

# SESLIP

## South East Children Missing Education Group

Notes: 9<sup>th</sup> June 2021

Attending: Brian Pope (Hants), Mike Stoneman (Portsmouth), Neil Stevenson (Portsmouth), Debbie Bell (Oxfordshire), Hilary Alford (Kent), Katy Daly (Bracknell), Gill Dunlop (Reading), Dave Harvey (Hants), Beth Armstrong (E Sussex), Linda Curtis (W Berks), Rosie Gossage (RBWM), Bryn Roberts (Southampton), Andrew Parker (W Sussex), Farah Malik and Anjali Sidhu (Slough), Gavin Thomas (B&H), Simon Sims (Milton Keynes), Chris Owen (SESLIP).

Apologies: Melissa Perry (Wokingham), Mark Keiller (Surrey).

In attendance: Jake Butterworth (DfE)

	Item	Actions
1.	<p><b>Welcome &amp; introductions</b></p> <ul style="list-style-type: none"> <li>Brian welcomed Jake Butterworth, DfE lead for elective home education, and thanked him for agreeing to give a presentation to the group.</li> </ul>	
2.	<p><b>Notes of last meeting and matters arising</b></p> <ul style="list-style-type: none"> <li>SESLIP data dashboard v1 for spring 2021 had been circulated. For those who returned data so far, please check the figures (Oxfordshire had already flagged errors). Please can Bucks, Medway, Milton Keynes and W Sussex liaise with DP about submitting CME and EHE data.</li> <li>Definitions for data dashboard: examples from Dec 2019 had been shared. Need discussion? DB suggested first of all that CME Group members check with their data colleagues about understanding of the numbers to be reported to SESLIP.</li> <li>In-year fair access report: had been taken to the ADs Network who had welcomed and supported the recommendations. MS and CO will take this to the DCSs meeting on June 11<sup>th</sup>.</li> <li>Notes agreed.</li> </ul>	<p>JF, CC, SS, AP.</p> <p>MS / CO</p>
3.	<p><b>Elective home education – policy direction and sharing of practice from South-east</b></p> <p><b>Short presentation by DfE.</b></p> <p>The DfE presentation provided an overview of the picture of EHE in England, the issues the DfE are currently focused upon and a response to areas of questioning that the group had raised with him beforehand.</p> <p>Key points and responses:</p> <ul style="list-style-type: none"> <li>DH urged caution with use of the ADCS EHE survey data because it was not all LAs and some responses might be more anecdotal than based on data since they required a data collection that most LAs did not undertake.</li> <li>MS commented on the phrase “in extreme cases might result in an SAO”. He highlighted SAOs are not ‘extreme’ and, currently, are the only formal intervention available to LAs if there are concerns about safeguarding.</li> <li>Use the phrase “notification of becoming EHE”, rather than “request” to align with the law.</li> </ul>	

Item	Actions
<ul style="list-style-type: none"> <li>• DfE is committed to implementing a children not in school (CNIS) register. The proposal under consideration would require LAs to maintain a CNIS register, that proprietors of schools and parents / carers be required to provide information to the LA should their child / former pupil etc be EHE. There might be a duty on LAs to provide support too. No information about funding or timescale. The Group welcomes a move to CNIS registration. BP also asked if there was to be a register can it also include attainment (exams / awards) and destination at 16 and 19? This would help DCSs fulfil their responsibility for promoting good outcomes and provide evidence about the effectiveness of EHE. A suggestion for more research on EHE in England was suggested too.</li> <li>• If there is an announcement about CNIS registers, this is likely to trigger a process to review and consult upon other updated to EHE Guidance for LAs.</li> <li>• Members highlighted, for some children, their parent / carer makes a decision to move to EHE very rapidly (in the heat of the moment), often connected to a dispute / breakdown in trust with the school. This scenario presents little or no opportunity for the LA to meet the family before the child is no longer on a school's roll. Oxfordshire also shared that it had devoted considerable resource for its EHE officers to broker a rebuilding of trust between families and schools, that had resulted in as many as 200 children return to school education.</li> <li>• On-rolling children who have been EHE is a concern for LAs, especially when the Admissions Code limits the powers of LAs to enforce the placement of a child at academies or free schools. JB asked for evidence about approaches taken in LAs and problematic cases.</li> <li>• "Suitable full-time education": no plans from DfE to define this and anticipate waiting for courts to offer some clarity. Wales is doing some work around definitions of 'suitable education'. This anomaly was spotlighted by the scenario that it is not illegal for a parent to send their child to an illegal school, but it is highly likely that the child would be deemed to not be receiving 'suitable education' at an illegal school.</li> <li>• Regarding pupils in mainstream schools with an EHCP, GD shared that they had pro-actively used the annual review process as early as possible to talk through issues with parents and to make changes to the EHCP if they did choose to move to EHE.</li> <li>• MS outline the judicial review that Portsmouth is involved in regarding whether their requirements for evidencing suitable education are too onerous. No hearing date has yet been set. JB has yet to formally agree with ministers whether the Dept can contribute. There was recognition that this case is also causing some pausing of SAOs.</li> <li>• All LAs at the meeting reported continuing increase in the numbers of children and young people being moved to EHE and, for most, this is at a higher rate than they have experienced previously in the summer term. Southampton also shared the extent of the churn involved with EHE: over this academic year they had recorded about 150 new to EHE; during the same period 140 who were EHE were readmitted to school, and these were, by and large, not the same children.</li> </ul> <p>Actions:</p>	

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	<ul style="list-style-type: none"> <li>• Slides to be circulated to the group.</li> <li>• CME Group members to review or submit the spring 2021 EHE and CME data for the SESLIP Dashboard.</li> <li>• CO to request ADs give permission from an extract of EHE numbers be shared with the DfE.</li> </ul>	CO ALL CO
4.	<p><b>Development activity: elective home education policies</b></p> <p>Further update to draft LA EHE policy template. Template to be shared with the AD Education Network. Timing of circulation: do we wait to move to a designed version until after the CNIS update / guidance from the DfE?</p> <p>Aiming to produce a couple of practice vignettes too.</p> <p>Action: Chris to make final edits. BP to share with AD Network.</p>	GD BP & CO
5.	<p><b>Development activity: flexi-school guidance / policies</b></p> <p>Dave Harvey shared summary of review of various advice, guidance and policy statements.</p> <ul style="list-style-type: none"> <li>• Unequivocally flexi-schooling is a headteacher's decision since the school is accountable for safeguarding and progress.</li> <li>• Safeguarding should be a 'golden thread' through any statement of advice / guidance.</li> <li>• Clear overlaps with oversight of suitable education for licensing.</li> </ul> <p>Action: CO and DH to edits slides to use as information for AD Education Network. BP to include as part of next week's update.</p>	DH / CO
6.	<p><b>Development activity: children with medical needs</b></p> <p>Agreed within sub-group to carry out audit overview with support from CO. Any generalised themes and concerns can then be raised for consideration by the group as a whole.</p> <p>Discussion about process especially where decision made by NHS commissioner precipitates a large invoice from a tier 4 residential care provider. Members shared options to push back and demand specificity about education delivered and payment only for that element. BR offered to share a paper agreeing prior approval required for invoice to be covered.</p> <p>The step-down from 1:1 tuition is another area of challenge.</p> <p>Action: summary of audit and progress report to next CME Group</p>	BR GT
	<p><b>AOB</b></p> <p>BR shared some insights from recent ILACS where EHE was a focus for discussion. Apparent agenda seeking evidence of strong links between EHE team and social care and SEND.</p>	
	<p><b>Dates of next meetings</b></p> <p>7th September, 2pm – 4pm 4th November, 2pm – 4pm 19th January, 10am - midday</p>	All