
  - » Social isolation and mental health problems

The work we need to do to improve school attendance is outlined in the Executive summary under the four following priority areas:

- That parents meet their responsibilities to ensure their child(s) attend school regularly
- That schools have effective leadership and management of attendance in place
- That partners work together to improve school attendance of children
- That a high profile of the key attendance message is maintained in the community

## Priority one

**That parents meet their responsibilities to ensure their child(ren) attend school regularly.**

We know that parents have the greatest influence on their children's lives and will want what is best for them. Therefore ensuring that children are school ready from the first day at school until they are ready to leave is part of being a parent. At times parents may need access to support to achieve this but equally may need to be challenged if they are not meeting their responsibility to ensure their child(s) attend school regularly.

Under this priority we will seek to ensure that all parents:

### **Understand the need to have high aspirations and expectations for their children**

#### **We will do this by:**

- Ensuring that media messages regularly reinforce the link between good attendance and achievement at school and emphasise how this impacts positively on improving employment opportunities and other life outcomes
- Highlighting the risks that not going to school regularly can bring
- Ensuring that parents understand their responsibilities to send their child(ren) to school and the legal consequences if they do not

### **Understand the need for their child to be school ready**

#### **We will do this by:**

- Ensuring parents know what we mean by 'school ready' and how this prepares young people for school, college, work and life. For example the importance of punctuality and reliability to employers
- Ensuring that schools and parents have access to information about recuperation timescales if their child is sick
- Ensuring that parents know who they can talk to at their child's school if they have a concern about their child's attendance

## Priority two

### **That schools have effective management of attendance in place.**

School Governing Bodies have to be confident that the school is doing all it can to encourage parents to send their children to school regularly. To do this they need to hold the head teacher and staff to account. It is only through a whole school approach to attendance that sustained improvements can be made. Therefore under this priority we will seek to ensure that schools:

#### **Understand what they need to do to improve attendance**

##### **We will do this by:**

- Ensuring governors have a good understanding of what is needed to improve school attendance
- Reviewing with schools where required improvements in attendance have not been made and putting a plan in place
- Ensuring that where improvements in attendance are not sustained, schools are challenged in line with the Local Authorities' support and intervention framework
- Improving the School Attendance Team's traded service offer to schools

#### **Have access to support and training to improve attendance**

##### **We will do this by:**

- Providing training on:
  - » School attendance training for governors
  - » Making best use of attendance data e.g. SIMS modules
  - » Providing training on effective use of legal processes
- Providing high quality information:
  - » At key transition points ensure that pupils with attendance concerns are highlighted through data reports
  - » To enable school governors to ask the right questions about attendance
  - » On health related absence for schools, parents and partners
  - » On 'what works' to improve school attendance

## Priority three

**That partners provide additional needs based support that contributes to improvements in attendance.**

To achieve the required improvements in attendance this strategy needs to inform and complement the partnerships work within the five priorities of the Children's Trust Board. (See: Appendix 1). We know that some young people face a range of poor outcomes and barriers that make regular attendance at school only possible through effective partnership working and the use of Early Help Assessments. This is particularly true of those pupils who are chronic absentees who may need to access additional support from outside of the family and school.

So under this priority we will seek to ensure that:

**Schools identify at an early stage pupils who are at risk of becoming persistently absent**

**We will do this by:**

- Providing meaningful pupil and school level attendance data for schools that helps to identify those who are known to be vulnerable or at risk of poor outcomes e.g. NEET (Not in Employment Education or Training)

**School and partners put in place effective approaches, assessments and plans for pupils where attendance is a concern**

**We will do this by:**

- Ensuring that schools are supported in their approaches to prevent pupils becoming persistent absentees
- Ensuring that persistent absentees have appropriate plans in place to promote a return to regular attendance at school
- Ensuring that schools know how to access support from Multi Agency Teams so that every chronic non-attender has a plan in place to help them return to school
- Ensuring young people with attendance concerns do not miss out on accessing high quality careers and information advice so as to prevent them from becoming NEET

## Priority four

**That a high profile of the key attendance messages is maintained in the community.**

Everyone needs to understand what it is that they can do to support improvements in schools attendance. Given the impact that good school attendance can have on a range of outcomes, different messages targeting different audiences will be needed. Our approach will use different forms of media to ensure that that we reach as many children, young people and parents as possible.

### **For children and young people**

#### **We will do this by:**

- Giving messages that inspire young people to think about plans and goals and where they want to go with their life
- Identifying and raising the profile of role models in a range of occupations and careers that highlight the importance of a work ethic and working hard in whatever you do
- Ensure messages from local employers on what they value in future employees are known to young people
- Ensure young people know who they can talk to in school and out of school if they have a concern or want to discuss their future plans

### **For parents**

#### **We will do this by:**

- Ensuring that it is clear what is meant by 'school ready' at all ages
- Ensuring information is available that shows how lost time at school can impact on attainment and future employment prospects
- Providing refreshed information on recuperation time so that parents know when their child should be well enough to return to school after an illness





# Background

1. The majority of Portsmouth parents ensure that their child(ren) attend school regularly. They understand the benefits that school can bring to their child(ren) such as helping:
  - To ensure they are safe
  - To give them the opportunity to fulfil their potential
  - To allow them to enjoy and access all the opportunities that being at school offers
2. In recent years we have seen improvements in the level of schools attendance and a fall in the number of persistent absentees. This improvement is welcome but to meet our aspiration for Portsmouth pupils to attend school more often than their peers nationally there is more work to do. This is particularly true of those children who belong to vulnerable groups, for by being out of school it is more likely that that they will:
  - Leave school without qualifications
  - Not be in education, employment or training (NEET)
  - Be at risk of a range of other poor outcomes such as criminal activity or future mental health problems
3. We know that some children and young people are more likely to be absent from school because of factors beyond their control. For example this could be because they have caring responsibilities at home, social, emotional or health difficulties or have an unmet special educational need. So for some children and young people it may be complex as to why they cannot attend school regularly and may take time and support before they can.

## **Aspirations and Expectations**

4. Portsmouth Communications Department worked with young people and teachers to see what they said about why some young people did not come to school. Young people said it was due to:
  - Overtiredness resulting in waking up late and attending late or not attending at all

- Feeling unsupported during lessons – therefore no point in going to school
  - A lack of parental support or adult role models
  - Low or a lack of life aspirations
  - Being unaware of long term consequences of prolonged non-attendance
5. School staff said that this was due to:
- Parents who themselves had negative experiences of school
  - Being part of families that do not work and so not having early morning routines in place
  - Staying up too late which then impacts on concentration and motivation at school
6. We also know from work with young people that:
- They prefer to access information via websites and that posters and leaflets have minimal impact
  - Most of all they like to have someone from outside the family to talk to
  - When they are not in school they are usually at home and that their parents know where they are

### **How school attendance and attainment at school link together**

7. The link between attending school regularly and doing well, whilst obvious, cannot be over stated as the DfE report on Improving Attendance and Behaviour reminds us:

**“One of the most effective ways that schools can improve achievement is by improving attendance. Even the very best teachers struggle to raise the standards of children who are not in school regularly. Schools that relentlessly pursue good attendance also get better overall attainment and behaviour.”** Charlie Taylor 2012.

8. In February 2015 the Department for Education (DfE) published a report on the link between absence and attainment in Key Stage (KS) 2 and KS4. In summary it was found that:
- For KS2 (Primary School pupils) the higher the percentage of sessions missed across the key stage the lower the likely level of attainment at the end of KS2
  - For KS4, (Secondary School pupils) in general, the higher the percentage of sessions missed across the key stage, the lower the likely level of attainment at the end of the KS
  - Specifically, pupils with no absence are 1.5 times more likely to achieve 5+ GCSEs A\*-C or equivalent and 2.8 times more likely to achieve 5+ GCSEs A\*-C or equivalent including English and mathematics than pupils missing between 15-20% of KS4 lessons
  - Of pupils who miss more than 50% of school only 3% manage to achieve 5 or more GCSEs at grades A\*-C including math's and English
  - It also highlights that 73% of pupils who have over 95% attendance achieve 5 or more GCSEs at grades A\*-C
9. This confirms that improving school attendance is a school leadership and management issue.

### **The role of the Local Authority**

10. The Local Authority has a role to ensure that all schools and partners are aware of the importance of regular school attendance and the link to educational and other life outcomes (see point 9 above).
11. The Local Authority has statutory duties as detailed in the 1996 Education Act and DfE Guidance on School Attendance and Children Missing Education. These are safeguarding responsibilities that the Local Authority must discharge and reports regularly to the Portsmouth Children's Safeguarding Board.
12. The Behaviour and Attendance Group provides regular scrutiny of both individual school performance data and identifying best practice to improve school attendance. It regularly reviews thresholds to identify schools where attendance is a concern.



- 13.** Where school attendance rates are a cause for concern, the Local Authority will formally write in the summer term to the Chair of Governors and head teacher requesting a response to explain how the school will address the concern.
- 14.** Where there is insufficient progress, the appropriate Inclusion Service Officer(s) will visit the school to assure the Local Authority that the school are meeting their statutory responsibilities in respect of safeguarding pupils. Where appropriate and through discussions with schools, the Local Authority may seek to broker support for individual schools or clusters of schools where there is a need to focus on improving school attendance.
- 15.** Portsmouth City Council will work with maintained schools and academies in the same way. Where the Local Authority believes it is necessary, it will raise any attendance concerns in the annual meeting with the appropriate academy provider.



# Appendix one

## **Legal requirements for parents, schools and the Local Authority.**

1. Parents of children of compulsory school age (aged between 5 and 15 at the start of the academic year) are by law, required to ensure that their children receive a suitable education through regular attendance at school or educate them otherwise. To this end, the Local Authority has a statutory duty to ensure that pupils attend school or that they are notified that the parent will electively home educate.
2. Attendance registers are taken twice a day: once at the beginning of the school day and once during the afternoon. In the registers, schools are required to record whether pupils are present, engaged in an approved educational activity or absent.

Where a pupil is absent, schools must record in the register whether the absence is authorised or unauthorised. Schools should always have regard to the national set of codes when taking registers.

Authorised absence is absence with permission from the head teacher or other authorised member of school staff. This will include instances of absences for which a satisfactory explanation has been provided i.e. a genuine illness.

Unauthorised absence is absence without permission from the head teacher or other unauthorised member of staff. This will include all unexplained or unjustified absences i.e. a pupil having the day off to celebrate a birthday.

3. All schools have a legal requirement to inform the Local Authority of any pupil who fails to attend school regularly or, has been absent without school's permission for a continuous period of 10 days or more. Pupil Attendance Review Meetings (PARMs) are held regularly between the school and the School Attendance Team to meet this statutory requirement.
4. There is also a requirement placed on schools to report on the number of pupils who are persistent absentees. From September 2015 any pupil who is absent for more than 10% (19 days) of the school year is referred to as a persistent absentee.

5. In Portsmouth we identify pupils who have levels of attendance below 50% and categorise them as chronic absentees. Identifying these vulnerable pupils allows us to ensure that any additional support to assist them getting back into learning is in place.
6. The strategic approach in Portsmouth to improve outcomes for all vulnerable young people is through the Children's Trust Board's five priorities. Therefore any work undertaken to improve attendance will need to support and complement the priorities of the Children's Trust Board. These are:
  - Integrate support for children and families
  - Improve educational outcomes
  - Improve outcomes for Looked After Children (LAC) and care leavers
  - Reduce NEET and improve Post 16 progression
  - Improve outcomes for children and young people with SEND (special educational needs and disability) and their families



## Appendix two

### What do we know about absence from school in Portsmouth?

1. Those children and young people who are absent from school in Portsmouth are most likely to:
  - Be white British
  - Be eligible for free school meals (a proxy indicator for low income)
  - Have special educational needs
  - Have a history of absence from school
  - Have more absences as they get older
2. The absence codes also help to give an indication as to why children and young people are absent from school and these are:

% of all absence	Primary schools	Secondary schools
Health reported absence including medical appointments.	70%	61%
Unauthorised absence	14%	27%
Leave of absence (holidays in term time)	8.6%	3%
Lateness	2.2%	1%
Other circumstances	5%	6.5%
Exclusions	0.5%	1%

3. What we do know is that there is a cumulative impact of absence on attainment that is not always understood. This can be demonstrated by the following key messages that emphasise the cumulative impact of absence on learning:
  - By being away for a 2 week holiday every year and having an average number of days off for sickness and appointments, by the time they leave school at 16 they will have missed a year of education
  - If you are 15 minutes late each day that will mean 10.3 teaching days are lost in a year



4. For our most vulnerable children and young people, school may be the only safe and consistent part of their lives, therefore it is particularly important for them to attend regularly. By vulnerable groups we include those who are:

- Looked After
- Known to Social Care
- On child protection plans
- Young carers



## Appendix three

### The law and the use of legal sanctions.

1. Schools have access to a range of strategies to support a return to school or improve attendance but when these are unsuccessful the use of legal sanctions against the parent(s) must be considered.
2. Any decision to prosecute an individual is a serious step. They have serious implications for all involved and therefore the Local Authority will seek to make fair and consistent decisions about the prosecution process.
3. Each prosecution case is unique and judged on its own facts and merits. The Local Authority must be satisfied that there is enough evidence to provide a realistic prospect of conviction and it is in the public interest to proceed. The School Attendance Team works closely with schools and parents before any prosecution is considered.
4. The fall in absence rates in both primary and secondary schools has been supported by an increase in the number of fixed penalty notices, school attendance panels and prosecutions. Schools are increasingly taking a zero tolerance approach to pupils with high levels of unauthorised absence and the Local Authority is supportive of this approach. This can be seen in the table below:
  - The number of parents against whom legal proceedings have been taken has risen by 75% over the past three years
  - There has been an increase in the use of penalty notices for leave of absence (holidays in term time) although fixed penalty notices for irregular attendance has remained consistent

	2011/12	2012/13	2013/14	2014/15
Fixed penalty notice for irregular attendance	221	191	223	199
Fixed penalty notice for leave of absence – unauthorised holiday	551	608	854	972
School Attendance Panels	70	75	93	106
Parental prosecution for child's non-attendance	96	143	149	159

5. What we do know from our information is that:

- The majority of schools across the city use legal sanctions, however there are some inconsistencies between schools as to whether they use them and when they use them
- Early intervention and adopting robust systems that are consistently applied help to ensure that both pupils and parents understand the consequences of irregular attendance
- Magistrates have increasingly understood the link between irregular attendance, attainment and the criminal justice system
- Legal sanctions can make an impact on a pupil's attendance if it is not left until the pupil's absence has become entrenched. In the instance of pupils receiving a fixed penalty notice warning for irregular attendance approximately 60% improve and no further action is taken. All pupils are monitored 20 weeks post prosecution and our data show that for 80% of these pupils, attendance has improved from when they were first referred to the School Attendance Team

6. It should be noted that the cost of legal sanctions to the Local Authority is rarely recouped, despite an increase in the amount the courts are willing to recompense the Local Authority.



## Appendix four

### **School Attendance: What 'good' looks like**

#### **Schools support parents by:**

- ✓ Promoting high expectations of what their children can achieve
- ✓ Ensuring parents understand that regular school attendance helps to keep their child safe
- ✓ Ensuring that parents have information on the impact of attendance on their child's learning and life chances
- ✓ Ensuring parents are regularly reminded of their responsibilities
- ✓ Ensuring parents know the school's first day of absence procedure
- ✓ Ensuring parents know who to speak to in school if they have a concern
- ✓ Encouraging parents to engage with the school community

#### **Schools improve attendance by the Governing Body ensuring that:**

- ✓ Regular attendance is a whole school approach
- ✓ They set aspirational but achievable targets for school attendance
- ✓ Attendance is regularly reviewed by the Governing Body
- ✓ Governors feel confident to be able to challenge and support the head teacher
- ✓ If attendance needs improvement that an action plan is in place
- ✓ The head teacher provides strong leadership and that the senior leaders are champions of school attendance

#### **Schools improve attendance by the Senior Leadership team ensuring that they:**

Use attendance data effectively to:

- ✓ Understand the links between attainment and attendance across the school
- ✓ Identify pupils at risk of becoming persistently absent
- ✓ Identify pupils who are persistently absent

- ✓ Promote good attendance at all opportunities such as assemblies, within the curriculum e.g. PSHE and other activities
- ✓ Identify the attendance of vulnerable groups and/or minority groups
- ✓ Identify approaches needed to improve attendance and how this impacts on reducing absence

Regularly review the effectiveness of:

- ✓ Strategies to reduce persistent absence from their school
- ✓ The use of rewards and sanctions
- ✓ Reintegration support following periods of absence
- ✓ How well their escalation process is understood by all from day one of absence
- ✓ How and when they request legal sanctions
- ✓ Their links at transition and transfer to feeder schools
- ✓ Procedures to remove pupils from roll in accordance with guidance
- ✓ Support for hard to reach pupils
- ✓ How allegations of bullying are managed, so as to minimise the impact on attendance

### **Schools improve attendance by ensuring that pupils know:**

- ✓ The impact on attainment of absence from school
- ✓ Their attendance and as required have targets and steps for improvement
- ✓ Who they can speak to in school if they have a concern
- ✓ How they can contribute to help promote good attendance
- ✓ The importance of punctuality
- ✓ That regular attendance at school is valued by employers

### **Schools improve attendance by ensuring that all staff:**

- ✓ Have high expectations that their pupils attend regularly
- ✓ Are trained to make the best use of data



- ✓ Understand the importance of regular attendance
- ✓ With specialist skills such as mediation and use of restorative justice approaches, are used to impact on attendance
- ✓ Know their pupils by having effective academic and pastoral systems

**Schools improve attendance where partners:**

- ✓ Provide support for persistent absentees
- ✓ Team around the Child arrangements address absence if required
- ✓ Ensure schools know how to access specialist services such as substance misuse
- ✓ Have activities that help to engage hard to reach pupils
- ✓ Are clear about how they can support schools to improve attendance
- ✓ Reinforce messages about the importance of regular school attendance and life chances
- ✓ Help to establish links with employers and training providers
- ✓ From Faith groups work with the school to ensure that regular attendance at school is understood by all in their community

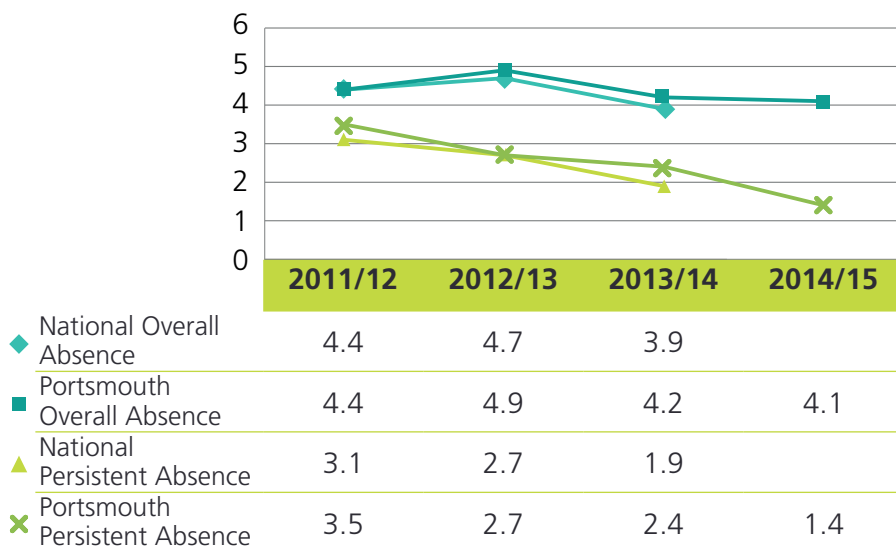


## Appendix five

### Performance – How well are we doing?

1. A Department for Education report on Attendance and Behaviour (2012) noted that if an average sized secondary school manages to improve its attendance by one percentage point this would equate to an additional 1,300 pupil-days. Therefore small improvements in attendance rates represent significant changes in the number of young people at school and the time they spend at school.
2. Portsmouth Primary School performance provisional absence data for 2014/15 shows the following encouraging picture:
  - Improvements in reducing levels of overall absence to 0.2% above the national average for 2013/14
  - A fall in the level of persistent absence to 1.4% which is below the national average

#### Primary school absence rates 2011 – 15

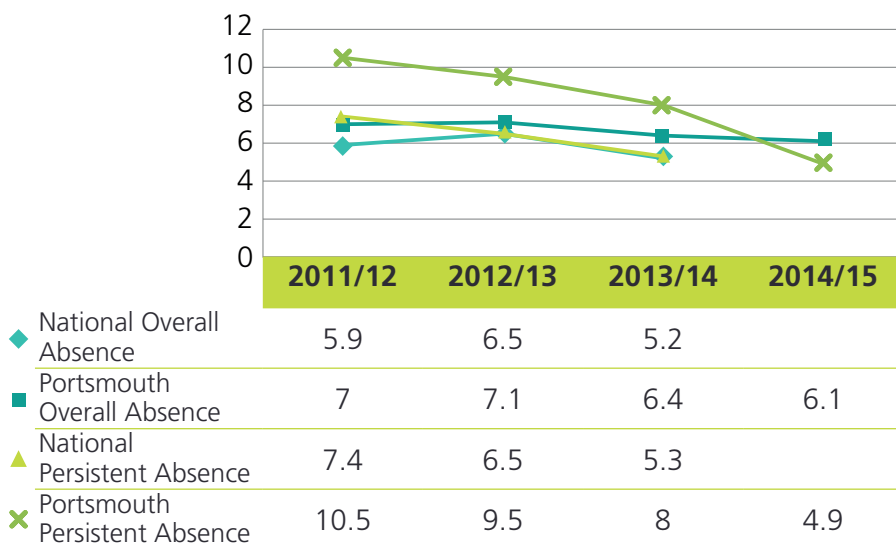


3. Compared to similar Local Authorities, in 2013/14 Portsmouth primary schools were ranked 5th out of 10 statistical neighbours for levels of overall absence, unauthorised absence and persistent absence.

### **Portsmouth Secondary school performance:**

4. Portsmouth secondary school performance provisional data for 2014/15 shows the following encouraging picture:
  - An improvement in reducing levels of overall absence to 0.9% above the national average for 2013/14
  - A reduction in the level of persistent absence by 3.1% to below the national average for 2013/14

### **Secondary school absence rates 2011 – 15**



5. Special school absence data is available but national comparisons are difficult given the variation in the nature of special school provision. Within Portsmouth, the Harbour School has high levels of absence but these are comparable to similar schools that cater for some of the most vulnerable and challenging young people nationally.
6. Compared to similar Local Authorities, in 2013/14 Portsmouth secondary schools had the highest levels of overall absence, unauthorised absence and persistent absence.





## Behaviour and Attendance Task and finish group

Date

### **Andy Ames**

Team Manager, Health, Safety and Licensing, Public Health,  
Portsmouth City Council

### **Lucy Carroll**

Headteacher, Meredith Infant School

### **Julie Cragg**

Head Teacher, Wimborne Infant School

### **Simon Graham (Chair)**

Headteacher, St Edmund's School

### **Richard Harvey**

Service Manager: Vulnerable Groups, Inclusion Service,  
Portsmouth City Council

### **Tracey Houghton**

Attendance Officer, School Attendance Team, Inclusion Service,  
Portsmouth City Council

### **Ashley Howard**

Headteacher, Manor Infant School

### **Moirra Howorth**

Assistant Head Teacher, St Edmund's School

### **Julia Katherine**

Inclusion Commissioning Manager, Portsmouth City Council

### **Sarah Lewis**

Social Care, Portsmouth City Council

### **Donald McIntyre**

Team Leader, School Attendance Team, Inclusion Service,  
Portsmouth City Council

### **Peter Newton**

Assistant Head Teacher, King Richard School

### **Krishna Purbhoo**

Headteacher, The Harbour School

### **Fran Shaul**

Think Family Mentor, Families Moving Forward

### **Natalie Shepperd**

Principal, Portsmouth Academy for Girls

### **Neil Stevenson**

Service Manager: Admissions, Exclusions and Reintegration,  
Inclusion Service, Portsmouth City Council

### **Nicola Waterman**

Head of Troubled Families, Positive Family Steps, Portsmouth City Council

### **Nicole Winchester**

Community Safety Project Officer, Portsmouth City Council

### **Philip Winchester**

Project Support Officer, Health and Safety, Portsmouth City Council

Jan 2016







023 9268 8651



# % Ranking of On Track Persistent Absentees by each half term 2016-17

SCHOOL 2016-2017	Ranking year end 2015/16	year end 2015/16 %	Ranking HT1	HT 1	Ranking HT2	HT2	Ranking HT3	HT3	Ranking HT4	HT4	HT4 15/16	Ranking HT5	HT5	HT5 15/16	Ranking HT6	HT6	HT6 15/16
Harbour Fratton	3	91.84%	3	75.00%	2	92.50%	1	90.00%	2	92.50%	93.88%	2	76.92%	95.91%	1	93.44%	91.84%
Harbour Bridge			1	100%	3	87.50%	67	no data	1	100.00%	no data	3	66.66%	no data	2	88.89%	no data
Harbour Cosham	5	66.67%	6	50.00%	6	54.16%	2	83.33%	3	70.83%	61.11%	6	34.54%	63.88%	3	86.20%	66.67%
Harbour Stamshaw	4	90.00%	2	80.00%	5	70.00%	5	70.00%	4	60.00%	no data	4	60.00%	100%	4	83.33%	90.00%
Harbour Tipner	2	97.26%	5	59.37%	4	71.87%	3	79.68%	5	57.81%	67.12%	5	50.00%	69.86%	5	78.49%	97.26%
Harbour Milton	1	100.00%	4	72.50%	1	95.00%	4	75.00%	67	no data	79.07%	1	94.33%	no data	6	63.24%	100.00%
King Richard	7	27.72%	7	25.34%	7	30.44%	6	30.60%	6	31.50%	27.26%	7	29.46%	28.02%	7	32.43%	27.72%
Springfield	25	8.78%	35	8.85%	26	11.07%	32	8.94%	30	8.48%	10.56%	24	10.68%	9.05%	8	24.55%	8.78%
Priory	6	29.06%	9	18.55%	8	21.94%	8	22.28%	8	20.49%	no data	8	24.82%	18.65%	9	24.40%	29.06%
Charter	12	14.19%	13	13.62%	10	16.72%	9	16.55%	10	16.20%	15.71%	13	15.38%	17.90%	10	20.98%	14.19%
Mary Rose	65	no data	66	no data	66	no data	7	26.89%	7	21.52%	no data	9	23.61%	no data	11	20.97%	no data
Admiral Lord Nelson	8	19.00%	15	13.11%	12	16.21%	16	13.41%	15	12.91%	14.20%	16	12.71%	15.10%	12	20.10%	19.00%
Portsmouth Academy	9	15.70%	14	13.42%	14	15.63%	13	15.23%	11	15.75%	16.43%	12	15.75%	16.60%	13	17.58%	15.70%
Ark Ayrton Primary	15	12.90%	20	11.39%	20	11.96%	24	11.11%	20	10.70%	12.61%	17	12.39%	13.78%	14	15.96%	12.90%
Ark Dickens Primary	63	no data	24	10.56%	27	10.56%	22	11.59%	27	9.02%	12.27%	20	12.11%	14.36%	15	15.65%	0.00%
Miltoncross	11	14.75%	8	18.59%	13	16.01%	10	15.89%	12	14.87%	13.47%	15	13.98%	13.93%	16	15.47%	14.75%
Goldsmith Infant	27	8.72%	37	8.52%	38	8.52%	23	11.36%	23	9.66%	6.40%	29	9.09%	4.65%	17	14.89%	8.72%
Stamshaw Junior	10	15.19%	10	15.67%	9	17.16%	15	13.43%	19	11.65%	14.81%	23	10.90%	12.59%	18	14.84%	15.19%
Mayfield	13	13.79%	11	14.94%	11	16.42%	12	15.51%	14	13.82%	no data	11	15.96%	14.31%	19	14.49%	13.79%
Stamshaw Infant	21	10.00%	26	10.11%	28	10.11%	21	11.67%	26	9.20%	8.85%	22	11.49%	5.00%	20	14.49%	10.00%
St. Georges Primary	24	9.43%	27	9.82%	33	9.82%	18	12.28%	17	12.50%	10.94%	25	10.35%	10.18%	21	14.47%	9.43%
Trafalgar	19	10.06%	16	12.72%	15	15.37%	14	13.60%	16	12.61%	12.32%	18	12.25%	11.29%	22	13.11%	10.06%
Manor Infant	54	3.85%	41	7.17%	41	8.01%	20	11.81%	34	7.95%	3.42%	19	12.13%	4.70%	23	12.88%	3.85%
Cottage Grove Primary	18	10.13%	43	6.93%	49	6.38%	37	8.35%	33	8.25%	10.67%	28	9.75%	8.26%	24	12.36%	10.13%
Portsdown Primary	37	6.72%	28	9.71%	34	9.71%	27	9.97%	22	10.08%	6.99%	26	9.81%	6.72%	25	12.08%	6.72%
Cliffdale	64	no data	65	no data	65	no data	11	15.65%	9	16.52%	no data	10	16.52%	no data	26	12.06%	no data
Beacon View Primary	33	8.04%	48	6.38%	42	7.90%	28	9.72%	44	6.02%	10.14%	36	7.69%	8.39%	27	11.99%	8.04%
Arundel Court	17	11.78%	23	10.57%	17	12.30%	26	10.00%	31	8.48%	8.88%	33	8.28%	10.61%	28	10.87%	11.78%
Westover Primary	52	4.09%	42	7.00%	36	9.24%	49	5.60%	49	5.31%	5.26%	48	6.14%	5.26%	29	10.81%	4.09%
St. Judes Primary	28	8.50%	39	8.18%	39	8.43%	31	9.18%	25	9.47%	6.80%	41	7.03%	6.31%	30	10.73%	8.50%
Moorings Way Infant	26	8.73%	44	6.83%	54	5.12%	44	6.83%	59	3.57%	9.52%	46	6.25%	7.93%	31	10.66%	8.73%
St. Pauls Primary	16	12.89%	54	5.16%	19	12.09%	29	9.57%	32	8.40%	9.79%	31	8.90%	6.70%	32	10.29%	12.89%
Medina Primary	22	9.64%	12	14.77%	22	11.33%	46	5.91%	46	5.91%	9.64%	38	7.38%	9.13%	33	10.14%	9.64%
Newbridge Junior	23	9.52%	32	9.32%	30	10.02%	36	8.39%	35	7.87%	10.43%	40	7.17%	9.75%	34	9.58%	9.52%
Highbury Primary	20	10.00%	36	8.64%	37	8.64%	33	8.91%	24	9.51%	9.17%	27	9.78%	10.27%	35	9.56%	10.00%
Isambard Brunel Junior	36	6.79%	19	12.32%	23	11.26%	25	10.56%	21	10.14%	5.66%	34	8.04%	6.79%	36	9.33%	6.79%
Langstone Junior	39	6.70%	22	10.62%	29	10.08%	30	9.53%	36	7.38%	9.22%	42	6.83%	7.26%	37	8.99%	6.70%
Meon Junior	44	5.23%	25	10.48%	16	12.74%	34	8.78%	39	7.06%	6.98%	30	9.03%	5.81%	38	8.97%	5.23%
Northern Parade Infant	43	5.70%	47	6.40%	47	6.70%	53	4.87%	28	8.84%	4.03%	39	7.31%	4.69%	39	8.26%	5.70%
Craneswater Junior	31	8.24%	49	6.37%	40	8.08%	40	8.08%	38	7.12%	8.24%	44	6.63%	7.44%	40	8.26%	8.24%
St. Edmunds	32	8.06%	40	7.68%	35	9.37%	39	8.24%	29	8.50%	10.11%	32	8.84%	9.02%	41	8.12%	8.06%
Copnor Primary	30	8.28%	38	8.27%	46	6.79%	41	7.53%	37	7.20%	6.21%	47	6.16%	7.99%	42	8.07%	8.28%
Lyndhurst Junior	49	4.51%	34	8.90%	31	9.97%	45	6.00%	45	6.02%	5.12%	50	6.01%	4.30%	43	7.49%	4.51%
Cumberland Infant	48	4.60%	62	3.44%	57	4.59%	55	4.59%	50	5.14%	4.02%	35	8.00%	4.59%	44	7.41%	4.60%
Penhale Infant	62	2.03%	57	4.64%	62	4.21%	58	4.21%	51	5.13%	5.69%	37	7.69%	1.62%	45	7.20%	2.03%
College Park Infant	40	6.18%	51	6.17%	56	4.77%	47	5.89%	52	5.01%	5.06%	55	5.01%	5.05%	46	7.20%	6.18%
Flying Bull	29	8.37%	31	9.43%	48	6.60%	43	7.07%	41	6.57%	11.00%	51	5.35%	7.89%	47	6.64%	8.37%
Wimborne Junior	59	2.58%	33	8.91%	45	6.96%	52	5.01%	57	4.19%	5.16%	54	5.02%	4.87%	48	6.20%	2.58%
Northern Parade Junior	35	7.22%	29	9.61%	32	9.85%	42	7.45%	42	6.28%	7.99%	45	6.28%	6.44%	49	5.71%	7.22%
Corpus Christi Primary	50	4.43%	50	6.34%	50	6.34%	48	5.71%	43	6.03%	5.70%	49	6.03%	6.33%	50	5.68%	4.43%
Gatcombe Park Primary	51	4.31%	17	12.62%	24	11.16%	38	8.25%	40	6.76%	3.35%	52	5.31%	3.35%	51	5.58%	4.31%
Solent Infant	53	4.06%	61	3.70%	59	4.44%	59	4.07%	53	4.46%	5.54%	58	4.08%	5.16%	52	5.42%	4.06%
Devonshire Infant	38	6.70%	53	5.29%	25	11.11%	35	8.46%	54	4.44%	6.15%	43	6.66%	3.35%	53	5.18%	6.70%
Wimborne Infant	42	5.80%	63	3.38%	55	4.83%	61	3.86%	47	5.80%	4.83%	59	3.38%	4.83%	54	5.02%	5.80%
Meredith Infant	47	4.63%	21	10.74%	53	5.18%	54	4.81%	58	4.14%	5.79%	63	2.63%	6.94%	55	5.00%	4.63%
Fernhurst Junior	56	3.44%	56	4.76%	58	4.48%	56	4.48%	56	4.24%	7.16%	61	2.82%	5.16%	56	4.88%	3.44%
Langstone Infant	55	3.56%	45	6.56%	63	3.86%	62	3.47%	63	2.67%	5.14%	62	2.67%	3.55%	57	4.81%	3.56%
Court Lane Infant	60	2.23%	55	4.98%	60	4.43%	64	1.66%	64	2.49%	3.63%	65	2.56%	4.18%	58	4.58%	2.23%
Meon Infant	46	5.00%	52	6.14%	44	7.26%	51	5.02%	48	5.59%	6.67%	53	5.02%	5.55%	59	4.35%	5.00%
Southsea Infant	41	6.04%	59	4.27%	61	4.27%	63	3.20%	61	3.26%	4.40%	56	4.34%	4.39%	60	4.12%	6.04%
Solent Junior	61	2.20%	60	4.07%	51	6.25%	57	4.35%	62	3.00%	3.58%	66	2.45%	2.47%	61	3.49%	2.20%
Court Lane Junior	57	2.96%	46	6.43%	43	7.88%	50	5.60%	55	4.34%	4.86%	57	4.13%	4.43%	62	3.48%	2.96%
St. Swithuns Primary	45	5.16%	58	4.51%	52	5.48%	60	3.87%	60	3.54%	6.13%	64	2.57%	6.12%	63	3.41%	5.16%
St. Johns	58	2.86%	64	2.54%	64	2.11%	65	1.27%	65	1.90%	5.71%	60	3.33%	6.19%	64	2.80%	2.86%
Victory Primary	14	13.53%	18	12.52%	21	11.86%	19	12.08%	13	14.25%	13.99%	14	14.48%	13.07%	65	DNR data	13.53%
Milton Park Primary	34	7.71%	30	9.52%	18	12.14%	17	12.62%	18	12.13%	7.96%	21	11.88%	8.20%	66	DNR data	7.71%
Redwood Park	66	no data	67	0.00%	67	no data	66	no data	66	no data	19.40%	67	no data	19.35%	67	DNR data	no data

Average across City Primary HT6	9.11%	SFR National 15/16	8.20%	SFR Stat Neigh 15/16	9.30%
Average across City Secondary HT6	19.12%		13.10%		14.40%
Average across City Special HT6	41.24%		26.90%		28.60%

%	Increased from HT5	%
%	Unchanged from HT5	%
%	Decreased from HT5	%

decreased same point last year
increased same point last year
No data/ comments

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# Guidance for schools on the use of Reduced Timetables

**Revised September 2017: Portsmouth City Council**

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)



## Purpose

This guidance sets out notification and planning requirements applying to all maintained Portsmouth schools, including academies, the UTC and alternative provision settings, hereafter referred to as 'schools', in the very exceptional event of a reduced timetable being agreed for a pupil for a limited period.

## Introduction

The risks for children and young people associated with reduced attendance at school for whatever reason, including a temporarily reduced timetable, are well researched. These include the risk of sexual or other exploitation, or other safeguarding risks as well as the risk of lower educational attainment. Ofsted's publication, [Pupils Missing Out on Education](#) (2013) underlines the seriousness of these risks.

The local authority has a statutory responsibility to identify and track any pupil missing education. Any pupil on a reduced timetable is missing education and therefore needs to be identified and tracked. Inspection of local authority children's social care services includes scrutiny of the extent to which the authority is effectively ensuring that children in its area are not missing education. All schools in Portsmouth have a responsibility to cooperate with the City Council to ensure that the council's duties can be effectively discharged. This refreshed guidance restates expectations of schools in relation to both notification of the council and good practice in supporting children and families.

It is important to emphasise that **there is no statutory basis** upon which to establish a reduced timetable. With the agreement of parents and carers, however, **in exceptional circumstances**, a short fixed term period of part time education may in very rare circumstances be judged to be in the interests of young people who are finding full time education very challenging. This **must**, however, be for a short, agreed period that has a planned progression back to full-time within maximum of 6 weeks.

PCC remains committed to all children's right to a full-time education offer and makes clear the requirement that **a reduced timetable cannot be implemented without written agreement from parent/carers** (and the Virtual School or SEN Team at the Local Authority where appropriate).

Schools have a safeguarding responsibility for all pupils on their roll and therefore must be aware that even with parental agreement to any arrangement they make, **they are responsible for the safeguarding and welfare of pupils off-site during school hours.**

## Full-time Education

All education should be suitable to a child's age, ability and aptitude, taking into account any special educational need.



The assumption is that pupils should receive full-time education consistent with their Key Stage. Schools have a statutory duty to provide full time education for all pupils on their roll. It is illegal for schools to discriminate against pupils on the basis of their special educational needs and/or disability.

A timetable is considered reduced when it consists of something less than that which is provided to the majority of the pupil's peers in that setting.

## **When might a reduced timetable be used?**

### **1. Part of an in school support package**

The school, parent/carer and other professionals agree that a short-term (no longer than 6 weeks) reduced timetable would support a pupil who is unable to cope with full time education, to regain success. This would be a closely monitored intervention to address, manage and support the emotional needs of the young person, put in place alongside other measures to address those needs.

### **2. Medical reasons**

A pupil has a serious medical condition where recovery is the priority outcome. These arrangements would be part of a “medical plan” agreed between the school and health professionals. Please see [Ensuring a good education for children who cannot attend school because of health needs](#) before offering a reduced timetable for this reason.

### **3. Reintegration**

As part of a planned reintegration into school following an extended period out of school following exclusion, non-attendance, school refusal etc. (no longer than 6 weeks)

This is not necessarily an exhaustive list but it is likely that a pupil being considered for a reduced timetable would fall within one of these 3 categories.

## **Notification, consultation and planning**

In circumstances where the school consider that it may be necessary to establish a reduced timetable for a pupil, the school must:

- Notify the Admissions, Exclusions & Reintegration Team of its intention to implement a reduced timetable for a pupil
- Convene a meeting to discuss the proposals for a reduced timetable. This **must** include the parent/carer of the pupil. This meeting must also include the LA where the pupil is a looked after child (the Virtual School) or has a statement of SEN/Education Health and Care Plan (a member of the SEN Team) and may well include professionals who form part of the team around the child

- Establish a plan (Pastoral Support Plan, Individual Learning Plan, Personal Education Plan etc.) for the reduced timetable which details:
  - the proposed timetable to get back to full-time (in the case of categories 1 & 3 this should be no longer than 6 weeks)
  - details of the review schedule
  - the supportive interventions that will accompany this reduction in time at school including the environment system changes within school and the new skills that will be taught.
  - outcome and exit strategies. How will all parties know that is successful?
  - the named person responsible for the plan within the school
  - the consideration of safeguarding measures for the duration. The school **must** carry out a risk assessment before implementation, of the child spending more time out of the school and this should be recorded formally.
  - consideration should be given in many cases to external behaviour support and/or targeted early help family support
  - consideration should be given to whether alternative provision (e.g. The Harbour School or Flying Bull Inclusion Centre) should be considered to meet need.
- Send the LA (scanned and uploaded to the correct folder on the shared secure environment (SSE)) a copy of the hours agreed and the plan upon which it was agreed

**The plan and the teaching hours must be signed by the parent and without parental agreement this strategy of a reduction in hours cannot be implemented**

- Consider the need to carry out an Early Help Assessment (EHA) to establish if there are wider needs and support is required from external agencies. Where this is not felt appropriate a letter from the head teacher explaining the reasons should be sent to the Deputy Director Children, Families and Education in respect of categories 1 & 3.

## Monitoring and Reviewing

The school must

- Report the reduced timetable as soon as it becomes operational by sending a signed copy of the teaching hours within the morning and afternoon session (see form appendix A) and the plan upon which it was agreed. If a school is found to be operating a reduced timetable without having reported it a formal letter of concern will be sent from the Deputy Director of Children, Families and Education to the head teacher and chair of governors, seeking an assurance that reporting requirements are respected.

- Send a copy of subsequent reviews and increases of time, up to a maximum of 6 weeks
- Record the child's attendance accurately on the attendance register
  - **C Code** - to be used when a pupil has a reduced timetable that includes sessions which have been mutually agreed not to involve attendance at school or an alternative provision (the school must be satisfied that appropriate arrangements are in place for the care and welfare of the pupil during the time when they would otherwise be at school)
  - **B Code** - to be used if the pupil is receiving off-site provision, approved by the school (this code should not be used for any unsupervised educational activity or where the pupil is at home doing school work)
  - **D Code** - to be used where a pupil is registered at two schools. The D code only applies in Portsmouth where a pupil is attending a school other than their home school and where that school is coding the pupil's attendance and making a return to the LA (e.g. The Harbour School or Flying Bull Inclusion Centre).

See pages 7-12 of [School attendance Departmental advice for maintained schools, academies, independent schools and local authorities](#)

- Monitor the overall use of this strategy within the school and report this to governors termly including the number of children and young people for whom a reduced timetable has been put in place and the outcome in each case.
- Ensure effective communication with parents/carers (and LA as necessary) with regard to progress towards full-time reintegration to school.
- Inform the LA when the pupil returns to full-time education otherwise they will continue to be logged as on a reduced timetable.

## Portsmouth City Council Responsibilities

PCC will

- ensure that reduced timetables are appropriately recorded and monitored via the ONE database.
- Report the numbers of pupils on reduced timetables to
  - the Behaviour and Attendance Group (BAG)
  - the Multi-Agency Safeguarding Hub (MASH)
- Provide a copy of plans to social care where pupil has a CP or CiN plan or is a looked after child.
- Raise with the school, where a pupil has been on a reduced timetable for longer than 6 weeks (except where this is a Y11 who has an established alternative provision plan that will yield necessary accreditation but that may be slightly below full-time).

- Refer any cases that exceed 6 weeks, and have no imminent plan for full-time reintegration, to the Deputy Director for Children, Families and Education and the independent chair of the Portsmouth Children's Safeguarding Board.

### **Helpful Contacts**

For advice and to discuss any particular circumstances please contact:  
Admissions (Exclusions and Reintegration) Team

tel. 023 92 84 1568

email. [exclusions@portsmouthcc.gov.uk](mailto:exclusions@portsmouthcc.gov.uk)

**Report To:** PSCB - *Enter Date*

**Report By:** Neil Stevenson - Attendance, Admissions, Exclusions and Reintegration Service Manager

**Report Date:** 29<sup>th</sup> September 2017

**Report Title:** Reduced Timetables

**Recommendations** (to be no more than 5)

1. The PCSB to endorse the updated draft version of the Portsmouth Reduced Timetable Guidance<sup>1</sup>
2. The PCSB to approve the robust approach outlined in relation to challenging schools for usage of reduced timetables that step outside of the guidance.
3. The PCSB to welcome reports and challenge schools where the Education team have not secured compliance.
4. The PCSB to support the view that children on CP/CiN plans should almost always be considered inappropriate for the implementation of a reduced timetable<sup>2</sup>.
5. The PCSB endorse the notion that other than for medical reasons, those on reduced timetable should have and Early Help Assessment (EHA).

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Reduced timetables have been recorded in Portsmouth since 2007 and we are as confident as we can be that schools are reporting the majority of these cases. These are cases where the offer is less than 25hrs or less than the offer made to the majority of peers (given that there is no legal definition of full-time. This does not include pupils whose timetable has is full-time offer made up of various different provisions.

The risks for children and young people associated with reduced attendance at school for whatever reason, including a temporarily reduced timetable, are well researched. These include the risk of sexual or other exploitation, or other safeguarding risks as well as the risk of lower educational attainment

It is important to emphasise that **there is no statutory basis** upon which to establish a reduced timetable. With the agreement of parents and carers, however, **in exceptional circumstances**, a short fixed term period of part time education may in very rare circumstances be judged to be in the interests of young people who are finding full time education very challenging. This **must**, however, be for a short, agreed period that has a planned progression back to full-time within maximum of 6 weeks.



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PCC remains committed to all children's right to a full-time education offer and makes clear the requirement that **a reduced timetable cannot be implemented without written agreement from parent/carers** (and the Virtual School or SEN Team at the Local Authority where appropriate).

A reduced timetable is likely to be suggested way forward for the following reasons.

### **1. Part of an in school support package**

The school, parent/carers and other professionals agree that a short-term (no longer than 6 weeks) reduced timetable would support a pupil who is unable to cope with full time education, to regain success. This would be a closely monitored intervention to address, manage and support the emotional needs of the young person, put in place alongside other measures to address those needs.

### **2. Medical reasons**

A pupil has a serious medical condition where recovery is the priority outcome. These arrangements would be part of a "medical plan" agreed between the school and health professionals. Please see [Ensuring a good education for children who cannot attend school because of health needs](#) before offering a reduced timetable for this reason.

### **3. Reintegration**

As part of a planned reintegration into school following an extended period out of school following exclusion, non-attendance, school refusal etc. (no longer than 6 weeks)

This is not necessarily an exhaustive list but it is likely that a pupil being considered for a reduced timetable would fall within one of these 3 categories.

The data around reduced timetables for this purpose will not include those on less than full-time for medical reasons. End of year snapshot for number of reduced timetables was:

- 2014/15 = 49
- 2015/16 = 47
- 2016/17 = 65

Current Picture of those on a reduced timetable:

- Number of Primary aged pupils at mainstream on a reduced timetable = 13
- Number of Secondary aged pupil at mainstream on a reduced timetable = 12
- Number of pupils in special school on a reduced timetable = 40

The end of year snapshot is typical of the majority of points throughout the year. The specialist SEMH provision in the city has the highest level of those on a reduced package. The trend appears to be a relatively static number of pupils though encouragingly the quality of plans supporting these pupils appears to be improving.

**Report to:** Portsmouth Safeguarding Children Board

**Report by:** Neil Stevenson - Attendance, Admissions, Exclusions and Reintegration Manager, Education, PCC

**Report date:** 29<sup>th</sup> September 2017

**Report title:** Children Missing Education

## Recommendations

### **It is recommended that the PSCB endorses the following:**

1. All schools (including academies and independent schools) must notify their local authority when they are about to remove a pupil's name from the school admission register under any of the 15 grounds listed in the regulations. It is important that this happens *at the point of deletion* and not for any other than the 15 reasons. This should be done via the pupil migration form.
2. Schools must make reasonable enquiries to establish the whereabouts of the child jointly with the local authority, before deleting the pupil's name from the register. This is not the sole responsibility of the LA.
3. Schools must also notify the local authority within five days of adding a pupil's name to the admission register at a non-standard transition point.
4. The above is assisted (though not fulfilled) by ensuring that weekly pupil data feeds to the local authority are accurate and delivered on time. The safeguarding concerns that any inaccurate or late data causes should be reiterated to schools.
5. Multi Agency Teams in each of the city's localities are charged with reporting any pupils in the local area that they are unable to find on a school roll (reasonable checks should be made) to the [childrenmissingeducation@portsmouthcc.gov.uk](mailto:childrenmissingeducation@portsmouthcc.gov.uk) officer, with relevant details.



## **1. Purpose of this report**

1.1. The purpose of this report is to:

- a) Inform the Board of the role of the local authority with regards to Children Missing Education
- b) Assure the Board that robust processes are in place to ensure that these responsibilities are carried out in the interests of safeguarding children.

## **2. Definition**

- 2.1. Children missing education 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.
- 2.2. A child reaches compulsory school age on or after their fifth birthday. If they turn five between 1 January and 31 March, then they are of compulsory school age on 31 March; if they turn five between 1 April and 31 August, then they are of compulsory school age on 31 August. If they turn five between 1 September and 31 December, then they are of compulsory school age on 31 December. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen.

## **3. Current position**

- 3.1. Local authorities have a duty under section 436A of the Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise.
- 3.2. Portsmouth City Council has in place robust policies and procedures to enable the council to fulfil its duty in relation to these children, including effective tracking and enquiry systems. Portsmouth referrals are made to [childrenmissingeducation@portsmouthcc.gov.uk](mailto:childrenmissingeducation@portsmouthcc.gov.uk) and the named officer Rajnie Zaman-Haque sits within the School Attendance Team.
- 3.3. The guidance around reduced timetables, procedures around Elective Home Education<sup>1</sup>, deregistration from a schools admission register, School Attendance Orders<sup>2</sup>, Education Supervision Orders and placement of Hard to Place Pupils under the Fair Access Protocol through the Inclusion Support Panel, means that the council has good mechanisms for tracking pupils off and onto school rolls. This means that the numbers that are flagged as missing are minimised. This also helps to ensure that the council is fulfilling its wider safeguarding duties

- 3.4. The procedures in place in Portsmouth ensure that there is good information sharing within the council (including social care) and between other authorities and appropriate agencies to track pupils who leave or arrive in our local area. Regular reviews of policies and procedures take place to ensure that they are fit for purpose in identifying Children Missing Education.
- 3.5. The data below shows the numbers that are reported under the criteria set for CME (i.e. that the family whereabouts are thought to be unknown). It should be noted that the vast majority are located and those who are not are appropriately referred on.

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Number of requests to locate children whereabouts	146	150	291	279	316	298	172
Number of children whereabouts located	130	142			304	294	164
Number of children whereabouts not located					12	4	8
Number of children whereabouts not located (referred to MASH/Police)					12	4	4

NB. The 4 pupils unaccounted for in the last academic years data are still having enquiries made. Other missing data is due to recording changes that are now regularised

#### 4. Reasons for recommendations

- 4.1. In order for processes within the school attendance team to be efficient and secure, timely accurate data is crucial. The government's enhanced guidance in September 2016 was a response to poor quality follow up when a pupil was 'off-rolled'. Therefore precise information in real time in relation to on and off rolling means that each and every pupil is accounted for.
- 4.2. The main gap is always going to be arrivals to the city and the council's Education Service not being aware that there is pupil that should be on a school roll who is without one. Therefore accurate intelligence from other agencies in the community can help ensure that the council can fulfil its duty to ensure that suitable education is provided to all who are entitled. In addition, safeguarding risks of children not being in school are minimised.

#### 5. Supporting documents



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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550416/Children\\_Missing\\_Education\\_-\\_statutory\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf) (Page 20 and 21)



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## [School Attendance Orders](#)

# Elective Home Education

Guidance for parents educating children at home  
September 2016

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)



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Education is a fundamental right for every child and we recognise that parents have the right to choose to educate their child at home rather than at school. These guidelines have been prepared to help home educating parents manage their relationships with Portsmouth City Council.

Parents are responsible for ensuring that their children receive a suitable education. Where parents have chosen to home educate, we want the home educated child to have a positive experience. We believe this is best achieved where parents and us recognise each other's rights and responsibilities, and work together. These guidelines aim to clarify the balance between the right of the parent to educate their child at home and our responsibilities as a local authority.

#### Portsmouth City Council Contact Address

##### INCLUSION

School Attendance Team

Floor 2, Core 6

Civic Offices

Portsmouth

PO1 2EA

Tel: 02392841819

Email: [ElectiveHomeEducation@portsmouthcc.gov.uk](mailto:ElectiveHomeEducation@portsmouthcc.gov.uk)

## PART 1

### Introduction

1.1 Elective home education is the term used by the Department for Education (DfE) to describe a parents' decision to provide education for their children at home instead of sending them to school. This is different to home tuition provided by a local authority or education provided by a local authority other than at a school. These guidelines are intended for use in relation to elective home education only. Throughout these guidelines, 'parents' should be taken to include all those with parental responsibility, including guardians and carers as per s.7 of the Education Act 1996.

1.2 Children whose parents elect to educate them at home are not registered at mainstream schools, special schools, independent schools, academies, Pupil Referral Units (PRUs), colleges, children's homes with education facilities or education facilities provided by independent fostering agencies. Some parents may choose to engage private tutors or other adults to assist them in providing a suitable education, but there is no requirement for you to do so. Learning may take place in a variety of locations, not just in the family home.

1.3 The purpose of these guidelines is to support both parents and Portsmouth City Council in carrying out their statutory responsibilities and to encourage good practice by clearly setting out the legislative position, and the roles and responsibilities of the local authority and parents in relation to children who are educated at home.

### Reasons for elective home education

1.4 Parents may choose home education for a variety of reasons. Our primary interest lies in the suitability of parents' education provision and not their reason for doing so. The following reasons for home educating are common, but by no means exhaustive:

- distance or access to a local school
- religious or cultural beliefs
- philosophical or ideological views
- dissatisfaction with the system
- bullying
- as a short term intervention for a particular reason
- a child's unwillingness or inability to go to school
- special educational needs
- parents' desire for a closer relationship with their children.



## Part 2

### The law relating to elective home education

2.1 The responsibility for a child's education rests with their parents. In England, education is compulsory, but school is not.

2.2 Article 2 of Protocol 1 of the European Convention on Human Rights states that:

*"No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions."*

Parents have a right to educate their children at home. Section 7 of the Education Act 1996 provides that:

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

*(a) to his age, ability and aptitude, and*

*(b) to any special educational needs he may have, either by regular attendance at school or otherwise."*

2.3 The responsibility for a child's education rests with his or her parents. An "efficient" and "suitable" education is not defined in the Education Act 1996 but "efficient" has been broadly described in case law as an education that "achieves that which it sets out to achieve", and a "suitable" education is one that "primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so".

### Parental rights and responsibilities

2.4 Parents may decide to exercise their right to home educate their child from a very early age and so the child may not have been previously enrolled at school. They may also elect to home educate at any other stage up to the end of compulsory school age. Parents are not required to register or seek approval from the local authority to educate their children at home. Parents who choose to educate their children at home must be prepared to assume full financial responsibility, including bearing the cost of any public examinations.

Parents must also ensure that their children receive suitable full-time education for as long as they are being educated at home.

## Local authorities' responsibilities

2.5 We will provide written information about elective home education that is clear, accurate and sets out the legal position, roles and responsibilities of both the local authority and parents. This information is available on our website and in alternative formats on request. We recognise that there are many approaches to an educational provision, not just a "school at home" model. What is suitable for one child may not be for another, but all children should be involved in a learning process.

2.6 We have a statutory duty under section 436A of the Education Act 1996, inserted by the Education and Inspections Act 2006, to make arrangements to enable us to establish the identities, so far as it is possible to do so, of children in our area who are not receiving a suitable education. The duty applies in relation to children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school (for example, at home, privately, or in alternative provision). The guidance issued makes it clear that the duty does not apply to children who are being educated at home.

2.7 We have no statutory duties in relation to monitoring the quality of home education on a routine basis.

However, under Section 437(1) of the Education Act 1996, we shall intervene if it appears that parents are not providing a suitable education. This section states that:

*"If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education."*

Section 437(2) of the Act provides that the period shall not be less than 15 days beginning with the day on which the notice is served.

2.8 Prior to serving a notice under section 437(1), we will try to address the situation informally with parents. If we have information that makes it appear that parents are not providing a suitable education, we would ask parents for further information about the education they are providing. Such a request is not the same as a notice under section 437(1), and is not necessarily a precursor for formal procedures. Parents are under no duty to respond to such enquiries, but it would be sensible for them to do so.

2.9 Section 437(3) refers to the serving of school attendance orders:

"If-

*(a) a parent on whom a notice has been served under subsection (1) fails to satisfy the local education authority, within the period specified in the notice, that the child is*

*receiving suitable education, and*

*(b) in the opinion of the authority it is expedient that the child should attend school, the authority shall serve on the parent an order (referred to in this Act as a "school attendance order"), in such form as may be prescribed, requiring him to cause the child to become a registered pupil at a school named in the order."*

2.10 A school attendance order will only be served after all reasonable steps have been taken to try to resolve the situation. At any stage following the issue of the Order, parents may present evidence to us that they are now providing an appropriate education and apply to have the Order revoked. If we refuse to revoke the Order, parents can choose to refer the matter to the Secretary of State. If we prosecute the parents for not complying with the Order, then it will be for a court to decide whether or not the education being provided is suitable and efficient. The court can revoke the Order if it is satisfied that the parent is fulfilling his or her duty. It can also revoke the Order where it imposes an education supervision order. Detailed information about school attendance orders are contained in Ensuring Regular School Attendance paragraphs 6 to 16.

2.11 Where we impose a time limit, every effort will be made to make sure that both the parents and the officer with responsibility for elective home education are available throughout this period.

2.12 We also have a duty under section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. This section states:

*"A local education authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children."*

*Section 175(1) does not extend local authorities' functions. It does not, for example, give us the powers to enter the homes of, or otherwise see, children for the purposes of monitoring the provision of elective home education.*

2.13 The Children Act 2004 ("the 2004 Act") provides the legislative framework for developing children's services as detailed in Every Child Matters: Change for Children. The background and aims of Every Child Matters can be found on its dedicated website. Section 10 of the 2004 Act sets out a statutory framework for cooperation arrangements to be made by local authorities with a view to improving the well-being of children in their area.

2.14 Section 11 of the 2004 Act sets out the arrangements to safeguard and promote the welfare of children. However, this section does not place any additional duties or responsibilities on local authorities over and above section 175(1) of the Education Act 2002. Statutory Guidance on Making Arrangements to Safeguard and Promote the Welfare of Children under section 11 of the Children Act 2004 has been updated and published in April 2007.

2.15 As outlined above, we have general duty to make arrangements to safeguard and promote the welfare of children (section 175 Education Act 2002 in relation to their functions as a local authority and for other functions in sections 10 and 11 of the Children Act 2004).

These powers allow us to insist on seeing children in order to enquire about their welfare where there are grounds for concern (sections 17 and 47 of the Children Act 1989). However, such powers do not bestow upon us the ability to see and question children subject to elective home education in order to establish whether they are receiving a suitable education.

2.16 Section 53 of the 2004 Act sets out the duty on us to, where reasonably practicable, take into account the child's wishes and feelings with regard to the provision of services. Section 53 does not extend local authorities' functions. It does not, for example, place an obligation on us to ascertain the child's wishes about elective home education as it is not a service provided by the local authority.

## PART 3

### Policies and procedures

3.1 Portsmouth City Council in line with current government recommendations have reviewed our policy on elective home education. We believe it provides clear guidance for parents and reflects the current law and government guidelines. In addition to this we have taken on board input from home educating parents.

3.2 It is important that all parties involved in elective home education are aware of their roles, rights and responsibilities. Our policy is to ensure all guidelines are clear, transparent and easily accessible to parents. All our procedures for dealing with home educating parents and children are equitable, clear, consistent, non-intrusive and timely, in order to provide a good foundation for the development of trusting relationships.

3.3 All our officers who deal with elective home education are fully aware of our policy, government guidelines, and the law.

### Contact with parents and children

3.4 We acknowledge that learning takes place in a wide variety of environments and not only in the home. However, if it appears that a suitable education is not being provided, we will seek to gather any relevant information that may assist us in reaching a properly informed judgment. This will include seeking from the parents any further information that they wish to provide which explains how they are providing a suitable education. Parents will always be given the opportunity to address any specific concerns that the authority has. The child involved will also be given the opportunity, but is not required, to attend any meeting that may be arranged or invited to express his or her views in some other way. Please note that parents are under no duty to respond to our requests for information or a meeting, but it would be sensible for them to do so.

3.5 If it appears to us that a child is not receiving a suitable education we will write to parents to discuss their ongoing home education provision. This letter will offer a range of ways in which you can choose to tell us about your provision. We would prefer that an officer from our service meets with you in order to discuss your arrangements, however the letter does give alternative options.

3.6 Some parents may welcome the opportunity to discuss the provision that they are making for the child's education during a home visit but parents are not legally required to give us access to their home. You may choose to meet an officer at a mutually convenient and neutral location instead, with or without the child being

present, or choose not to meet at all. Where a parent elects not to allow access to their home or their child, this will not of itself constitute a ground for concern about the education provision being made. Where we are not able to visit the home, we should be able to discuss and evaluate the educational provision by alternative means. If you choose not to meet an officer, parents will be asked to provide evidence that they are providing a suitable education. If we do ask parents for information you are under no duty to comply although it would be sensible for you to do so.

3.7 Following any review of your home education provision you will receive a short report from us. If we are satisfied that the education is suitable, you will be notified and advised we will contact you again in a year's time. If we are not satisfied, you will be notified and given a maximum 3 months to put plans in place. Following this we will contact you again to request evidence that the education is now suitable. If we remain dissatisfied we will take statutory action as set out above..

#### Withdrawal from school to elective home educate

3.8 If a parent decides to withdraw their child from school and seeks guidance from us we will provide verbal and written information (see paragraph 2.5). In addition to this we will draw your attention to a range of contacts set out in this guidance.

3.9 The school must delete the child's name from their admissions register upon receipt of written notification from the parents that the pupil is receiving education otherwise than at school. However, schools should not wait for parents to give written notification that they are withdrawing their child from school before advising us. Schools must make a return (giving the child's name, address and the ground upon which their name is to be deleted from the register) to the local authority as soon as the ground for deletion is met and no later than deleting the pupil's name from the register. They should also copy parents into that notice to us.

3.10 If a child is registered at a school as a result of a school attendance order the parents must get the order revoked by us on the ground that arrangements have been made for the child to receive suitable education otherwise than at school, before the child can be deleted from the school's register and educated at home.

3.11 We would prefer for you to inform us directly of the withdrawal of your child from school, but we have no legal right to insist that you do so. The only exception to this is where your child is attending a special school under arrangements made by us, in which case additional permission is required from us before the child's name can be removed from the register.

3.12 We appreciate in the early stages, parents' plans may not be detailed and they may not yet be in a position to demonstrate all the characteristics of an "efficient and suitable" educational provision. In such cases, a reasonable timescale should be

agreed for the parents to develop their provision.

3.13 Schools must not seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record. In the case of exclusion, they must follow the statutory guidance. If the pupil has a poor attendance record, the school and local authority will address the issues behind the absenteeism and use the other remedies available to them.

3.14 In certain circumstances, if you make this decision within 6 months of deregistration, the Local Authority will require the previous school to place your child back on roll before any change of placement can be considered (alternative procedures may apply if the mainstream school has no available spaces) As agreed by all schools in the In Year Fair Access Protocol. (IYFAP)

#### Providing a full-time education

3.15 Parents are required to provide an efficient, full-time education suitable to the age, ability and aptitude of the child. There is currently no legal definition of "full-time". Children normally attend school for between 22 and 25 hours a week for 38 weeks of the year, but this measurement of "contact time" is not relevant to elective home education where there is often almost continuous one-to-one contact and education may take place outside normal "school hours." The type of educational activity can be varied and flexible. Home educating parents are not required to:

- teach the National Curriculum
- provide a broad and balanced education have a timetable
- have premises equipped to any particular standard
- set hours during which education will take place
- have any specific qualifications
- make detailed plans in advance
- observe school hours, days or terms
- give formal lessons
- mark work done by their child
- formally assess progress or set development objectives
- reproduce school type peer group socialization
- match school-based, age-specific standards.

However, we may, were reasonably practical offer advice and support to parents on these matters if requested.

3.16 We recognise that there are many, equally valid, approaches to an educational provision. We will, therefore, consider a wide range of information from home educating parents, in a range of formats. The information may be in the form of specific examples of learning e.g. pictures/paintings/models, diaries of educational



activity, projects, assessments, samples of work, books, educational visits etc.

3.17 As per current government guidelines in our consideration of parents' provision of education at home, we may reasonably expect the provision to include the following characteristics:

- consistent involvement of parents or other significant carers - it is expected that parents or significant carers would play a substantial role, although not necessarily constantly or actively involved in providing education
- recognition of the child's needs, attitudes and aspirations
- opportunities for the child to be stimulated by their learning experiences
- access to resources/materials required to provide home education for the child - such as paper and pens, books and libraries, arts and crafts materials, physical activity, ICT and the opportunity for appropriate interaction with other children and other adults.

3.18 If we consider that a suitable education is not being provided, then a written report of the findings will be made and copied to the parents promptly, specifying the grounds for concern and any reasons for concluding that provision is unsuitable. If we are not satisfied that a suitable education is being provided, and the parents, having been given a reasonable opportunity to address the identified concerns and report back to us have not done so, we will consider sending a formal notice to the parents under section 437 (see paragraph 2.7) before moving on, if needed, to the issuing of a school attendance order (section 437(1)). See paragraphs 2.9 -2.11.

### Children with Special Educational Needs (SEN)

3.19 Parents' right to educate their child at home applies equally where a child has SEN. This right is irrespective of whether the child has an Education Health Care Plan/statement of special educational needs or not. Where a child has an EHC plan/statement of SEN and is home educated, it remains our duty to ensure that the child's needs are met.

3.20 We must have regard to the Special Educational Needs Code of Practice. Although this document primarily covers special educational needs in the school and early years' settings, it does give information about SEN in relation to home education (paragraphs 8.91 - 8.96 of the Code). The Code of Practice emphasises the importance of local authorities and other providers working in partnership with parents. The Code of Practice is statutory guidance and schools, local authorities and others to whom it applies must have regard to it. This means that, apart from the references to the law, these bodies do not have to follow the Code to the letter but they must be able to justify any departure from its guidance. The foreword states that the Code is designed to help these bodies to "make effective decisions but it does not - and could not - tell them what to do in each individual case".

3.21 If the parents' attempt to educate the child at home results in provision that falls short of meeting the child's needs, then the parents are not making "suitable arrangements", and the authority could not conclude that they were absolved of their responsibility to arrange the provision in the statement/EHC plan. Parents need only provide an efficient, full-time education suitable to the age, ability and aptitude and to any special educational needs the child may have as defined in Section 7 of the Education Act 1996. It is the authority's duty to arrange the provision specified in the statement/ EHC plan, unless the child's parent has made suitable provision, for as long as a statement/EHC plan is maintained. In some cases a combination of provision by parents and us may best meet the child's needs. We could consider, for example, providing access to additional resources or treatments where appropriate.

3.22 Even if we are satisfied that parents are making suitable arrangements, we remain under a duty to maintain the statement/EHC plan and review it annually, following procedures set out in chapter 9 of the SEN Code of Practice. In some circumstances the child's special educational needs identified in the statement/EHC plan will have been related to the school setting and the child's needs may readily be met at home by the parents without Local Authority supervision. It may be appropriate, once it is established that a child's special needs are being met without any additional support from us, to consider ceasing to maintain the statement/EHC plan. This may be done at the annual review or at any other time. Where the statement/EHC plan is reviewed it should be made clear to parents that they are welcome to attend, but they are not obliged to do so.

3.23 Where we are satisfied that the child's parents have made suitable arrangements it does not have to name a school in part 4 of the child's statement/EHC plan. There should be discussion between us and the parents and rather than the name of the school, part 4 of the statement/EHC plan should mention the type of school we consider appropriate and that "parents have made their own arrangements under section 7 of the Education Act 1996".

3.24 The statement/EHC plan should also specify any provision that we have agreed to make under section 319 of the Education Act 1996 to help parents to provide suitable education for their child at home. If the child who is to be withdrawn from the school is a pupil at a special school, the school must inform the local authority before the child's name can be deleted from the school roll and the authority will need to consider whether the elective home education is suitable before amending part 4 of the child's statement.

3.25 A parent who is educating their child at home may ask us to carry out a statutory assessment or reassessment of their child's special educational needs and we must consider the request within the same statutory timescales and in the same way as for all other requests. We should provide information to home educators detailing the process of assessment and both ours and home educators' responsibilities with regard to provision should the child be given a statement. The

views of the designated medical officer for SEN should be sought by us where a child with a statement/EHC plan is educated at home because of difficulties related to health needs or a disability.

## PART 4

### Developing relationships

4.1 As noted in our introduction to these guidelines, the central aim of this document is to assist us and parents in carrying out our statutory responsibilities/duties with respect to elective home educated children. We hope that this will enable us to build effective relationships with home educators that function to safeguard the educational interests of children and young people: relationships that are rooted in mutual understanding, trust and respect.

4.2 Whilst there is no legal obligation on us or home educators to develop such relationships, doing so will often provide parents with access to any support that is available and allow us to better understand parents' educational provision and preferences. A positive relationship will also provide a sound basis if we are required to investigate assertions from any source that an efficient and suitable education is not being provided.

### Acknowledging diversity

4.3 Parents' education provision will reflect a diversity of approaches and interests. Some parents may wish to provide education in a formal and structured manner, following a traditional curriculum and using a fixed timetable that keeps to school hours and terms. Other parents may decide to make more informal provision that is responsive to the developing interests of their child. One approach is not necessarily any more efficient or effective than another. Although some parents may welcome general advice and suggestions about resources, methods and materials, we will not specify a curriculum or approach which parents must follow.

4.4 Children learn in different ways and at different times and speeds. It is appreciated that parents and their children might require a period of adjustment before finding their preferred mode of learning and that families may change their approach over time. Parents are not required to have any qualifications or training to provide their children with a suitable education. It should be noted that parents of all educational, social, racial, religious and ethnic backgrounds successfully educate children outside the school setting and these factors should not in themselves raise a concern about the suitability of the education being provided.

## Providing information for parents

4.5 The provision of clear information has an important role to play in the promotion of positive relationships. We will provide, where reasonably practical, written information and website links for prospective and existing electively home educating parents that are clear and accurate and which set out the legal position, and roles and responsibilities, in an unambiguous way (see part 5).

## Safeguarding

4.6 The welfare and protection of all children, both those who attend school and those who are educated at home, are of paramount concern and the responsibility of the whole community. Working Together to Safeguard Children 2006 states that all agencies and individuals should aim proactively to safeguard and promote the welfare of children. As with school educated children, child protection issues may arise in relation to home educated children. If any child protection concerns come to light in the course of engagement with children and families, or otherwise, these concerns will immediately be referred to the appropriate authorities using established protocols.

4.7 Parents may choose to employ other people to educate their child, though they themselves will continue to be responsible for the education provided. They will also be responsible for ensuring that those whom they engage are suitable to have access to children. Parents will therefore wish to satisfy themselves by taking up appropriate references and we strongly advise you do this. Tutors employed by us or an agency may also undertake work for home educating parents, in which case CRB checks will have been made.

4.8 Paragraph 2.12 to 2.15 details our duties to make arrangements to safeguard and promote the welfare of children.

## Reviewing policies and procedures

4.9 We review all of our procedures and practices in relation to elective home education on a regular basis to see if improvements can be made to further develop relationships and meet the needs of children and parents. Home education organisations and home educating parents can be involved in this process of review.

4.10 We do bear in mind that Ofsted report on the way we cater for elective home educating families within our area. We will keep home educators and home education support organisations informed of the policies and procedures of Ofsted reviews and any input they may have.

## Part 5

### Support and resources

5.1 When parents choose to electively home educate their children they assume financial responsibility for their children's education.

5.2 We do not receive funding to support home educating families, and the level and type of support we offer will be based upon our limited resources. We do provide written information (which is also available through the internet) on elective home education that is clear and accurate and which sets out the legal position (see paragraphs 4.5 - 4.6). In addition to this we provide contact details for elective home education organisations and colleges.

### The National Curriculum

5.3 Although home educated children are not required to follow the National Curriculum a number do. National Curriculum tests and assessment arrangements are developed and administered by the Qualifications and Curriculum Authority (QCA) on behalf of the Secretary of State. Information to support these arrangements is provided both electronically and in hard copy through the QCA's website at [www.qca.org.uk](http://www.qca.org.uk) or by telephoning their publications office on 08700 606015.

5.4 Information can be found at <https://www.gov.uk/government/organisations/department-for-education> will allow access to the National Curriculum and associated schemes of work, aimed at setting standards across all schools.

### Gypsy, Roma and Traveller Children

5.8 We have an understanding of and are sensitive to, the distinct ethos and needs of Gypsy, Roma and Traveller communities. These families who are electively home educating are treated in the same way as any other families. Home education should not necessarily be regarded as less appropriate than in other communities. When a Gypsy, Roma and Traveller family with children of school age move into our area, they are strongly encouraged to contact us for advice and help to access local educational settings.

Further guidance can be obtained from the DfE's Guide to Good Practice on the education of Gypsy, Roma and Traveller children - Aiming High: Raising the Achievement of Gypsy Traveller Pupils which can be obtained from DfE Publications (reference DfES/0443/2003). Another (external) source of information is [www.gypsy-traveller.org/education/](http://www.gypsy-traveller.org/education/).

## Organisations

5.9 There are organisations supporting parents who educate at home and website details of a range of these are included below. These offer a variety of advice and support to parents educating at home.

We cannot recommend a particular organisation, it would be for the parents to ensure the organisation best suits the needs of the education provision. This list is not exhaustive, but is meant for guidance only:

### Education Otherwise

[www.education-otherwise.net](http://www.education-otherwise.net)

### Home Education Advisory Service

[www.heas.org.uk](http://www.heas.org.uk)

### Home Education UK

[www.home-education.org.uk](http://www.home-education.org.uk)

### Activeo

[www.activeo.co.uk](http://www.activeo.co.uk)

### Faregos

[www.faregos.org](http://www.faregos.org)

### Advisory Centre for Education (ACE) Ltd

[www.ace-ed.org.uk](http://www.ace-ed.org.uk)

### Local Authority

[www.portsmouthparentvoice.org/](http://www.portsmouthparentvoice.org/)

<http://www.portsmouthparentvoice.org/Dynamite.html/>

[www.portsmouthlocaloffer.org/](http://www.portsmouthlocaloffer.org/)



Hampshire Police offer a free electronically accessible resource library called Safe4me as part of their ongoing commitment to working partnership with education and professionals to keep children and young people safe.

Developed in partnership with education experts, Safe4me consists of pre-prepared, age-specific lesson plans and activities which focus on a range of topics specific to risk, law and consequences; the intended outcome of using Safe4me is to better inform and equip children and young people to make positive and safe choices.

<http://www.hampshire.police.uk/internet/advice-and-information/safe4me/>

#### Publications & Materials

5.10 There are a wide range of companies supplying both publications and materials to parents who decide to electively home educate. We have included a small sample for guidance only:

Collins Education

[www.harpercollins.co.uk/about-harpercollins/Imprints/collins-education/](http://www.harpercollins.co.uk/about-harpercollins/Imprints/collins-education/)

Heinemann Educational

[www.heinemann.com](http://www.heinemann.com)

Hodder Education Group

[www.hoddereducation.co.uk](http://www.hoddereducation.co.uk)

Hope Education

[www.hope-education.co.uk](http://www.hope-education.co.uk)

Parsons Education Ltd

[www.pearsoned.co.uk](http://www.pearsoned.co.uk)

Coordination Group Publishers

[www.cgpbooks.co.uk](http://www.cgpbooks.co.uk)



[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)



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# **Elective Home Education**

## **Guidelines for Local Authorities**

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## Ministerial Foreword

Education is a fundamental right for every child and we recognise that parents have the right to choose to educate their child at home rather than at school. These guidelines have been prepared to help local authorities manage their relationships with home educating parents.

Parents are responsible for ensuring that their children receive a suitable education. Where parents have chosen to home educate, we want the home educated child to have a positive experience. We believe this is best achieved where parents and local authorities recognise each other's rights and responsibilities, and work together. These guidelines aim to clarify the balance between the right of the parent to educate their child at home and the responsibilities of the local authority.



Jim Knight  
Minister of State for Schools and Learners



Andrew Adonis  
Parliamentary Under Secretary of State for Schools

# Part 1

## Introduction

- 1.1 Elective home education is the term used by the Department for Children, Schools and Families (DCSF) to describe parents' decisions to provide education for their children at home instead of sending them to school. This is different to home tuition provided by a local authority or education provided by a local authority other than at a school. These guidelines are intended for use in relation to elective home education only. ***Throughout these guidelines, 'parents' should be taken to include all those with parental responsibility, including guardians and carers.***
- 1.2 Children whose parents elect to educate them at home are not registered at mainstream schools, special schools, independent schools, academies, Pupil Referral Units (PRUs), colleges, children's homes with education facilities or education facilities provided by independent fostering agencies. Some parents may choose to engage private tutors or other adults to assist them in providing a suitable education, but there is no requirement for them to do so. Learning may take place in a variety of locations, not just in the family home.
- 1.3 The purpose of these guidelines is to support local authorities in carrying out their **statutory** responsibilities and to encourage good practice by clearly setting out the legislative position, and the roles and responsibilities of local authorities and parents in relation to children who are educated at home.

## Reasons for elective home education

- 1.4 Parents may choose home education for a variety of reasons. The local authority's primary interest should lie in the suitability of parents' education provision and not their reason for doing so. The following reasons for home educating are common, but by no means exhaustive:
  - distance or access to a local school
  - religious or cultural beliefs
  - philosophical or ideological views
  - dissatisfaction with the system
  - bullying
  - as a short term intervention for a particular reason a
  - child's unwillingness or inability to go to school
  - special educational needs
  - parents' desire for a closer relationship with their children.

## Part 2

### The law relating to elective home education

**2.1 The responsibility for a child's education rests with their parents.** In England, education is compulsory, but school is not.

**2.2** Article 2 of Protocol 1 of the European Convention on Human Rights states that:

*"No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions."*

Parents have a right to educate their children at home. Section 7 of the Education Act 1996 provides that:

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

*(a) to his age, ability and aptitude, and*

*(b) to any special educational needs he may have,*

*either by regular attendance at school or otherwise."*

**2.3** The responsibility for a child's education rests with his or her parents. An "efficient" and "suitable" education is not defined in the Education Act 1996 but "efficient" has been broadly described in case law<sup>1</sup> as an education that "achieves that which it sets out to achieve", and a "suitable" education is one that "primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so".

### Parental rights and responsibilities

**2.4** Parents may decide to exercise their right to home educate their child from a very early age and so the child may not have been previously enrolled at school. They may also elect to home educate at any other stage up to the end of compulsory school age. Parents are not required to register or seek approval from the local authority to educate their children at home. Parents who choose to educate their children at home must be prepared to assume full financial responsibility, including bearing the cost of any public examinations. However, local authorities are encouraged to provide support where resources permit - see section 5.

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<sup>1</sup> Mr Justice Woolf in the case of R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust (12 April 1985)

Parents must also ensure that their children receive suitable full-time education for as long as they are being educated at home.

## Local authorities' responsibilities

- 2.5** The DCSF recommends that each local authority provides written information about elective home education that is clear, accurate and sets out the legal position, roles and responsibilities of both the local authority and parents. This information should be made available on local authority websites and in local community languages and alternative formats on request. Local authorities should recognise that there are many approaches to educational provision, not just a "school at home" model. What is suitable for one child may not be for another, but all children should be involved in a learning process.
- 2.6** Local authorities have a statutory duty under section 436A of the Education Act 1996, inserted by the Education and Inspections Act 2006, to make arrangements to enable them to establish the identities, so far as it is possible to do so, of children in their area who are not receiving a suitable education. The duty applies in relation to children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school (for example, at home, privately, or in alternative provision). The guidance issued makes it clear that the duty does not apply to children who are being educated at home.<sup>2</sup>
- 2.7** Local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis.

However, under Section 437(1) of the Education Act 1996, local authorities shall intervene **if it appears** that parents are not providing a suitable education. This section states that:

*"If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education."*

Section 437(2) of the Act provides that the period shall not be less than 15 days beginning with the day on which the notice is served.

- 2.8** Prior to serving a notice under section 437(1), local authorities are encouraged to address the situation informally. The most obvious course of action if the local authority has information that makes it appear that parents are not providing a suitable education, would be to ask parents for further information about the education they are providing. Such a request is not the same as a notice under section 437(1), and is not necessarily a precursor for formal procedures. Parents are under no duty to respond to such enquiries, but it would be sensible for them to do so.<sup>3</sup>

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<sup>2</sup> Statutory Guidance for Local Authorities in England to Identify Children not Receiving Education available at <http://www.everychildmatters.gov.uk/ete/childrenmissingeducation/>.

<sup>3</sup> Phillips v Brown (1980)



**2.9** Section 437(3) refers to the serving of school attendance orders:

*"If-*

*(a) a parent on whom a notice has been served under subsection (1) fails to satisfy the local education authority, within the period specified in the notice, that the child is receiving suitable education, and*

*(b) in the opinion of the authority it is expedient that the child should attend school,*

*the authority shall serve on the parent an order (referred to in this Act as a "school attendance order"), in such form as may be prescribed, requiring him to cause the child to become a registered pupil at a school named in the order."*

**2.10** A school attendance order should be served after all reasonable steps have been taken to try to resolve the situation. At any stage following the issue of the Order, parents may present evidence to the local authority that they are now providing an appropriate education and apply to have the Order revoked. If the local authority refuses to revoke the Order, parents can choose to refer the matter to the Secretary of State. If the local authority prosecutes the parents for not complying with the Order, then it will be for a court to decide whether or not the education being provided is suitable and efficient. The court can revoke the Order if it is satisfied that the parent is fulfilling his or her duty. It can also revoke the Order where it imposes an education supervision order. Detailed information about school attendance orders is contained in *Ensuring Regular School Attendance* paragraphs 6 to 16.<sup>4</sup>

**2.11** Where the authority imposes a time limit<sup>5</sup>, every effort should be made to make sure that both the parents and the named senior officer with responsibility for elective home education in the local authority are available throughout this period. In particular the Department recommends that the time limit does not expire during or near to school holidays when there may be no appropriate point of contact for parents within the local authority.

**2.12** Local authorities also have a duty under section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. This section states:

*"A local education authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children."*

Section 175(1) does not extend local authorities' functions. It does not, for example, give local authorities powers to enter the homes of, or otherwise see, children for the purposes of monitoring the provision of elective home education.

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<sup>4</sup> Available at [www.dcsf.gov.uk/schoolattendance/prosecutions/index.cfm](http://www.dcsf.gov.uk/schoolattendance/prosecutions/index.cfm) From January 2008 the guidance will be entitled *Ensuring Children's Right to Education; Guidance on the Legal Measures available to Secure Regular School Attendance*

<sup>5</sup> A notice given under s.437(1) must be a period of not less than 15 days. An Order continues in force as long as the child is of compulsory school age unless amended by the LA or revoked (s.437(4)).

- 2.13** The Children Act 2004 ("the 2004 Act") provides the legislative framework for developing children's services as detailed in *Every Child Matters: Change for Children*. The background and aims of Every Child Matters can be found on its dedicated website<sup>6</sup>. Section 10 of the 2004 Act sets out a statutory framework for cooperation arrangements to be made by local authorities with a view to improving the well-being of children in their area.
- 2.14** Section 11 of the 2004 Act sets out the arrangements to safeguard and promote the welfare of children. However, this section does not place any additional duties or responsibilities on local authorities over and above section 175(1) of the Education Act 2002. *Statutory Guidance on Making Arrangements to Safeguard and Promote the Welfare of Children under section 11 of the Children Act 2004* has been updated and published in April 2007<sup>7</sup>.
- 2.15** As outlined above, local authorities have general duties to make arrangements to safeguard and promote the welfare of children (section 175 Education Act 2002 in relation to their functions as a local authority and for other functions in sections 10 and 11 of the Children Act 2004). These powers allow local authorities to insist on seeing children in order to enquire about their welfare where there are grounds for concern (sections 17 and 47 of the Children Act 1989). However, such powers do not bestow on local authorities the ability to see and question children subject to elective home education in order to establish whether they are receiving a suitable education.
- 2.16** Section 53 of the 2004 Act sets out the duty on local authorities to, where reasonably practicable, take into account the child's wishes and feelings with regard to the provision of services. Section 53 does not extend local authorities' functions. It does not, for example, place an obligation on local authorities to ascertain the child's wishes about elective home education as it is not a service provided by the local authority.
- 2.17** Section 12 of the 2004 Act and the regulations, made under this section (which came into force on 1 August 2007), provide the legal framework for the operation and maintenance of ContactPoint, due for deployment, initially to the "Early Adopter" local authorities in the North-West of England in September/October 2008, and to all other local authorities and national partners between January and May 2009. ContactPoint will contain only basic demographic and contact information, including the place where the child is educated, on all children in England, which will enable local authorities to identify and contact one another easily and quickly, so they can, where appropriate, provide a coordinated response to a child's needs. Further information about ContactPoint is available on the Every Child Matters website<sup>8</sup>.

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<sup>6</sup> Available at [www.everychildmatters.gov.uk/](http://www.everychildmatters.gov.uk/)

<sup>7</sup> <http://www.everychildmatters.gov.uk/resources-and-practice/IG00042/>

<sup>8</sup> Available at [www.everychildmatters.gov.uk/contactpoint/](http://www.everychildmatters.gov.uk/contactpoint/)

## Part 3

### Clear policies and procedures

- 3.1** The DCSF recommends that each local authority should have a written policy statement on elective home education, and be willing and able to provide guidance for parents who request it. Local authorities should also provide clear details of their complaints procedure and deal with any complaints in a sensitive and timely manner. The DCSF also recommends that local authorities should regularly review their elective home education policies so that they reflect current law and are compatible with these guidelines. It is recommended that local authorities seek input from home educating families and home education organisations in developing their elective home education policies. Home education organisations' contact details may be found through an internet search Paragraphs 4.10 to 4.11 cover reviews of policies and procedures.
- 3.2** All parties involved in elective home education should be aware of their roles, rights and responsibilities. Local authorities' policies should be clear, transparent and easily accessible. Any procedures for dealing with home educating parents and children should be fair, clear, consistent, non-intrusive and timely, in order to provide a good foundation for the development of trusting relationships.
- 3.3** The DCSF recommends that each local authority should have a named senior officer with responsibility for elective home education policy and procedures. This officer should be familiar with home education law, policies and practices. Local authorities should organise training on the law and home education methods for all their officers who have contact with home educating families.

### Contact with parents and children

- 3.4** Local authorities should acknowledge that learning takes place in a wide variety of environments and not only in the home. However, **if it appears** that a suitable education is not being provided, the local authority should seek to gather any relevant information that will assist them in reaching a properly informed judgement. This should include seeking from the parents any further information that they wish to provide which explains how they are providing a suitable education. Parents should be given the opportunity to address any specific concerns that the authority has. The child should also be given the opportunity, but not required, to attend any meeting that may be arranged or invited to express his or her views in some other way. Parents are under no duty to respond to such requests for information or a meeting, but it would be sensible for them to do so.
- 3.5** If it appears to a local authority that a child is not receiving a suitable education it may wish to contact the parents to discuss their ongoing home education provision. Contact should normally be made in writing to the parents to request further information. A written report should be made after such contact and copied to the parents stating whether the authority has any concerns about the education provision and specifying what these are, to give the

child's parents an opportunity to address them. Where concerns about the suitability of the education being provided for the child have been identified, more frequent contact may be required while those concerns are being addressed. Where concerns merit frequent contact, the authority should discuss them with the child's parents, with a view to helping them provide a suitable education that meets the best interests of the child.

- 3.6** Some parents may welcome the opportunity to discuss the provision that they are making for the child's education during a home visit but parents are not legally required to give the local authority access to their home. They may choose to meet a local authority representative at a mutually convenient and neutral location instead, with or without the child being present, or choose not to meet at all. Where a parent elects not to allow access to their home or their child, this does not of itself constitute a ground for concern about the education provision being made. Where local authorities are not able to visit homes, they should, in the vast majority of cases, be able to discuss and evaluate the parents' educational provision by alternative means. If they choose not to meet, parents may be asked to provide evidence that they are providing a suitable education. If a local authority asks parents for information they are under no duty to comply although it would be sensible for them to do so.<sup>10</sup> Parents might prefer, for example, to write a report, provide samples of work, have their educational provision endorsed by a third party (such as an independent home tutor) or provide evidence in some other appropriate form.

## Withdrawal from school to elective home educate

- 3.7** First contact between local authorities and home educators often occurs when parents decide to home educate and approach the school (at which the child is registered) and/or the authority to seek guidance about withdrawing their child from school. It is important that this initial contact is constructive and positive, and local authorities should provide written information (see paragraph 2.5) and direct parents to a range of useful contacts such as those described in paragraph 5.1.
- 3.8** The school must<sup>11</sup> delete the child's name from their admissions register upon receipt of written notification from the parents that the pupil is receiving education otherwise than at school. However, schools should not wait for parents to give written notification that they are withdrawing their child from school before advising their local authority. Schools must<sup>12</sup> make a return (giving the child's name, address and the ground upon which their name is to be deleted from the register) to the local authority as soon as the ground for deletion is met, and no later than deleting the pupil's name from the register. They should also copy parents into the notice to the local authority. Further information is available in *Keeping Pupil Registers*,<sup>13</sup> the Department's guidance on applying the regulations.
- 3.9** If a child is registered at a school as a result of a school attendance order the parents must<sup>14</sup> get the order revoked by the local authority on the ground that arrangements have been made for the child to receive suitable education otherwise than at school, before the child can be deleted from the school's register and educated at home.

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<sup>10</sup> Phillips v Brown (1980)

<sup>11</sup> Regulation 8(1)(a) of the Education (Pupil Registration) (England) Regulations 2006

<sup>12</sup> Regulation 12(3) of the Education (Pupil Registration) (England) Regulations 2006

<sup>13</sup> <http://www.dfes.gov.uk/schoolattendance/legislation/index.cfm>

<sup>14</sup> Regulation 8(1)(a) of the Education (Pupil Registration) (England) Regulations 2006 and section 442 of the Education Act

- 3.10** Local authorities may encourage parents to inform them directly of the withdrawal of a child from school, but have no legal right to insist that parents do so. The only exception to this is where the child is attending a special school under arrangements made by the local authority, in which case additional permission is required from the authority before the child's name can be removed from the register.<sup>15</sup>
- 3.11** Local authorities should bear in mind that, in the early stages, parents' plans may not be detailed and they may not yet be in a position to demonstrate all the characteristics of an "efficient and suitable" educational provision. In such cases, a reasonable timescale should be agreed for the parents to develop their provision.
- 3.12** Schools must not seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record. In the case of exclusion, they must follow the statutory guidance. If the pupil has a poor attendance record, the school and local authority must address the issues behind the absenteeism and use the other remedies available to them.

## Providing a full-time education

- 3.13** Parents are required to provide an efficient, full-time education suitable to the age, ability and aptitude of the child. There is currently no legal definition of "full-time". Children normally attend school for between 22 and 25 hours a week for 38 weeks of the year, but this measurement of "contact time" is not relevant to elective home education where there is often almost continuous one-to-one contact and education may take place outside normal "school hours". The type of educational activity can be varied and flexible. Home educating parents are not required to:

- teach the National Curriculum
- provide a broad and balanced education
- have a timetable
- have premises equipped to any particular standard
- set hours during which education will take place
- have any specific qualifications
- make detailed plans in advance
- observe school hours, days or terms
- give formal lessons
- mark work done by their child
- formally assess progress or set development objectives
- reproduce school type peer group socialisation
- match school-based, age-specific standards.

However, local authorities should offer advice and support to parents on these matters if requested.

- 3.14** It is important to recognise that there are many, equally valid, approaches to educational provision. Local authorities should, therefore, consider a wide range of information from home educating parents, in a range of formats. The information may be in the form of specific examples of learning e.g. pictures/paintings/models, diaries of educational activity, projects, assessments, samples of work, books, educational visits etc.
- 3.15** In their consideration of parents' provision of education at home, local authorities may reasonably expect the provision to include the following characteristics:
- consistent involvement of parents or other significant carers - it is expected that parents or significant carers would play a substantial role, although not necessarily constantly or actively involved in providing education
  - recognition of the child's needs, attitudes and aspirations
  - opportunities for the child to be stimulated by their learning experiences
  - access to resources/materials required to provide home education for the child - such as paper and pens, books and libraries, arts and crafts materials, physical activity, ICT and the opportunity for appropriate interaction with other children and other adults.
- 3.16** If a local authority considers that a suitable education is not being provided, then a full written report of the findings should be made and copied to the parents promptly, specifying the grounds for concern and any reasons for concluding that provision is unsuitable. If the authority is not satisfied that a suitable education is being provided, and the parents, having been given a reasonable opportunity to address the identified concerns and report back to the authority have not done so, the authority should consider sending a formal notice to the parents under section 437 (see paragraph 2.7) before moving on, if needed, to the issuing of a school attendance order (section 437(1)). See paragraphs 2.9 - 2.11.

## Children with Special Educational Needs (SEN)

- 3.17** Parents' right to educate their child at home applies equally where a child has SEN. This right is irrespective of whether the child has a statement of special educational needs or not. Where a child has a statement of SEN and is home educated, it remains the local authority's duty to ensure that the child's needs are met.
- 3.18** Local authorities must have regard to the *Special Educational Needs Code of Practice*<sup>16</sup>. Although this document primarily covers special educational needs in the school and early years' settings, it does give information about SEN in relation to home education (paragraphs 8.91 - 8.96 of the Code). The Code of Practice emphasises the importance of local authorities and other providers working in partnership with parents. The Code of Practice is statutory guidance and schools, local authorities and others to whom it applies must have regard to it. This means that, apart from the references to the law, these bodies do not have to follow the Code to the letter but they must be able to justify any departure from its guidance. The foreword states that the Code is designed to help these bodies to "make effective decisions but it does not - and could not - tell them what to do in each individual case".

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<sup>16</sup> SEN Code of Practice is available at: <http://www.teachernet.gov.uk/docbank/index.cfm?id=3724>



- 3.19** If the parents' attempt to educate the child at home results in provision that falls short of meeting the child's needs, then the parents are not making "suitable arrangements", and the authority could not conclude that they were absolved of their responsibility to arrange the provision in the statement. Parents need only provide an efficient, full-time education suitable to the age, ability and aptitude and to any special educational needs the child may have as defined in Section 7 of the Education Act 1996. It is the authority's duty to arrange the provision specified in the statement, unless the child's parent has made suitable provision, for as long as a statement is maintained. In some cases a combination of provision by parents and LA may best meet the child's needs. Local authorities should consider, for example, providing access to additional resources or treatments where appropriate.<sup>17</sup>
- 3.20** Even if the local authority is satisfied that parents are making suitable arrangements, it remains under a duty to maintain the statement and review it annually, following procedures set out in chapter 9 of the SEN Code of Practice. In some circumstances the child's special educational needs identified in the statement will have been related to the school setting and the child's needs may readily be met at home by the parents without LA supervision. It may be appropriate, once it is established that a child's special needs are being met without any additional support from the LA, to consider ceasing to maintain the statement. This may be done at the annual review or at any other time. Where the statement is reviewed it should be made clear to parents that they are welcome to attend, but they are not obliged to do so.
- 3.21** Where the authority is satisfied that the child's parents have made suitable arrangements it does not have to name a school in part 4 of the child's statement. There should be discussion between the authority and the parents and rather than the name of the school, part 4 of the statement should mention the type of school the LA considers appropriate and that "parents have made their own arrangements under section 7 of the Education Act 1996".
- 3.22** The statement should also specify any provision that the local authority has agreed to make under section 319 of the Education Act 1996 to help parents to provide suitable education for their child at home. If the child who is to be withdrawn from the school is a pupil at a special school, the school must inform the local authority before the child's name can be deleted from the school roll and the authority will need to consider whether the elective home education is suitable before amending part 4 of the child's statement.
- 3.23** A parent who is educating their child at home may ask the local authority to carry out a statutory assessment or reassessment of their child's special educational needs and the local authority must consider the request within the same statutory timescales and in the same way as for all other requests. Local authorities should provide information to home educators detailing the process of assessment and both local authorities' and home educators' responsibilities with regard to provision should the child be given a statement. The views of the designated medical officer for SEN should be sought by the local authority where a child with a statement is educated at home because of difficulties related to health needs or a disability.



## Part 4

### Developing relationships

- 4.1** As noted in the Introduction to these guidelines, the central aim of this document is to assist local authorities in carrying out their statutory responsibilities with respect to elective home educated children. The DCSF hopes that this will enable local authorities to build effective relationships with home educators that function to safeguard the educational interests of children and young people: relationships that are rooted in mutual understanding, trust and respect. The guidelines outline a number of recommendations that are geared towards the promotion of such relationships.
- 4.2** Whilst there is no legal obligation on local authorities or home educators to develop such relationships, doing so will often provide parents with access to any support that is available and allow authorities to better understand parents' educational provision and preferences. A positive relationship will also provide a sound basis if the authority is required to investigate assertions from any source that an efficient and suitable education is not being provided.

### Acknowledging diversity

- 4.3** Parents' education provision will reflect a diversity of approaches and interests. Some parents may wish to provide education in a formal and structured manner, following a traditional curriculum and using a fixed timetable that keeps to school hours and terms. Other parents may decide to make more informal provision that is responsive to the developing interests of their child. One approach is not necessarily any more efficient or effective than another. Although some parents may welcome general advice and suggestions about resources, methods and materials, local authorities should not specify a curriculum or approach which parents must follow.
- 4.4** Children learn in different ways and at different times and speeds. It should be appreciated that parents and their children might require a period of adjustment before finding their preferred mode of learning and that families may change their approach over time. Parents are not required to have any qualifications or training to provide their children with a suitable education. It should be noted that parents of all educational, social, racial, religious and ethnic backgrounds successfully educate children outside the school setting and these factors should not in themselves raise a concern about the suitability of the education being provided.

### Providing information for parents

- 4.5** The provision of clear information has an important role to play in the promotion of positive relationships. Local authorities should provide written information and website links for prospective and existing electively home educating parents that are clear and accurate and which set out the legal position, and roles and responsibilities, in an unambiguous way. We also recommend that contact details for home education support organisations should be provided. Home education organisations' contact details may be found through an internet search. All written information should be made available to parents in local community

languages and alternative formats on request. From April 2008 local authorities will have a legal duty<sup>18</sup> to broaden the information they make available to parents to support their children.

- 4.6** As noted in paragraph 3.3 we recommend that local authorities should, if the parents wish, provide them with a named contact within the authority who is familiar with elective home education policy and practice and has an understanding of a range of educational philosophies. If the authority invites parents to meet the named contact (see paragraph 3.6), any such meeting should take place at a mutually acceptable location and the child concerned should also be given the opportunity, but not be required, to attend that meeting, or otherwise to express his or her views. Either during such a meeting, or otherwise, the parents and the authority should consider and agree what future contact there will be between them, recognising that in many instances such contact might be beneficial but is not legally required.

## Safeguarding

- 4.7** The welfare and protection of all children, both those who attend school and those who are educated at home, are of paramount concern and the responsibility of the whole community. *Working Together to Safeguard Children 2006*<sup>19</sup> states that all agencies and individuals should aim proactively to safeguard and promote the welfare of children. As with school educated children, child protection issues may arise in relation to home educated children. If any child protection concerns come to light in the course of engagement with children and families, or otherwise, these concerns should immediately be referred to the appropriate authorities using established protocols.<sup>20</sup>
- 4.8** Parents may choose to employ other people to educate their child, though they themselves will continue to be responsible for the education provided. They will also be responsible for ensuring that those whom they engage are suitable to have access to children. Parents will therefore wish to satisfy themselves by taking up appropriate references and local authorities should encourage them to do this. A small number of local authorities choose to assist home-educating parents in this task by undertaking Criminal Records Bureau (CRB) checks free of charge on independent home tutors and the DCSF endorses this helpful practice. Tutors employed by a local authority or an agency may also undertake work for home educating parents, in which case CRB checks ought to have been made already.
- 4.9** Paragraph 2.12 to 2.15 details local authorities' duties to make arrangements to safeguard and promote the welfare of children.

<sup>18</sup> Section 12 of the Childcare Act 2006

<sup>19</sup> *Working Together to Safeguard Children, 2006* is available at: <http://www.everychildmatters.gov.uk/resources-and-practice/IG00060/>

<sup>20</sup> *Working Together to Safeguard Children 2006*

## Reviewing policies and procedures

- 4.10** Local authorities should review all of their procedures and practices in relation to elective home education on a regular basis to see if improvements can be made to further develop relationships and meet the needs of children and parents. Home education organisations and home educating parents should be involved in this process of review. Effective reviews, together with the sensitive handling of any complaints, will help to secure effective partnership.
- 4.11** Local authorities should bear in mind that Ofsted report on the way local authorities cater for elective home educating families within their areas. Local authorities should keep home educators and home education support organisations informed of the policies and procedures of Ofsted reviews and any input they will have.

## Part 5

### Support and resources

- 5.1** When parents choose to electively home educate their children they assume financial responsibility for their children's education.
- 5.2** Local authorities do not receive funding to support home educating families, and the level and type of support will therefore vary between one local authority and another. However, we recommend that all local authorities should adopt a consistent, reasonable and flexible approach in this respect, particularly where there are minimal resource implications. As a minimum, local authorities should provide written information (which is also available through the internet) on elective home education that is clear and accurate and which sets out the legal position (see paragraphs 4.5 - 4.6). Some local authorities may be able to offer additional support to home educating parents, but this will vary depending on their resources. Examples of additional support include:
- provision of a reading or lending library with resources for use with the home educated children
  - free, or discounted, admission into community programmes (including local authority owned community and sports facilities)
  - access to resource centres (including local school resources where feasible)
  - National Curriculum materials and curricula offered by other educational institutions
  - information about educational visits and work experience
  - providing assistance with identifying exam centres willing to accept external candidates.

### The National Curriculum

- 5.3** Although home educated children are not required to follow the National Curriculum a number do. National Curriculum tests and assessment arrangements are developed and administered by the Qualifications and Curriculum Authority (QCA) on behalf of the Secretary of State. Information to support these arrangements is provided both electronically and in hard copy through the QCA's website at [www.qca.org.uk](http://www.qca.org.uk) or by telephoning their publications office on 08700 606015.
- 5.4** In addition, the DCSF's website at [www.dcsf.gov.uk](http://www.dcsf.gov.uk) will allow access to the National Curriculum and associated schemes of work, aimed at setting standards across all schools. Some documents are also distributed via Departmental publications which can be accessed through links on the Stationery Office site at [www.tso.co.uk/](http://www.tso.co.uk/) or by telephoning 0845 602 2260.

## Connexions Service

- 5.5** The Connexions Service is an England only service. Its purpose is to provide support to all 13 to 19 year olds and to young people who have not yet reached 25 years if they have a learning difficulty, in order to encourage, enable or assist their effective participation in education or training. The Connexions Service also assists young people to obtain suitable employment and related training and education. Its services and responsibilities cover children and young people who are being educated at home. From April 2008 each local authority will be funded and have responsibility for the provision of Connexions services in its area. The local Connexions Service is responsible for maintaining an overview of the learning and work status of all young people that are covered by its remit and seeks to ensure that none fall between the responsibilities and remit of different agencies and thus become marginalized or lost to the system. Sections 117, 119 and 120 of the Learning and Skills Act 2000 make provision about the supply of information to Connexions providers, subject to normal data protection principles.

## Flexi-schooling

- 5.6** This paragraph has been removed (March 2013). See main web page on Elective Home Education guidelines.

## Local authorities' role in supporting work experience

- 5.7** Work experience is not a statutory requirement. However, the Government's objective is for all Key Stage 4 pupils to undertake work experience in the last two years of compulsory schooling. Over 95% of Key Stage 4 pupils go on placements each year. The law relating to the employment of children generally places statutory restrictions and prohibitions on employers in this respect. Where the employment is in accordance with arrangements made by a local authority or a governing body, with a view to providing pupils with work experience as part of their education in their last two years of compulsory schooling, these restrictions will generally not apply.<sup>22</sup>
- 5.8** Children educated at home have no entitlement to participate in work experience under arrangements made by a local authority but we encourage local authorities to assist the parents of home educated children who wish to pursue work experience through such arrangements. Where home educated children do participate in such schemes, consideration should be given to the extent to which such children are covered by, for example, the health and safety, child protection and insurance provision made on behalf of school children, often by intermediary bodies, which are necessary to safeguard the child.

<sup>22</sup> see section 560 of the Education Act 1996, as amended by section 112 of the School Standards and Framework Act 1998

## Education Maintenance Allowance

- 5.9** Education Maintenance Allowance is an income tested weekly allowance available to learners over the age of 16 as an incentive to stay on in education at school or college after GCSEs. It is not available to learners whose parents elect to home educate them after the age of 16.

## Truancy sweeps

- 5.10** When planning and running truancy sweeps, LAs should refer to the DCSF's *School Attendance and Exclusions Sweeps Effective Practice*<sup>23</sup>. This includes a section on children who are educated outside the school system. Those taking part in the sweeps, including police officers, police community support officers, local authority staff and anyone else taking part in the sweep should be fully familiar with this guidance, act in accordance with it and be aware that there is a range of valid reasons why compulsory school-age children may be out of school.

## Gypsy, Roma and Traveller Children

- 5.11** Local authorities should have an understanding of and be sensitive to, the distinct ethos and needs of Gypsy, Roma and Traveller communities. It is important that these families who are electively home educating are treated in the same way as any other families. Home education should not necessarily be regarded as less appropriate than in other communities. When a Gypsy, Roma and Traveller family with children of school age move into an area, they are strongly encouraged to contact the local Traveller Education Support Service for advice and help to access local educational settings. Most LAs provide such a service. Further guidance can be obtained from the DCSF's Guide to Good Practice on the education of Gypsy, Roma and Traveller children - *Aiming High: Raising the Achievement of Gypsy Traveller Pupils* which can be obtained from DCSF Publications (reference DfES/0443/2003). Another (external) source of information is [www.gypsy-traveller.org/education/](http://www.gypsy-traveller.org/education/).

## Gifted and talented children

- 5.12** Although the Department does not have hard data, anecdotal evidence suggests that many home educated children would be identified as gifted and talented were they to attend a school. Some home educated children are likely to be exceptionally able; others will have additional educational needs.
- 5.13** Local authority support for home educated children should take into account whether they might be gifted and talented. Through the lead officers for gifted and talented education, these children may be able to access local and regional learning opportunities alongside pupils from local schools. Authorities are encouraged to draw parents' attention to Young Gifted and Talented (YG&T), the Learner Academy for gifted and talented children and young people aged 4-19. YG&T is available to home-educated learners as well as to those in schools. They can access free and priced opportunities advertised in its Learner Catalogue, use its discussion forums and benefit from other resources and support as they become available. Electively home educated children and their parents can register with YG&T at [www.dcsf.gov.uk/ygt](http://www.dcsf.gov.uk/ygt).

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[www.dcsf.gov.uk](http://www.dcsf.gov.uk)

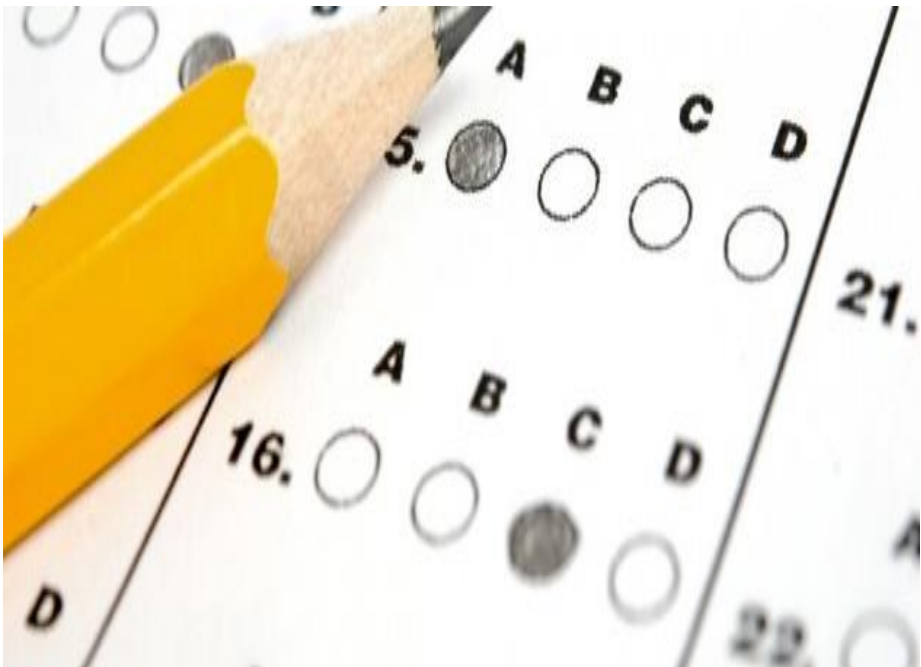
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# Elective Home Education (Frequently Asked Questions)

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)



## **What is elective home education (EHE)?**

Elective Home Education is where parents/carers decide to home educate their child instead of sending them to school. The parent/carer would have full responsibility for providing a full time education suitable to the child's age, ability and aptitude and any special educational needs (SEN) they may have.

## **Why do parents choose to electively home educate their child?**

Parents choose to home educate for many reasons often based on their cultural, religious and philosophical views. However sometimes they make this decision as they feel they have no option and that it is in the best interest of their child to withdraw them from school. This can often be the case where they feel their child's special educational needs are not being met or they are concerned about bullying or other problems.

If you are considering home educating your child because of an unresolved issue or disagreement with the school, we would advise you to ensure you have spoken to the school directly and made them fully aware of your concerns before making this decision. It would also be advisable to contact the School Attendance Team at Portsmouth City Council to discuss your options before making the important decision to deregister them from the school roll.

**It is vital that parents/carers do not feel pressured into believing this is the only course of action open to you especially if educating at home is not what you really want to do.**

## **Do I need permission to electively home educate my child?**

No, you do not need permission to home educate your child unless they have a statement of special educational needs or an education health and care plan, in which case you should contact the LA Special Education Needs and Disability (SEND) Team before removing your child from the school roll.

## **How do I de-register my child to educate them at home?**

You are required to inform the school in writing that you intend to home educate your child at which point the school will deregister them from their roll.

Please note that schools have a legal duty to inform the Local Authority when a pupil is removed from their roll.

## **Would I get any financial help to educate my child?**

No, you would not receive any financial help towards educating your child at home. You will need to consider the cost of all resources required ie. writing equipment, text books, paper, examination fees, college placements, educational visits etc when making the decision.

## **Would I have to teach the National Curriculum?**

No, the National Curriculum only applies to state schools. You should, however, consider the effect it may have on your child if the National Curriculum is not followed. It could cause your child to fall behind in terms of their social/academic achievement compared to other children of their age who are attending a school.

## **Would my child still be able to take exams?**

Yes, but you would need to enrol with an examination board and find out where your local examination centres are. You would also need to consider the cost of the examinations, if coursework is required and whether the education that you are going to provide would enable your child to achieve the relevant qualifications they require for college, training courses etc.

## **Would I need to teach my child during school hours?**

No, you are able to teach your child on any day of the week and choose the hours that you feel are suitable for your situation. You should consider that children in schools receive around 25 hours education a week, over 39 weeks a year, this is considered full time education.

## **Is elective home education the same as home tuition?**

No, Local Authorities provide home tuition if a child has a long term, evidenced illness/condition preventing them from attending school. If your child is home educated the Local Authority does not provide, nor recommend, tutors for you to contact.

## **What if the education I provide is not satisfactory?**

In the majority of cases, families who choose to home educate provide their child with a good education. However, if it appears that the education you are providing is unsatisfactory, the Local Authority may issue a School Attendance Order which will require parent/carers to place their child on the roll of an identified school.

## **Can I change my mind once I have decided to home educate my child?**

Yes, quite often children or their parents find that home education is not for them. We can advise you on how to get your child back into a school and depending on the circumstances this might mean returning to the school from which your child was deregistered initially, although clearly applications can be made to alternative schools with available places by parent/carers.

## **What happens to my child's Education Health and Care Plan if I choose to home educate them?**

Parents have a right to educate their child at home where a child has special educational needs, irrespective of whether the child has an Education Health Care Plan/statement of special educational needs or not. It does, however, remain the duty of the Local Authority to maintain the statement/EHC plan and review it annually, following procedures set out in chapter 9 of the SEN Code of Practice.

## **Can I speak to somebody if I have any further questions about Elective Home Education?**

Yes, you can contact the Local Authority's School Attendance Team (details below) who will be happy to answer any questions you may have.

Please be aware that this leaflet only gives general advice in relation to Elective Home Education. Should you require further information please contact us or view Portsmouth City Council's Elective Home Education Guidance available on the Portsmouth Local Offer. Alternatively you can view the Elective Home Education Guidance produced by the Department for Education (links below)

[www.portsmouthlocaloffer.org](http://www.portsmouthlocaloffer.org) and search for Elective Home Education

[Dfe Elective Home Education Guidance](#)

**School Attendance Team** Telephone: 023 9284 1419  
email: [electivehomeeducation@portsmouthcc.gov.uk](mailto:electivehomeeducation@portsmouthcc.gov.uk)

**SEND Team** Telephone: 023 9284 1238  
email: [seneducation@portsmouthcc.gov.uk](mailto:seneducation@portsmouthcc.gov.uk)

**Report To:** PSCB - 19<sup>th</sup> July 2017  
**Report By:** Julia Katherine - Head of Inclusion  
**Report Date:** 23<sup>rd</sup> June 2017  
**Report Title:** Elective Home Education (EHE)

## **Recommendations**

It is recommended that the PSCB notes the following:

1. Information is available to enable parents/carers to make informed choices when considering to electively home educate their children.
2. Schools have a responsibility not to persuade parents to electively home educate and to keep children on roll whilst any issues are resolved rather than de-registering and then trying to remedy problems.
3. The local authority has a responsibility to make efforts to ensure that children are receiving a suitable education.

## **1. Purpose of this report**

1.1 The purpose of this report is to:

- Inform the Board of the roles and responsibilities of parents, schools and the local authority in relation to Elective Home Education (EHE).
- To assure the Board that robust processes are in place to ensure that these responsibilities are carried out in the interests of safeguarding children.

## **2. Definition**

2.1 Elective Home Education is the term used by the Department for Education to describe parents' decisions to provide education for their children at home instead of sending them to school. The responsibility for a child's education rests with their parents. In England, education is compulsory, but school is not.

## **4. Responsibilities of parents, schools and the Local Authority in relation to Elective Home Education**

3.1 Parents may decide to exercise their right to home educate their child from a very early age and so the child may not have been previously enrolled at school. They may also elect to home educate at any other stage up to the end of compulsory school age. Parents are not required to register or seek approval from the local authority to educate their children at home.

3.2 Schools responsibilities are to ensure that parents are not persuaded to electively home educate, to resolve any issues before a parent makes the decision to EHE and to retain the pupil on roll until they have a letter from the parent that explicitly

states in writing that they wish to EHE (at this point school should send a migration report to the [childrenmissingeducation@portsmouthcc.go.uk](mailto:childrenmissingeducation@portsmouthcc.go.uk) (or place on SSE) and a copy of the letter detailing this to [electivehomeeducation@portsmouthcc.gov.uk](mailto:electivehomeeducation@portsmouthcc.gov.uk))

- 3.3 Local authorities have a statutory duty under section 436A of the Education Act 1996, inserted by the Education and Inspections Act 2006, to make arrangements to enable them to establish the identities, so far as it is possible to do so, of children in their area who are not receiving a suitable education. The duty applies in relation to children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school.

Portsmouth City Council delivers its statutory duty by employing an attendance officer with this responsibility, keeping a record of children who are EHE, making contact and offering a visit at least once a year, referring on to the MASH if there are any concerns etc. We offer an annual visit, however and if there are any concerns from MASH they would contact EHE for information as and when they need it.

## 5. Local trend data

<b>Academic Year</b>	<b>2010/1 1</b>	<b>2011/1 2</b>	<b>2012/1 3</b>	<b>2013/1 4</b>	<b>2014/1 5</b>	<b>2015/1 6</b>	<b>2016/1 7</b>
<b>Number of Pupils who have at some point been registered as Electively Home Educated at some point within the academic year</b>	101	139	143	191	205	221	

### 5.1 Current Snapshot (June 2017) by year group

<b>Year Group</b>	<b>R</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>
<b>Total</b>	6	8	6	11	10	8	5	17	12	21	28	22

## 5.2 Current Snapshot (June 2017) by school

	Year Group												
Last School attended	R	1	2	3	4	5	6	7	8	9	10	11	Total
Priory								3		3	2	3	11
Mayfield									1	1	1	5	8
The Portsmouth Academy								1		1	2	3	7
Charter Academy									1	4	1		6
King Richard School										1	3	2	6
Highbury Primary				2		2			1				5
Admiral Lord Nelson School									1		3		4
Portsmouth Grammar School										1		3	4
St George's C of E Primary	1				1	1					1		4
St Jude's Primary		1			1	1		1					4
Trafalgar								2		1			3
Medina Primary				1	2								3
Milton Park				1	1			1					3
St Edmund's									1	1		1	3
Beacon View Primary Academy				1	1								2
Fernhurst Junior								1	1				2
Gatcome Park Primary							1	1					2
Meon Junior				1		1							2
Miltoncross											2		2
Moorings Way Infant		1	1										2
Northern Parade Infants		1	1										2
St John's College											2		2
The Harbour School										1	1		2
Arundel Court Primary									1				1
College Park Infant School		1											1
Cottage Grove Primary School							1						1
Devonshire Infant				1									1
Meon Infant			1										1
Meredith Infant								1					1
Northern Parade Juniors									1				1
Solent Infant		1											1
Solent Junior							1						1
Ark Ayrton									1				1
Springfield										1			1
St John's Cathedral Primary		1											1
St Paul's Catholic Primary								1					1
St Swithun's Catholic Primary					1								1
The Victory Primary School										1			1
Westover Primary											1		1
Wimborne Infant											1		1
Out of Area/Not Known	6	2	3	4	3	3	2	5	3	5	8	5	50
Grand Total	7	8	6	11	10	8	5	17	12	21	28	22	156

## 5.3 Additional information

In relation to visits, off the 156

- 5% parents meet at an alternative venue
- 35% parent have a home visit
- 17% parents submit reports
- 36% parents do not wish any meetings/send reports/respond to letters
- 7% parents have yet to respond

In relation to the pupils SEN

- 79% have no recorded SEN by the school they most recently attended,
- 10% were on SEN Support (formerly School Action or School Action + and
- 11% have an Education Health and Care plan (or statement of SEN)
- Of those 22 who are SEN support or EHCP, 12 wish for no contact, 1 sent a report and 9 have had visits

Mash are made aware of 100% of the cases of parents who decide to deregister to EHE



- 3% of EHE pupils in this typical snapshot have a CiN plan, 2% have a CP plan and 95% have no social care involvement. Of these none have wanted a visit. 1 provided a report and 2 have school attendance orders active, the other has just completed Y11, so not pursued.

We currently have 11 open with ongoing School Attendance Orders, where we feel that a suitable education is not taking place (7%) plus we have 3 pupils (2%) who have recently been prosecuted where there is still no evidence that an education is taking place. One is with SEND, one is going to Inclusion Support Panel and one attends The Harbour School 1 day per week for the young parents group.

## 5.4 Comparison with national data

There are no national comparators published on Elective Home Education however the following link <https://www.theguardian.com/education/2016/apr/12/home-schooling-parents-education-children-england> suggests that from

*'..freedom of information responses provided to Education Guardian indicate numbers are rising. Responses from 134 of England's 153 local education authorities list 30,298 children as receiving home education in 2014-15. Of these, 13,007 are of primary age, and 17,291 of them are between 11 and 16.*

*Among 103 authorities that provided data back to 2011-12, the number of primary-age children recorded as home educated rose by 60% in the three academic years to 2014-15. In the secondary phase, the increase was 37%...*

*...About 85% of local authorities documented a rise in home education over those three years, with 27 authorities reporting a doubling of numbers.*

*This may be part of a longer trend. Last December, the [BBC reported](#) home education numbers had risen 65% across England and Wales in the six years to 2014-15, while in 2007, [Channel 4 News](#) documented a 61% increase in home educated children in the five years from 2002'*

## 6 Reasons for Elective Home Education

6.1 It is difficult to give the reasons behind the increase and definitively why a parent elects to home educate but in Portsmouth it would seem to be that there are 3 cohorts

- Those who have actively chosen to electively home educate
- Those who have chosen this as a temporary option (sometimes because they have not obtained the school of their selection)
- Those who are using this to remove a pupil from a school roll but who generally do not have the intention of home educating.

6.2 This final cohort are those that we would have most concern for as often relationships have broken down with their school, they are being pursued for non-attendance or the parent is dissatisfied with what the school are offering, usually by way of support.

- 6.3 Another reason that a child may become electively home educated (and indeed sometimes advised by school to do so) because of the following guidance on access to funding for college placements that other the pupil would not be able to access or the mainstream school would have to pay for.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/294898/revised\\_funding\\_guidance\\_-\\_local\\_authorities\\_on\\_home\\_educated\\_children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/294898/revised_funding_guidance_-_local_authorities_on_home_educated_children.pdf)

<http://edyourself.org/articles/WolfReport.php#14-16collegelatest>

*'College places for home educated 14-16s in England are free. Home educated young people aged 14-16 in England are able to attend college part-time or full-time and the Government (Education Funding Agency) will pay for the course. It is up to the colleges whether or not to admit under-16s. These students can do any course agreed by the college, not just a designated 14-16 course, although many colleges still don't offer GCSE courses. The rules are different for home educated young people because the parent retains responsibility and so the college does not have to make special arrangements for pastoral care or offer a full curriculum. DfE says arrangements are between the parents and the college and do not need to involve the local authority at all.'*

- 6.4 There are currently 7 pupils in Portsmouth who will fit this category and be attending Southdowns in September. We are not aware of it happening through other colleges at this time.

## **7.0 Recommendations and further actions**

- 7.1 It is essential to ensure that when parents/carers are making the decision to electively home educate their children, they are enabled to make an informed decision. To facilitate this, the PCC School Attendance Team have developed a Frequently Asked Questions document which sets out parents/carers rights and responsibilities and is available on the local offer website: [www.portsmouthlocaloffer.org/local-offer-search/item/202](http://www.portsmouthlocaloffer.org/local-offer-search/item/202) . In addition Portsmouth Parent Voice have held two events for parents with EHE as the focus.
- 7.2 Schools are made aware of their responsibilities via PCC website, information placed on the schools Shared Secure Environment (SSE), schools' bulletin and the School attendance network. In addition it is proposed that there is a role for the Director of Children's Services in writing to schools where there has been a cluster of families choosing to electively home educate to ensure that correct processes have been followed and that where there have been concerns, these have been followed up or referred on to the correct agency.
- 7.3 The local authority regular reviews processes and procedures to ensure that these are robust in ensuring that statutory duties are carried out, in this case these include duties in relation to safeguarding and ensuring that children have access to an appropriate education. This year, for example, in order to better understand the reasons for parents/carers opting to electively home educate, the LA School Attendance Team have developed a post deregistration questionnaire which has

been in use since April. So far 55% of families have responded to this. As and when any patterns develop from this data collection recommendations and potential challenge of schools will follow.

## 7 Supporting Documents and Links

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/288135/guidelines\\_for\\_las\\_on\\_elective\\_home\\_educationsecondrevisev2\\_0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/288135/guidelines_for_las_on_elective_home_educationsecondrevisev2_0.pdf)

