

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **Children, Young People and Education Scrutiny Committee**

9 March, 2016

### **Report of the Head of Transformation – Andrew Thomas**

#### **Matter for information**

**Wards Affected:** All

#### **ELECTIVE HOME EDUCATION BRIEFING PAPER**

##### **Purpose of the Report**

1. To provide Members with an overview of parental rights to home educate their children and outline the support work the authority undertakes in this area.

##### **Background**

2. Elective home education is the term used where parents/guardians decide to provide home-based education for their children instead of sending them to school. Parents have a legal right as part of the Education Act to home educate their child. Parents have an obligation to inform the school/local authority when they choose to de-register their child from a school roll who is aged 5 and over, however, they are not obliged to state the reasons for doing so. Where a child has never been on a school roll, i.e., aged under 5 or move into the area, then there is no legal requirement to inform any organisation of the parents' choice to educate at home.

3. There are a number of reasons why parents might want to educate their child at home. Some parents elect to home-school because of lifestyle or family reasons, while others do so because of adverse school experiences like alleged or perceived bullying or exclusion or for some problem specific to an individual school.
4. Parents are required to ensure that their children receive an education suitable to their age ability and aptitude, as well as any special needs he or she may have. Local Authorities are not able to specify a curriculum which parents must follow and there is no legal requirement for children to take a particular set of qualifications. Home educated children are not subject to set term-dates nor predetermined times of tuition.
5. There is no legal right or framework to carry out any monitoring with the parent/pupil or see the work of the pupil first-hand. Welsh Government guidance regarding home schooling states that 'The Local Authority should assume that efficient educational provision is taking place, which is suitable for the child, unless there is evidence to the contrary.'
6. The only obligation that is required of parents is that they must demonstrate that an education provision is being provided. This could be in the form of a letter to the local authority describing what education is taking place, exhibiting some of the child's work or the receipt of a report from a third party such as an elective home education group. There is, however, no legal educational basis to insist the child is seen or spoken to.
7. Currently in Neath Port Talbot there are 103 known children that are being educated at home by parents. This figure is at its highest and continues to increase, although there will be a slight dip at the end of the academic year when pupils that would have been placed in year 11 are removed from the data collection. Colleagues from other Welsh local authorities have also reported an increase. It is believed that this figure is even higher as there are a number of other children being home educated by parents that are not known to the local authority as there is no obligation or mandatory requirement for parents to register they are home educating.
8. There has been a year-on-year increase since 2010 from a number low in the 30s. From discussions with some elective home

educated parents it appears that a significant increase is due to the recent introduction of penalty notices for non-attendance.

9. Welsh Government provide statutory guidance on elective home education that states that each local authority should have a dedicated named person who is responsible for elective home education who is familiar with home education policy and practice and has an understanding of the relevant legislation and a range of educational philosophies. Neath Port Talbot complies fully with its statutory responsibilities and employs a part-time qualified teacher to undertake this role.
10. This officer provides support and guidance to elective home educated parents and acts as a bridge to the formal education system for parents that are in agreement. Attempts are made to have as many children sit formal exams as possible. Reports are made following each visit with a copy sent to the parents outlining observations and providing further support and suggestions.
11. During 2012 Welsh Government entered into a consultation exercise regarding the provision of elective home education and recommended substantial changes to the framework including mandatory registration and annual reviews taking place. This Council, along with many others, responded to the consultation in favour of such proposals, however, The Minister for Education, Huw Lewis, subsequently reported that following a significant number of responses from home-educating parents and organisations representing the families he had decided not to proceed with the proposals. The Minister did, though, agree that a new statutory guidance document was needed which has yet to be circulated to local authorities.

### **Financial Impact**

12. There is no financial impact associated with this proposal.

### **Equality Impact Assessment**

13. Having considered the Council's screening assessment guidance produced to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010 it has been determined that the proposal within this report does not require an equalities impact assessment.

## **Workforce Impacts**

14. There are no direct workforce or staffing issues in relation to this report.

## **Legal Impacts**

15. There is no legal impact in relation to this report.

## **Risk Management**

16. There is no identified risk to this report.

## **Consultation**

17. Not applicable.

## **Recommendations**

18. The report be noted.

## **Implementation of Decision**

19. Not applicable.

## **Appendices**

20. None.

## **Officer Contact**

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