

<b>Meeting of:</b>	<b>CABINET</b>
<b>Date of Meeting:</b>	<b>24 SEPTEMBER 2024</b>
<b>Report Title:</b>	<b>ELECTIVE HOME EDUCATION POLICY</b>
<b>Report Owner / Corporate Director:</b>	<b>CORPORATE DIRECTOR - EDUCATION, EARLY YEARS AND YOUNG PEOPLE</b>
<b>Responsible Officer:</b>	<b>MARK LEWIS GROUP MANAGER – EARLY YEARS AND YOUNG PEOPLE</b>
<b>Policy Framework and Procedure Rules:</b>	<b>There is no effect upon the policy framework or procedure rules.</b>
<b>Executive Summary:</b>	<b>The current guidance document in relation to elective home education (EHE) was last updated in 2007. There have been a number of legislative changes since this date which are now reflected in the policy document attached at Appendix 1. The local authority is required to have a policy document in relation to EHE to implement its legal duty.</b>

## **1. Purpose of Report**

- 1.1 The purpose of this report is to seek Cabinet approval of an Elective Home Education Policy.

## **2. Background**

- 2.1 The current guidance document in relation to elective home education (EHE) was last updated in 2007. There have been a number of legislative changes since this date which are now reflected in the policy document attached at **Appendix 1**. The policy if approved by Cabinet will replace all previous guidance.
- 2.2 The local authority is required to have a policy document in relation to EHE to implement its legal duty.

## **3. Current situation / proposal**

- 3.1 An EHE policy is essential and contributes to the wellbeing and educational rights of children and young people. The local authority is required to comply with a variety of legislative frameworks that enables it to implement its legal duty under the Education Act 1996.

- 3.2 Every child has a right to education. Section 7 of the Education Act 1996 indicates that it is the duty of parents/carers of every child of compulsory school age to “receive efficient, full-time education suitable to his/her age, ability and aptitude and to any special educational needs he/she may have either by regular attendance at school or otherwise”. Most parents/carers fulfil this duty by school enrolment. The EHE policy enables the local authority to collect data on the number of home-educated children, the demographics of these families and the educational approaches being used.
- 3.3 The local authority supports the rights of parents/carers to educate their child at home under section 7 of the Education Act 1996. An EHE policy authorises the local authority to certify that the parental provision provided at home is meeting the required acceptable standards. The EHE policy supports a proactive approach and can help prevent educational neglect and ensure children are receiving a quality education. An EHE policy allows the local authority to issue School Attendance Orders (SAO) in line with Section 437 to 443 of the Education Act 1996, if they are not satisfied with the evidence of elective home education provided. Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) provides a right for children to express their views, the local authority will meaningfully consider the view of the child when making judgement as to the suitability of education.
- 3.4 The EHE policy enables the local authority to uphold its duty under section 175 (1) of the Education Act 2002 to safeguard and promote the welfare of children. The EHE policy supports the local authority to monitor and safeguard vulnerable children, ensuring that appropriate measures are in place to protect their welfare.
- 3.5 The EHE policy identifies that a child missing their right to an education is a potential safeguarding concern due to the potential for their development to be impaired, therefore a child appearing to be missing education is something that all professionals have a duty to report. When such concerns are raised, the local authority will then adhere to its children missing education (CME) process to ascertain if the learner is on roll at a school, is effectively being EHE or is indeed CME. The local authority has an obligation to ensure that all children of statutory school age living in the Bridgend area are in receipt of a suitable education either at school or otherwise.
- 3.6 An EHE policy encourages the local authority to work with parents/carers of electively home educated learners and additionally collaborate with various agencies including schools, social services, health and police if there is an identified need. A multi-agency approach is crucial for information sharing and allowing a more comprehensive support system for children and families.
- 4. Equality implications (including Socio-economic Duty and Welsh Language)**
- 4.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected

characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

## **5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives**

5.1 Summary on the Well-being of Future Generations (Wales) Act 2015 assessment is listed below:

<b>Long-term</b>	Children and families are enabled to take control and responsibility for the care and protection without intervention from the local authority.
<b>Prevention</b>	Schools having robust, effective and graduated responses that are understood across the school will ensure children and staff are protected from harm.
<b>Integration</b>	The service is a multi-agency partnership where integration is key to good service delivery arrangements.
<b>Collaboration</b>	Collaboration is a key approach to supporting children and families through the sharing of information and resources.
<b>Involvement</b>	Participation and engagement arrangements will be strengthened to ensure everyone is aware of their responsibilities linked to safeguarding.

## **6. Climate Change Implications**

6.1 There are no climate change implication as a result of this report.

## **7. Safeguarding and Corporate Parent Implications**

7.1 The EHE policy enables the local authority to uphold its duty under section 175 (1) of the Education Act 2002 to safeguard and promote the welfare of children. The EHE policy supports the local authority to monitor and safeguard vulnerable children, ensuring that appropriate measures are in place to protect their welfare.

## **8. Financial Implications**

8.1 There are no financial implications related to this report.

## **9. Recommendation**

9.1 Cabinet is recommended to approve the policy attached at **Appendix 1**.

## **Background documents**

None