

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

28 APRIL 2015

REPORT OF THE DIRECTOR OF EDUCATION AND TRANSFORMATION

ELECTIVE HOME EDUCATION POLICY

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet's approval of the revised Elective Home Education (EHE) Policy.

2. Connection to Corporate Improvement Plan / Other Corporate Priorities

- 2.1 This policy contributes to the Educational Inclusion Strategy for young people who are Home Educated and, in particular, in the Corporate Plan improvement priority two;

- Working together to raise ambitions and drive up educational achievement.

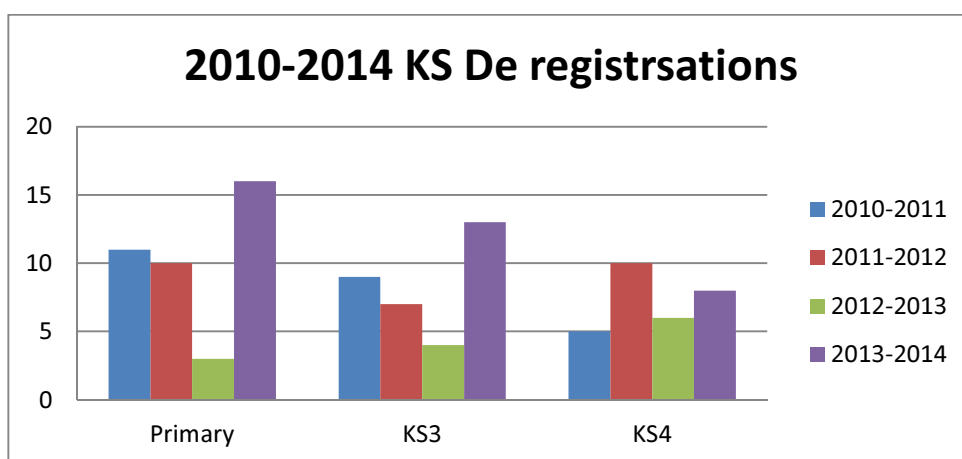
3. Background

- 3.1 Cabinet at its meeting on Wednesday, 30th July, 2003 agreed to a Bridgend Policy Statement for Elective Home Education of Children of Compulsory School Age (EHE). The policy statement set out the legal responsibilities of parents, schools and the local education authority when parents decide to educate their children at home. The policy statement also set out operational guidance for Local Education Authority (LEA) staff to follow in implementing the policy and procedures for parents to follow should they wish to register a complaint against the LEA procedures.
- 3.2 In July 2005 an updated policy statement was developed and presented to Cabinet by the Access & Inclusion Service to reflect changes which had taken place between 2003 and 2005.
- 3.3 In 2013 the current Elective Home Education Policy was reviewed and amended in accordance with current Welsh Government (WG) policies and guidance.

4. Current situation / proposal

- 4.1 It is proposed to replace the current Elective Home Education Policy with the updated version. (See appendix 1).
- 4.2 The current policy outlines the law and the responsibilities of the parent, Local Authority and the School regarding Elective Home Education and the reference to The Children Missing in Education policy. The primary legislation and policy haven't changed therefore the current policy was used as a framework for the revised policy.

- 4.3. The main changes are in relation to the parent partnership work that has taken place in Bridgend County Borough Council (BCBC) since 2013. The revised policy reflects the need to 'develop effective relationships' as highlighted in the WG circular No 47/2006 (*Inclusion and Pupil Support*). By developing effective parent partnership working we believe that barriers between the Local Authority and the families who are educating their children at home will gradually be removed. This will have a positive impact on the outcomes for children who are educated at home as the parents of these children will have greater access to resources and support.
- 4.4 Current data shows that BCBC has 60 pupils known to be home educated. It must be noted that this database is fluid and can change daily, as some pupils return to school and others de register. The table below shows the number of de registrations per Key Stage over the last four academic years.



2010-2011	25 de registrations
2011-2012	27 de registrations
2012-2013	12 de registrations
2013-2014	36 de registrations
2014-2015	28 de registrations to date

- 4.5 The reasons why parents de register children from school in order to home educate them are discussed on a termly basis, but it is recognised that more robust interrogation of data is required to fully understand all of the issues involved.
- 4.6 The revised policy refers to 'analysing data relating to EHE to understand and be responsive to any emerging patterns or trends and to follow up any concerns.' Trends, such as a high number of de registrations from one school or a high number of young people with diagnosed mental health issues, will be raised with local authority officers. These trends can then be explored with the appropriate parties to ensure that the child's needs are met before de registration and that those involved have chosen EHE rather than feel 'forced' to home educate, as a means to resolve other issues. Greater scrutiny of data will result in services being appropriately challenged in order to ensure children's needs are met.
- 4.7 Since 2013 a partnership has been established called the Professional Learning Community. The partnership has representatives from the parents of the EHE community, both in Bridgend and other Local Authorities (LA), and also officers from other LAs. The partnership regularly receives guest speakers from other organisations such as colleges and Careers Wales, as well as Welsh Government

(WG) representatives. As a result of the partnership officers are now in a much better position to understand the wide range of issues involved in EHE.

- 4.8 Within the Welsh Government's recent Consultation on Registering and Monitoring home-based education (summary of responses), Bridgend Local Authority was recognised as working effectively with its home educating community and this example of good practice should be emulated by other authorities across Wales.

5. Effect upon Policy Framework and Procedure Rules

- 5.1 There is no effect upon the policy framework or procedure rules.

6. Equality Impact Assessment

- 6.1 An Initial Screening Equality Impact Assessment has been carried out (attached as appendix 2) highlighting that a Full Equality Impact Assessment is not required.

7. Financial Implications

- 7.1 There are no additional financial implications in updating the current policy

8. Recommendations

- (1) That Cabinet approve the revised Elective Home Education Policy which will be implemented from May 2015.

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Background documents

- *WG circular No 47/2006 (Inclusion and Pupil Support)*
- Education (Pupil Registration) (Wales) Regulations 2010
- Statutory Guidance to help prevent children and young people from missing education (Circular 006/2010) and *All Wales Attendance Framework 2011*.
- WG Consultation – summary of responses – May 2014

Children's Directorate

Inclusion Service



Elective Home Education Policy

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1. Policy Statement

Bridgend County Borough Council (BCBC) recognises the right of parents/ carers to educate their children at home and is committed to working with parents/ carers.

2. Context of the Policy

This policy has been developed in response to guidance of the National Assembly for Wales – *The “Inclusion and Pupil Support” Circular No: 47/2006* which provides the current guidance.

BCBC recognises the need to involve home educating parents in greater consultation regarding its policy and procedures.

3. The Bridgend Context

The Elective Home Education Liaison Team is part of EOTAS (Education Other than at School) which is part of the Inclusion Service which, in turn, is part of the Children’s Directorate.

Currently the team is staffed by 0.2 (6 hours a week) Elective Home Education Liaison, who works closely with the Elective Home Education Community.

4. Aims

BCBC respects the right of parents to provide education for their children otherwise than at school and aims to:

- i. publish its Elective Home Education (EHE) Policy on the internet and also make it available in hard copy for parents and the local EHE support group;
- ii. produce an EHE information booklet for parents / carers;
- iii. provide impartial advice relating to EHE;
- iv. recognise and appreciate the full range of approaches taken by home educating families;
- v. work cooperatively with elective home education communities to encourage communication networks and supportive working within and between the local EHE groups and individuals;
- vi. provide a range of opportunities for home educating families to update the Local Authority (LA) on the education they are providing;
- vii. offer support by meeting parents following notification to LA of Home Education and prior to de-registration;
- viii. advise parents/ professionals on aspects of EHE including the policy, procedures and the local support group;

- ix. work with relevant agencies and individuals to proactively safeguard and promote the welfare of children and, in the event of any concerns, implement established procedures, working in accordance with the All Wales Child Protection Procedures;
- x. where appropriate, work with other agencies in the best interest of the child;
- xi. work with the relevant area to ensure that Annual Reviews are carried out in a timely way for those EHE children who have a statement of special educational need;
- xii. maintain a database of EHE families. That data will be processed in accordance with the Data Protection Act 1998;
- xiii. analyse available data relating to EHE to understand and be responsive to any emerging patterns or trends and to follow up any concerns;
- xiv. work with the local support group to provide information on key personnel roles and responsibilities and highlight any resources available;
- xv. review and update the EHE website to ensure that it reflects the new policy and procedures as they are developed along with other relevant information;
- xvi. on request and with consent, facilitate contact between parents and other agencies (such as Careers Service, Adult Education Service, FE Colleges, Education Welfare Service, Educational Psychology Service, Pupil Support Services);
- xvii. establish a Consultative Forum for home educating parents/carers to secure their views. To this end the EHE Liaison Team will plan opportunities in partnership with the local EHE support group for the parents/carers to meet and share views, experiences and concerns relating to the support they receive from the authority and in respect to Home Education as a whole. The contributions made by parents/carers, including anonymous opinions shared via the Local support group, will be used to inform future planning and consequently establish a harmonious partnership.

5. The Legal Background

Parents have a right to educate their children at home providing that they fulfil the requirements of Section 7 of the Education Act – 1996 which places a duty on the parents of every child of compulsory school age to cause him or her to receive efficient full-time education suitable to their age, ability and aptitude, and to any special educational needs that they may have, either by regular attendance at school or otherwise.

The words “efficient” and “suitable” are 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”*.

Local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis, but under Section 437 (1) of the Education Act 1996 local authorities shall intervene if it appears that parents are not providing a suitable education. The LA has no automatic right of access to the home; there is no obligation for parents to cover the National Curriculum nor can the LA’s curriculum policy statement be used as a basis for judging home education; and LAs cannot insist on any assessment being made of the home educated child’s work.

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 judgment. 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. *Phillips v Brown (1980)*

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.

Under Section 437 of the Education Act 1996, an LA must by law serve a School Attendance Order (SAO) on the parent of a child of compulsory school age who fails to prove that the child is receiving suitable education and where the authority is of the opinion that the child should attend school. This duty applies equally in relation to all children, regardless of whether or not they have previously attended a local authority

school in the area. The definition of suitable education is the same as that contained in Section 7 of the Education Act 1996 as described above.

Section 437 (3) refers to the serving of school attendance orders to which the local authority has recourse after all reasonable steps have been taken to resolve the situation.

6. Summary of Responsibilities

6.1 Responsibilities of Parents

Parents/carers may choose Home Education for a variety of reasons. This list is by no means exhaustive:

- a strong desire for an alternative form of education;
- parents/carers are unable to get a place for their child in their preferred school;
- distance to the local school;
- religious or cultural beliefs;
- bullying;
- a short term intervention for a particular reason;
- a child's unwillingness or inability to go to school;
- special educational needs;
- parents'/carers' desire for a close relationship with their children;
- a special talent.

It is recognised that home-educating parents are not required to:

- teach the National Curriculum;
- have a timetable;
- mark work done by their child;
- set hours during which education will take place;
- have premises equipped to any particular standard;
- have any specific qualifications;
- cover the same syllabus as any school;
- make detailed plans in advance;
- observe school hours, days or terms;
- give formal lessons;
- reproduce school type peer group socialisation;
- match school, age-specific standards.

There is no general requirement for parents to inform LAs of the fact that they intend to educate at home. If parents have not registered their child to attend school, there is no obligation to inform the local authority of the decision to home educate.

Parents whose children are registered pupils at a school must ensure that their names are removed from the school admissions register when they withdraw them from school to home educate. If they do not do so they may be liable to prosecution for failing to ensure their child's regular attendance at the school where they are registered. Under the Education (Pupil Registration)(Wales) Regulations 2010 parents are required to inform schools in writing that they are educating their children at home.

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

Section 7 of the Education Act 1996 requires 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."

Compulsory school age is defined as beginning from the start of the first term commencing after the child's fifth birthday (or on the fifth birthday). The start dates of each term being: 31 August, 31 December and 31 March. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen.

On condition that the parents have notified the governing body of the school, usually through the Headteacher, of their intention to educate their child at home, they are under no obligation to inform the LA. However, if parents are seeking to educate at home children registered at a special school the school must inform the LA before deleting the child's name from the school roll. This ensures that LAs can maintain continuity in their responsibility for children with special educational needs, ensuring a smooth transition accessing services.

6.2 Responsibilities of the School

Immediately the school receives a de-registration letter, the name of the child must be removed from the admissions register. The school (including those in the independent sector) must make a return (giving the child's name and address) to the LA within 10 school days of removal.

The school should advise the EHE coordinator and/or any other agencies of any Child Protection concerns in accordance with safeguarding procedures and Data Protection Act 1998.

If the child to be de-registered is a pupil at a special school, the school must inform the LA before the child's name can be deleted from the school roll so that the LA can ensure extra support and a smooth transition in accessing services.

6.3 Responsibilities of the Local Authority

There is no legal framework for the LA to regularly monitor provision of home education or to make continual enquiries. Bridgend will endeavour to make informal contact with families on an annual basis, however the frequency with which the authority will contact parents to discuss their ongoing home education provision will vary depending on the individual circumstances of each family and will be subject to negotiation and mutual consent. Initial contact with the family will normally be made via a telephone call and will seek a meeting in order to offer support and advice, as well as to discuss educational provision.

The authority does not have the right to insist on seeing education in the home and some parents may not feel comfortable in allowing access to their child or family home. Trusting relationships may need time to develop before a parent is happy allow a visit. However, 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.

Where LAs 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. Parents might prefer, for example, to write a report, provide samples of work, have their educational provision endorsed by a third party, meet at another venue such as a library or café or provide evidence in some other appropriate form.

A report should be made after such contact and copied to the family stating whether the education authority has any concerns about the education provision. Any telephone communication should be followed up with a written confirmation of what had been discussed and agreed.

Where there are concerns about the efficiency or suitability of the education being provided for the child, more frequent contact may be required. Where concerns merit frequent contact the LA should discuss these concerns with the child's parents, with a view to helping them improve their provision in the best interests of the child.

Every effort should be made to resolve issues about provision by a process of ongoing dialogue before any formal proceedings are invoked. If dialogue fails a full written report on the LA's findings should be made and copied to the parents promptly, specifying the grounds for concern and any reasons for concluding that provision is unsuitable.

It may be necessary for the Local Authority to serve a notice on the parents. Under Section 437(1) of the Education Act 1996, LAs can intervene if they have good reason to believe that parents are not providing a suitable education by serving a notice in writing on the parents. This will allow a period of at least 15 days for the parent to provide the education authority with whatever information they require to satisfy themselves about the suitability of the education. The parent may choose to do this by meeting with the authority in person, or by supplying the information in writing.

7. Truancy sweeps

Information regarding pupils that are home educated is held on a confidential and secure database which is maintained by BCBC in compliance with the Data Protection Act 1998. Information held on the database can be checked by LA officers involved in a truancy sweep. This is to ensure that Home Educated children are known to those involved in the sweep and that no further action is necessary if approached whilst undertaking a truancy sweep.

8. Flexi schooling

'Flexi schooling' or 'flexible school attendance' is an arrangement between the parent and the school where the child is registered at school in the normal way but where the child attends the school only part time; the rest of the time the child is home-educated. Flexi-schooling is a legal option provided that the Headteacher at the school concerned agree to the arrangement. Information on Flexi-schooling can be provided to schools by the EHE liaison.

9. Children with Special Educational Needs

Parents' right to educate their child at home applies equally where that child has special educational needs (SEN).

Where a child has a statement of SEN and is educated at home by the parents the statement does not automatically cease. While the statement is maintained it must be reviewed annually, following the procedures set out in Chapter 9 of the SEN Code of Practice for Wales. In many circumstances the child's SEN identified in the statement will have been related to the school setting and the child's needs may be readily 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 give consideration to ceasing the statement, if the parents agree. This may be done at the annual review or at any other time.

If the parents' arrangements are suitable, then the LA is relieved of its duty to arrange the provision specified in the statement. If, however, the parents' arrangements for the education of their child at home fall short of meeting the child's needs, then the parents are not making suitable arrangements and the LA are not absolved of their responsibility to arrange the provision in the statement. In some cases a combination of provision by parents and the LA may best meet the child's needs.

In the case of home educated children Section 324(4A) of the Education Act 1996 does not require the name of a school to be provided in Part 4 of the 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 consider appropriate but go on to say that: "parents have made their own arrangements under Section 7 of the Education Act 1996". The statement can also specify any provision that the LA have agreed to make under Section 319 to help parents provide suitable education for their child at home.

10. Children Moving to Another Local Authority Area

The EHE Liaison will advise other LAs by following the Children Missing in Education Policy (CME) and procedures when they become aware that a child, who is educated otherwise than at school, has moved within the area of another authority.

11. Safeguarding

Local authorities have a duty under section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. This is further reinforced by Section 11 of The Children Act 2004 which places a duty on key persons and bodies to make arrangements to ensure that in discharging their functions they have regard to the need 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 services using established protocols.

12. Review

The Authority will review all of their procedures and practices in relation to 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 will be involved in this process of review.

13. Operational Guidelines

When a parent first expresses an intention to home educate the EHE Liaison will arrange a meeting, if requested by the parent, to ensure that the parent s fully understand the great responsibility and commitment involved. An information booklet on EHE will be given to the parents

If the parents are reacting to an issue with the school they will be encouraged to meet with the Headteacher to discuss the situation. If the Family Engagement Officer (FEO) isn't already involved with the family a referral can be made, with permission, to the FEO of that school to ensure the family access further support.

If the parent withdraws a pupil from school having expressed the intention to home educate them but hasn't formally deregistered, then a referral to the Education Welfare Service should be made by the school in accordance with the All Wales Attendance Framework 2011.

If the parents decide to educate their child at home they must write to the Headteacher of their children's school informing of their decision.

Upon receipt of information from the Pupil Services Section, the Elective Home Education Liaison will implement the following course of action:

1. Make contact on receipt of information via telephone to introduce the Elective Home Education Liaison and to agree, if possible, a time and place to meet to ensure the parent feels supported. This is also an opportunity to pass on the details of the local EHE Group, or introduce, an existing experienced Home Educator to the parent.
2. If not able to make contact via the telephone then contact will be made in writing outlining the support offered and requesting that the parents contact the Elective Home Education Liaison, either by telephone or in writing.
3. In the event of parents failing to respond to the EHE Liaison's efforts to make contact, an initial, joint visit with a member of the Education Welfare Service will be made to the home. The parents will be informed, in writing, beforehand that the purpose of the visit is purely to ensure the LA complies with its duty under Section 7 of the Education Act 1996.
4. Where necessary and with the permission of the parent, seek advice and information from other agencies that have been involved with the child e.g. the Education Welfare Service, SEN Advisory Teachers, the Educational Psychology Service, in order to ensure the LA maintains its responsibility for those children who have special educational needs.
5. During initial contact, discuss how the parent intends to meet the educational needs of the child and outline the LA's role in this area. The EHE Liaison will explain that parents may tailor their child's education to his or her needs. They do not have to follow the National Curriculum, nor observe school hours, nor follow a fixed timetable, but may choose to do so if they feel that it is in the best interests of their child.

A 'Tutor Card' for Bridgend libraries will be offered. This will allow the family to borrow up to thirty books for a term, (15 fiction and 15 non-fiction). Contact details given of home educating organisations and the local contact for the Bridgend Home Educators given as they will be able to offer further support to the family. The EHE Liaison will not, however, recommend specific tutors as this may be open to abuse or misinterpretation. Parents will be advised instead to request and follow-up references for any tutors they may employ to assist in their child's education.

6. If the initial contact is at the early stage of Home education account will need to be taken of the fact that families might require a period of adjustment before finding their preferred learning style.
7. After initial contact, the EHE team will endeavor to make informal contact with families on an annual basis; however the frequency will vary depending on the individual circumstances of each family and will be subject to negotiation and mutual consent.
8. In the event of there being concerns regarding the quality of provision, contact may be increased, by mutual agreement, to allow the Elective Home Education Liaison and

parents to discuss ways of improving the quality of provision. Parents will, once again be given the contact details of home education organisations and the local group, which they may wish to contact in order to obtain further advice.

9. Records of visits will be made. These will be retained in a secure file and will be available to officers of the Elective Home Education Panel and other authorised persons. A copy can be requested by the parents.
10. There may be some instances where parents wish to educate their child on a part-time basis and to send him/her to school for certain elements of the curriculum. The Team manager of Vulnerable Groups or the EHE Liaison will provide information regarding flexi schooling to the Headteacher of the chosen school and endeavor to register the child on a part-time basis. However, agreement for such proposals is at the discretion of the individual Headteacher and the family will be informed of this position.
11. When parents indicate a wish for their child to undertake GCSE examinations, the Team manager of Vulnerable Groups and EHE Liaison will, if required, will endeavor to provide access to a local venue at which examinations may be taken.
12. In appropriate instances, on request from any such service or agency (e.g. Health, Young People's Service) the EHE Liaison will contact all home educating families on our database with children in the appropriate target group to advise of the services on offer and to seek consent for details to be shared. Where consent is not given we will advise home educating families of the services that would be on offer and provide information on how to contact those agencies in the future should their services subsequently be required.
13. The Elective Home Education Panel will meet once per half term to look at trends in the data; impart information regarding those parents considering EHE; review any individual cases that are giving cause for concern and celebrate good practice in the EHE community. This panel will comprise the Team manager of Vulnerable Groups Elective Home Education Liaison, Child Protection Officer and Senior Education Welfare Officer (EWO). The EHE Team will present information and evidence to the panel in order to facilitate a joint decision regarding any future action.
14. Once a year, families will be invited to meet, or give anonymous feedback, in partnership with the local EHE Group, at a suitable venue, where parents and LA officers can come together to discuss and share ideas and issues regarding elective home education. All parties will be encouraged to present any new initiatives in this area of learning. It will also provide opportunities to look at ways in which the LA can offer further support to families.
15. In the event of there being concerns regarding Child Protection, the Authority's Child Protection Officer will be informed and advice taken accordingly.
16. Should it be deemed unwise for the EHE Liaison to make contact alone, the senior EWO will be contacted in order to arrange a joint visit, as set out in the service's Lone Working Policy. The family will be informed, in writing of such contact, prior to it being undertaken.

17. If, after a period of being educated at home, a parent decides to register their child with one of the Authority's schools, The Team manager of Vulnerable Groups or the EHE team will advise contact with Pupil Support Services. If requested, the EHE Liaison can liaise with Pupil Support Team to track the progress of the application. If required by the parent, the EHE Liaison will liaise with the school in question to ensure a smooth transition. A referral to the Family Engagement Officer of the named school will be made to ensure there is support for the family when starting school.
18. The EHE Liaison will endeavor to keep abreast of new initiatives within the field of home education and will, where possible, attend relevant courses to gain increased knowledge of non-school type education and up-to-date documentation.
19. Other teams/agencies may become aware of children of compulsory school age who are not on a school roll. The agency involved needs to refer to the CME Policy and refer the CME team who would then make enquiries to determine whether the family are home educating or whether alternative CME interventions are required.

Complaints Procedure

20. In the event of parents having concerns or wishing to register a complaint, they may, in the first instance, contact The Team manager of Vulnerable Groups, who will try to resolve any issues. If a parent is dissatisfied with the advice offered or is in dispute with The Team manager of Vulnerable Groups, complaints should be made in accordance with the Authority's Corporate Complaints procedure, information of which is available on the Authority's website.

14. Contact Details

Team Manager Vulnerable Groups

Bridgend County Borough Council

Ty Morfa, Hafan Deg, Aberkenfig, BRIDGEND CF32 9AW

Tel: 01656 815896

Group Manager

Bridgend County Borough Council

Ty Morfa, Hafan Deg, Aberkenfig, BRIDGEND CF32 9AW

Tel: 01656 815230

Deborah McMillan

Director of Education and Transformation

Bridgend County Borough Council,

Civic Offices, Angel Street, BRIDGEND CF31 4WB

Tel: 01656 642610

Contact Details for Home Education Organisations

Bridgend Home Educators

www.bridgendhomeeducators.org.uk
info@bridgendhomeeducators.org

Zone 7 (Neath)

<http://www.zoneseven.co.uk/>
Office Phone Number : 07952435963
Email Address: office@zoneseven.co.uk

Christian Home School

www.homeschool.co.uk

The Home Service

www.home-service.org

Education Otherwise Association Limited

PO Box 7420
London N9 9SG
Tel: 0870 7300074
www.education-otherwise.org

Home Education Advisory Service

PO Box 98,
Welwyn Garden City,
Herts. AL8 6AN
Tel: 01707 371854
www.heas.org.uk
Home Education UK
www.home-education.org.uk

Homeschool Activities

www.homeschool-activities.com/index.html

Muddle Puddle

(An independent site focusing on learning for 0-8 year olds)
www.muddlepuddle.co.uk

Additional Advices:

Inclusion and Pupil Support
National Assembly for Wales Circular 47/2006
www.wales.gov.uk/inclusionandpupilsupport
National Assembly for Wales 2002
Special Educational Needs Code of Practice for Wales

Equality impact assessment (EIA) screening form

Please refer to the [guidance notes](#) when completing this form.

This form has been developed to help you to identify the need for EIA when developing a new policy, strategy, programme, activity, project, procedure, function or decision (hereafter all understood by the term policy). You must also complete this form when reviewing or revising existing policies. It will also help to prioritise existing policies that may need to undergo a full EIA.

Unless they are 'screened out' following this initial prioritisation process, policies **will** be required to undergo full EIA in priority order. Refer to the above guidance notes on when an equality screening should happen, and some initial principles to bear in mind when getting started.

No new or revised policy should be approved unless an equality screening and – if required – a full EIA has taken place.

The following sections must be completed for all new policies:

Name of policy being screened-Elective Home Education (EHE) Policy

Brief description of the Policy. Outline of the Welsh Government Guidance-*Access and Inclusion Circular No: 47/2006* Section 6 regarding Elective Home Education and the process BCBC has in place regarding the guidance

Does this policy relate to any other policies? Refers to Children Missing in Education/Safeguarding/All Wales Attendance Framework/complaints procedure

What is the aim or purpose of the policy? To outline the rights and responsibilities that the parent, school and Local authority have and what procedures must be followed

Who is affected by this policy (e.g. staff, residents, disabled people, women only?)

- Parents of statutory school aged children and their children;
- All schools, including independent schools ;
- Education Welfare Officers;
- Staff in Learner Support services;
- Staff in Safeguarding teams;
- The EHE link worker;
- Team Manager Vulnerable Groups
- Specialist teachers;
- Education psychologists;
- Staff in the Formal Assessment and Critical Cases Team; ; and
- Residents and professionals that work with families of statutory school age (as they need to be aware of EHE and inform BCBC accordingly, so that so that children are not considered to be Missing in Education)

in the Bridgend County Borough

Who is responsible for delivery of the policy?

- The EHE Link Worker;
- Team Manager Vulnerable Groups
- The Group Manager for Inclusion;
- The Group manager for Learner Support; and
- schools in the county borough.

The following sections must be completed for all policies being reviewed or revised:

Is this a review of an existing policy?

Yes

If this is a review or amendment of an existing policy, has anything changed since it was last reviewed?

Yes. The new policy:

- refers to the *WG circular No 47/2006*-section 6-outlining the detail in this document;
- updates the reference to Education Regulations-previously 1995 but now 2010; and
- References the *Children Missing in Education Policy/Children's Act 2004/All Wales Attendance Framework 2011*.

Has an EIA previously been carried out on this policy?

No

If an EIA exists, what new data has been collected on equality groups since its completion?

N/A

Screening questions**1. Is this policy an important or 'large scale' function, and/or is it likely the policy will impact upon a large number of staff, residents and/or contractors?**

Yes:

- all residents with school age children have the right to de-register their child and elect to home educate; and
- all schools, Education Welfare Officers and other professionals working with statutory school age children, child social services and health need to be aware of the policy and its application.

2. Is it possible that any aspect of the policy will impact on people from different groups in different ways? (See guidance for list of 'protected characteristics' to consider)

NO

<i>Characteristic</i>	Yes	No	Unknown	Explanation of impact
Age		X		The EHE policy applies to all pupils

			<p>of statutory school age.</p> <p>Data on the ages of all EHE pupils is collected and reviewed. As at 25/11/13, there were 17 EHE pupils between the ages of 5 and 11 and 22 EHE pupils between the ages of 12 and 16.</p>
<i>Disability</i>	Y		<p>A parent's right to educate a child at home is not affected by the child having any disability. However, there are some additional steps that apply, as follows:</p> <ul style="list-style-type: none"> • Where a child has a Statement of Special Educational Need, that statement does not cease if the child is educated at home. However, while the statement is maintained it must be reviewed annually, following the procedures set out in Chapter 9 of the SEN Code of Practice for Wales. • If a parent is seeking to educate at home a child who is registered at a special school, the school must inform the local authority before deleting the child's name from the school roll. This ensures that local authorities can maintain continuity in their responsibility for children with special educational needs. <p>As at 25/11/13, one EHE pupil in the Bridgend County borough had a Statement of Special Educational Need.</p>
<i>Gender reassignment</i>		x	<p>The EHE policy applies to all pupils of statutory school age, irrespective of this characteristic.</p> <p>No data is collected on EHE pupils regarding this characteristic.</p>

<i>Pregnancy and maternity</i>		x		<p>The EHE policy applies to all pupils of statutory school age, irrespective of this characteristic.</p> <p>No data is collected on EHE pupils regarding this characteristic.</p>
<i>Race</i>		x		<p>The EHE policy applies to all pupils of statutory school age, irrespective of this characteristic.</p> <p>No data is collected on EHE pupils regarding this characteristic.</p>
<i>Religion/belief</i>		x		<p>The EHE policy applies to all pupils of statutory school age, irrespective of this characteristic.</p> <p>No data is collected on EHE pupils regarding this characteristic.</p>
<i>Sex</i>		x		<p>The EHE policy applies to all pupils of statutory school age, irrespective of this characteristic.</p> <p>As at 25/11/2013, there were 21 female and 20 male EHE pupils.</p>
<i>Sexual orientation</i>		x		<p>The EHE policy applies to all pupils of statutory school age, irrespective of this characteristic.</p> <p>No data is collected on EHE pupils regarding this characteristic</p>
<i>Civil Partnerships and Marriage</i>		x		<p>The EHE policy applies to all pupils of statutory school age, irrespective of this characteristic.</p> <p>No data is collected on EHE pupils regarding this characteristic</p>

Please expand on your answer:

All children of statutory school age can be de-registered from school-based education by their parents

If a parent or a child has any of the protected characteristics, advice will be sought from appropriate sources including specialist managers, legal advisors, disabilities services and other relevant agencies on matters that must be considered when engaging with the family. Any cultural/philosophical differences in education style/format will be respected. For example, when working with Christian families, there is a specific ACE (Accelerated Christian Curriculum) curriculum that is used. There are also options such as autonomous education or Eco Friendly education. .

Actions will be taken to ensure effective communication with any family that has particular needs. For example, through language interpretation facilities, use of different written formats etc.

Appropriate use will be made of the guidance notes regarding 'suitable' education in the WG document *Inclusion and Pupil Support Circular No 47/2006*. The terms "efficient" and "suitable" are not defined in Section 7 of 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/she 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"

Regular meetings with the Senior Education Welfare Officer, Head of EOTAS and the Local Parent representative take place through the EHE Panel. When considering whether the education is suitable for a child, the discussion with the EHE Panel will take full account of the above quote from the WG Guidelines.

Also, at the EHE Panel meetings, the data collected regarding recent de-registrations and the overall trends is discussed in order to address any specific problems. A high number of de-registrations from one school or of a particular year group might raise questions on how this group has been 'managed'. If the data suggested a high level of de-registrations of pupils with a protected characteristic, this would be investigated to establish if particular interventions are needed at school level to ensure that there is appropriate provision at the school.

The age and gender of EHE pupils are recorded. Details of other protected characteristics are not requested from the family and it would be entirely up to the parent to divulge such information. From Jan 2014 efforts are being made to collect this standard equality data on a voluntary basis, to support wider analysis and help to ensure that all characteristics are appropriately provided for.

3. What is the risk that any aspect of the policy could in fact lead to discrimination or adverse affects against any group of people? (See guidance for list of protected characteristics?)

There is a risk that the education a young person receives from their parent(s) might be viewed as unsuitable by the local authority, for various reasons. This might be due to lack of knowledge surrounding the various reasons and methods used when home educating.

ACTION: The LA will ensure the EHE Link is aware of the Welsh Government guidance -*Inclusion and Pupil Support Circular No 47/2006*. This recognises that and outlines reasons why parents are not required to follow the national curriculum or use a timetable. This will be supplemented with further research and actions to ensure the EHE Link maintains knowledge of developments relating to EHE.

Although not stated in the policy, it could be that other agencies involved question the suitability of home education, perhaps for child protection reasons

ACTION: Advice would be sought from the agencies and appropriate ‘monitoring’, in discussion with the parent, would take place regarding the education. The policy outlines that contact with parents depends on the circumstances and will be in a matter of negotiation and mutual consent.

4. Could any aspect of the policy help BCBC to meet the main public sector duties?

Duty	YES	NO	Unknown
Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act	x		
Advance equality of opportunity between persons who a relevant protected characteristic and persons who do not share it	x		
Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	x		

Please set out fully your reasoning for the answers given to question 4 including an awareness of how your decisions are justified.

BCBC’s Elective Home Education Policy ensures that all parents of school age pupils, regardless of protected characteristics, have the right to Home Educate their children as outlined by the law. All families will be treated sensitively and, where there are concerns, appropriate support will be offered to the family and guidance sought from the authority’s Legal Services, if required. The *WG Circular 47/2006* outlines the need to develop ‘effective relationships’ and, in order to do this, the General Duty will always be referred to.

5. Could any aspect of the policy help BCBC to further its commitments set out in the council’s Welsh Language Scheme?

Yes. If a family requests communications to be through the medium of Welsh, suitable communication and translation services will be made available.

6. Are you aware of any evidence that different groups have different needs, experiences, issues and/or priorities in relation to this policy?

Yes

EHE can be approached in different ways for different reasons. For example a family might choose to Home Educate for religious reasons and follow a special curriculum that is based on independent learning. Another family might choose an autonomous education where very little is recorded and it is purely ‘child-led’. Each of these families would have different needs/experiences and issues. In each case, the authority is not required to formally assess the outcomes of the home education.

However, in accordance with *WG Circular 47/2006*, action is taken to assess the efficiency of home education.

All existing EHE families in the borough have been invited to comment on the EHE Policy. It has also been examined by Home Educators from other areas. There have been positive responses to the policy particularly in relation to fairness and SEN pupils.

Conclusions

7. What level of EIA priority would you give to this policy?

SCREEN OUT - no further EIA required at this time

Please explain fully the reasons for this judgement including an awareness of how your decisions are justified.

Screen out – data and information available on the review of this policy evidences that there is no expected negative or adverse impact on people who share a protected characteristic or those that do not. The choice to elect for home education is a parental one, the provision of education, therefore, not being withdrawn or reduced.

7. Will the timescale for EIA be affected by any other influence e.g. Committee deadline, external deadline, part of a wider review process?

8. Who will carry out the full EIA?

EIA screening completed by: Virginia Richards

Date: 10 February 2015

When complete, this initial screening form and, if appropriate, the full EIA form must be sent to [Paul Williams](#)