

## Learning and Improvement Bulletin - Elective Home Education

This briefing has been produced for all multi agency staff working with children and their families.

### Elective Home Education (EHE)

#### Background

A recent Child Safeguarding Practice Review (CSPR, RN19) centred on R, a 15-year-old girl who died in the context of significant weight loss and features of an eating disorder. During the review, it was highlighted that R was being Electively Home Educated (EHE) at the time of her death. This was felt relevant as it impacted on her visibility to agencies and potentially her ability to access support and intervention. The school nursing (0-19) service has been available to those choosing EHE since 2019, but it is accepted that there are significant barriers to them accessing this support in the same way as peers who are educated within a regulated setting. External adults such as teaching staff were not able to monitor for changes in outward health appearances/large weight changes or concerning change in behaviour or personality. In her case, there were felt to be additional factors including around communication between school and the EHE department.

Due to Covid-19 and school closures for lockdown in 2020/21; many families have found themselves educating in the home setting by necessity rather than by choice. This has challenges that are beyond the scope of this paper, including the impact of Covid-19 on the mental and emotional health of Children and Young People (CYP) and their families. However, there are some aspects of the Covid-19 situation that may overlap with the discussions in this document, and early indications are that the number of families opting for EHE will be higher in the post-Covid period.

#### Special Considerations Regarding EHE

An informed choice to EHE is **not** in itself a safeguarding concern, and it can be a valid and highly successful educational approach that gives CYP a rich and individualised educational experience. However, all CYP, regardless of where they are educated, can have vulnerabilities including physical, emotional, developmental/educational and safeguarding needs. It is therefore important to understand how not being in standard education can influence these needs (if present) and how agencies can provide support, for example:

- Although the Local Authority has a legal duty to establish identities of children of statutory school age who are not in receipt of education at school or otherwise, there is no legislation that specifies how often, and by what means, EHE should be reviewed.
- Department of Education guidelines recommend making contact with home educated families on at least an annual basis so the authority may reasonably inform itself of the current suitability of the education provided. In situations where concerns are raised this contact is brought forward.
- There is no legal basis on which the Local Authority can insist on access to the home/ education setting or children involved for the purposes of inspecting EHE provision.
- CYP and their families may not be aware of the many roles and skills of the School Health teams, or of how to access this kind of support if EHE.
- CYP who receive EHE may not have the same opportunities for socialisation and establishing peer support networks.
- The school setting can facilitate monitoring of health and safeguarding concerns by professionals.
- A school can provide a space for a CYP to ask for help and signposting, and a safe environment in which to disclose to peers or staff.
- Schools are a venue where health education, interventions, and some immunisations are available.

#### Notification to the Local Authority

The law states that CYP must be receiving an education, but at present there is no legal requirement for a family to inform the Local Authority that a CYP is being EHE, or for the family to provide the Local Authority with reasons for the decision to EHE.

If a Local Authority is aware that a CYP is known to be of legal school age and is either not on roll at a school, or was on roll but not attending, it is able to act to investigate what educational provision is being accessed. This is covered by s.437(1) of the Education Act 1996:

*"If it appears to a local 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."*

**However:** if a CYP has never been registered at a school, are newly arrived in the country, or have moved to a new location without clear communication or planning around schooling from their previous area, then the Local Authority may have no knowledge of the CYP.

#### Notification to Health

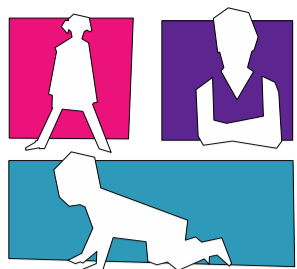
At present there is no legal requirement for families to notify agencies such as their GP that they are choosing EHE although they may be encouraged to do so by the EHE advisor working with them.

When a CYP is officially registered as EHE, the Support to Schools team send a letter to parents/carers of the CYP indicating that they intend sharing their information with the School Health (0-19) team. The letter indicates that the family are to notify within four weeks if they do **NOT** consent to this information sharing.

**Information Sharing Consent Given:** If there is no objection received from the family within the four weeks, Support for Schools will notify School Health/0-19s of the EHE status. Following this, the 0-19 service will write to parents inviting them to opt in to the universal 'Healthy Family Programme', providing information on access to services for school aged CYP. The EHE status information can also be entered onto SystmOne, the main community child health record used in Nottinghamshire. GPs not registered on SystmOne may not be able to access this information, nor would the vast majority of hospitals/urgent care settings/Child and Adolescent Mental Health Services (CAMHS).

Even for services who are able to access SystmOne, experience shows that EHE information may not be immediately visible on opening the record. The most logical way of highlighting EHE would be via a 'Read Code'. In the NHS a 'Read Code' is a recognised clinical term that can be applied to a medical record such as a medical diagnosis (e.g. asthma) or important information (e.g. requirement for an interpreter or a Looked After Child). Unfortunately, there is a lack of a clear 'Read Code' for EHE.

**No Consent for Information Sharing:** If the family respond to say they do **not** agree to information sharing, School Health/0-19s are **not** notified. No information would be available to Health unless the family discuss this in another setting, and it is recorded in (for example) a hospital letter. In Nottingham City and County, services such as Community Paediatrics tend to routinely highlight the CYP's current educational setting at the start of all clinic letters, but this is by local convention not by any set directive.



# Nottinghamshire Safeguarding Children Partnership

## Summary

Whilst EHE itself is not a concern, any CYP in any form of educational choice can have vulnerabilities. Knowledge of how EHE can influence access to support and agency response is important for meeting the needs of a CYP and their family. This includes CYP and their families not being aware of support and provision that they can access, reduced ability for agencies to offer support and monitoring, and potentially for CYP to become invisible to the safeguarding partners.

At present information sharing regarding EHE status is not compulsory, and if shared it may not be visible to all the professionals where it may be of relevance. In the absence of a legal framework, the partners must use professional curiosity. It is good practice to ask about education as part of any relevant contact with CYP and families, for example using the HEADSSS tool, and to document this so that it is clearly visible in the record. This applies whether documenting the name of the school a CYP attends or that a CYP is EHE. This information should be checked and updated at each contact.

If a CYP of statutory school age is noted by professionals to not be receiving education of any form, then this should be discussed with the family and agreement sought for notification of the local Authority in order that the CYP and family receive any required support in either finding a school or providing home education. If agreement to information share is not given, it must be considered if this is a safeguarding concern. A failure to provide suitable education can be capable of satisfying the threshold requirement contained in s.31 of the Children Act 1989 that the child is suffering or is likely to suffer significant harm. Professionals can obtain advice and guidance around individual cases from their local safeguarding and education leads.

## Key Messages

- EHE can be a rich and rewarding education with active social opportunities and in itself is not a safeguarding or health concern.
- Any CYP can be vulnerable, and if EHE this may impact on the ability of the CYP and family to access support and provision including from school health, teaching staff, peer support networks, and can reduce opportunities for monitoring the wellbeing of a CYP.
- The law is that parents must provide **education**, but not that they must notify the Local Authority if choosing to EHE, or that they must agree for this information to be shared with other agencies such as Health.
- EHE does not legally need to be reviewed more than annually and review does not have to involve access to the home/education setting or seeing the CYP in person.
- Enquiry about education is a routine part of holistic assessment of CYP and should be checked and updated at each contact
- Education setting/status should be clearly recorded and visible in paper and electronic records for all CYP as routine, including health referral letters and relevant correspondence.

## References and Further Reading

[Learning Bulletin – Child R – June 2020](#)

[EHE Departmental guidance for local authorities April 2019](#)

[Elective-home-education Nottinghamshire County Council](#)

[Children missing from education](#)