

Nov 2020

## **SESLIP: response to DfE letter 'Elective Home Education (EHE): Your duties, our expectations'**

Overall, we strongly acknowledge and value the principles that underpin this letter in respect of what is in the best interests of each individual child. We are encouraged that the DfE is also recognising the significant challenges local authorities (LAs) are facing as a result of the large number of notifications of pupils moving to EHE this term, which in turn has significantly increased the number of children who are EHE and monitored by LAs.

We were, however, disappointed to receive the letter, and link to the blog post, 'out of the blue' and not via the usual communication channels between the DfE and LAs. None of our DCSs received the letter directly and most EHE lead officers received the communication via interest groups, such as the Association of Elective Home Education Professionals (AEHEP), or networks, such as SESLIP or Prevent officers.

SESLIP has established a group of officers from our 19 LAs who are leading on children missing education (CME), including those who are EHE. As well as maintaining a keen focus on this group of learners across SE England, we have practice development projects underway including one focused on early engagement with parents considering a move to EHE. **The SESLIP CME Group would welcome the opportunity to share practice with the DfE and for this to form part of an on-going dialogue with the government about EHE.**

Specific comments about the letter:

### **a. Responsibility for initiating a meeting with parents**

The letter states on more than one occasion that the LA will coordinate a meeting with parents and the school, when a parent is considering withdrawing their child from school. Prior to formal notification to withdraw, the relationship about education of a pupil lies between the school and the parent(s) of the pupil(s). Whilst an LA might choose to support such a meeting, we are of the view that initiation and coordination has to be from the pupil's school. We are concerned that this part of the letter could be misleading for schools and parents.

### **b. LA capacity to attend meetings with parents**

A number of LAs in the SE have local agreements/protocols with all of their local schools to receive early information about parents expressing an intention to withdraw their child(ren) from the school and do their best to make officers available for a meeting prior to deregistration in order to do exactly what has been set out in the letter i.e. *'to help parents and carers understand exactly what EHE means and ensure it is a positive choice taken without pressure from their school'*, as well as to try to address the causes of why the parents and/or carers wish to EHE. . However, some of our LAs, especially large shire counties, neither have such a local agreement in place, nor have sufficient officer capacity to be able to attend 'intention to withdraw' meetings for pupils, except for those considered vulnerable. The lack of capacity has become even more pressing since September due to significant increases in the numbers of children moving to EHE.

### **c. Pupil registration**

The letter indicates that the DfE's expectation is, when the school is in receipt of formal notice from a parent to withdraw their child, that the child is removed from the roll, as the law states, and, then, that a meeting should be arranged "ahead of the child being withdrawn from the school"; but the child is no longer a pupil at that school once their name has been removed from the roll.

We think that this paragraph of the letter risks causing confusion and should be better aligned with statutory guidance. Our LAs are very supportive of arrangements to promote parents formally withdrawing their child only once they fully understand the implications of that decision and have been helped to consider all the options. Our LAs would value playing an active role in this process, but at present neither have the mandate from statutory guidance nor the capacity to deliver this.

### **d. Off-rolling**

We are encouraged that the DfE does not accept off-rolling by schools and that Ofsted will continue to have a role to seek evidence from schools that might seek to off-roll pupils. SE LAs continue to be vigilant about off-rolling and would value clarifying with Ofsted and the DfE how evidence of possible off-rolling is to be communicated.

### **e. Information for parents and carers**

All SE LAs are committed to making good information about EHE available to parents and carers. All our LAs have pages on their websites dedicated to this information and remind local schools about where to find this information and to make it available to parents who might be considering EHE. The DfE blog post can be helpful to reinforce local EHE information, though we are concerned that parents' expectation about the responsibilities of their local council might be muddled by a statement such as "the Government expects your LA to coordinate a meeting...".

On a final point, we would ideally like to see a change in legislation whereby all children who are electively home educated are registered with their LA, including those that have never been to school. This would both protect all children's entitlement to education whilst giving a structure to ensure safeguarding concerns can be addressed.