

Safeguarding children in Elective Home Education

Panel Briefing 3

May 2024



© Crown copyright 2024

This publication (not including logos) is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/official-documents

Any enquiries regarding this publication should be sent to us at www.education.gov.uk/contactus

Contents

Introduction	2
The legislative context and role of statutory agencies	4
Responsibilities of local authorities	5
Responsibilities of schools	6
Why parents choose to home educate their children	7
Themes emerging from the Panel’s analysis of rapid reviews and LCSPRs	10
Details of the children involved	11
Identification and nature of harm experienced by the children	11
Previous school attendance	12
Primary reasons given for home education	12
Children known to children’s social care	13
Children invisible to services	13
Domestic abuse	13
Parental ill health	13
Faith as a factor	14
Learning from safeguarding reviews	15
Recommendations	19
Conclusions	22

This briefing from the Child Safeguarding Practice Review Panel (the Panel) is part of an ongoing series of publications to share information arising from work undertaken by the Panel with safeguarding partners and others involved in child protection.

The purpose of this briefing is to share learning from our analysis of rapid reviews and local child safeguarding practice reviews (LCSPRs) to inform the work of safeguarding partners generally to help and protect children who are electively home educated. The briefing explores common themes and patterns identified across reviews and highlights practice issues raised by safeguarding partners from across England.

Introduction

Recent figures from the Department for Education show that as many as 92,000 children were taught from home at the date of the census in England in autumn 2023.¹ This is an increase from an estimated 80,900 in the previous autumn term. It also represents a 40% increase to the estimated 55,000 highlighted in the Association of Directors of Children's Services (ADCS) 2019 Elective Home Education Survey.²

A further survey by ADCS conducted in 2021³ showed that there are considerable local variations in the number of children who are home schooled and that the average budget allocated by local authorities to support elective home education ranges from £22,000 (North East) to £131,000 (East Midlands). The spend by individual local areas is often greater.

The issue of home schooling has received considerable national attention, particularly in the context of wider concerns about education attendance during and after the COVID-19 pandemic.

The Secretary of State for Education has stated that:

“Tackling attendance is my number one priority. We want all our children to have the best start in life because we know that attending school is vital to a child’s wellbeing, development, and attainment as well as impact future career success.”⁴

1 <https://explore-education-statistics.service.gov.uk/find-statistics/elective-home-education>

2 <https://adcs.org.uk/education/article/elective-home-education-survey-2019>

3 <https://adcs.org.uk/education/article/elective-home-education-survey-report-2021>

4 www.standard.co.uk/news/education/london-schools-attendance-hubs-truancy-pupil-absence-gillian-keegan-b1130922.html

There are many reasons why parents decide to home educate their children, which can work well for many children. It is not the purpose of this briefing to comment on the implications of home education for education and learning but instead to focus on issues relating to the safeguarding and protection of children, reflecting the remit of the Panel.

The Panel supports the right of parents to educate their children at home. We share the view of the Children's Commissioner, Dame Rachel de Souza, that home education is not, in and of itself, a safeguarding risk (see her recent report *Lost in Transition? The destinations of children who leave the state education system*).⁵ The Panel are of the view that there are some children within this cohort who will require the attention of safeguarding agencies because they are at risk of harm and may not be visible to services. It is on this group of children that this Panel briefing is focused. The briefing draws on evidence from rapid reviews and LCSPRs undertaken by local safeguarding partnerships where children who have been electively home educated have suffered serious harm or died because of abuse or neglect. It seeks to support safeguarding partners, practitioners and others involved in safeguarding children, to better understand and address some of the risk of harm factors which may be experienced by children who are being electively home educated.

We have sought to consider the following issues:

- The legislative context and the role of statutory agencies.
- Evidence about children who are home educated and suffer harm and abuse, including the relevance of why some parents choose to home educate their children.
- What we can learn from analysis of rapid reviews and from local child safeguarding practice reviews about the risk of harm factors for children who are home educated.
- What actions might need to be taken at a local and national level to help protect this group of children from harm and abuse?

5 <https://www.childrenscommissioner.gov.uk/resource/lost-in-transition>

The legislative context and role of statutory agencies

Elective Home Education (EHE) is the term used by the Department for Education to describe the education provided by parents at home, rather than providing education for their children by sending them to school. This is different to home tuition provided by a local authority or education provided by a local authority other than at a school.

Every child has a right to receive the best possible education within a safe environment which enables them to reach their potential and thrive. It is the responsibility of parents, not the state, to ensure that their child (if they are of compulsory school age) receives a suitable education. However, statutory agencies have a duty to safeguard children in elective home education where there is evidence that they may be at risk of significant harm.

There is no legislation that deals with home education specifically. However, section 7 of the Education Act 1996, states 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.”

The responsibility for a child’s education therefore rests with their parents. It is this piece of legislation that provides the basis for the obligations of parents and for the involvement of local authorities with families who choose to educate their children at home.

Guidance for local authorities on elective home education is set out in the Department for Education’s April 2019 document *Elective Home Education: Department for Education departmental guidance for local authorities*.⁶ The department held a public consultation to gather views on proposed changes to this non-statutory guidance for local authorities and parents. The consultation closed on 18 January 2024. The department will publish a response in due course, following analysis of the contributions received.

6 <https://www.gov.uk/government/publications/elective-home-education>

Elective Home Education is also referenced in Keeping Children Safe in Education (KCSIE) (2023) guidance.⁷ This guidance advises schools on what they need to do when parents indicate that they wish to withdraw their child from school to be home educated. The guidance does not consider those children who never attend school or those who may be withdrawn during the primary stage but do not progress to secondary stage and so may not be visible to most statutory agencies.

Responsibilities of local authorities

Local authorities have no formal powers or duty to monitor the provision of education at home. However, under section 436A of the Education Act 1996, they do have a duty to make arrangements to identify children in their area who are not receiving a suitable education. This duty applies to all children of compulsory school age who are not on a school roll.

If a local authority is not satisfied with the suitability of the education provided, they can serve a formal notice under section 437 of the Education Act 1996 to commence the statutory process for the issue of a School Attendance Order (SAO) which requires the parent to register the child at a named school.

Local authorities also have a general duty to safeguard and promote the welfare of children. This duty allows a local authority to initiate enquiries about a child's safety and welfare where there are reasonable grounds to suspect that they are suffering or likely to suffer significant harm (section 47 Children Act 1986 / Working Together to Safeguard Children 2023). Local authorities can execute these duties in a number of ways including through children's social care and education services, and when working with their statutory partners in the police and health.

A recent determination by the Local Government & Social Care Ombudsman highlighted local authority powers when they have child protection concerns about a child who is being home educated.⁸ The local authority had deemed elective home education as unsuitable for children who were on a child protection plan. The Ombudsman determined that the action that a local authority can take in such circumstances is limited to their duty to investigate if there is reasonable cause to suspect that a child in their area is suffering, or is likely to suffer, significant harm. They must then decide whether they should take any action to safeguard or promote the child's welfare (section 47 Children Act 1989).

7 www.gov.uk/government/publications/keeping-children-safe-in-education--2

8 www.lgo.org.uk/decisions/children-s-care-services/child-protection/23-003-013

Responsibilities of schools

Where notified by parents, schools are required to inform the local authority about children removed from the admissions register to be educated at home. While there is no legal requirement for parents to discuss home education with the school, if a parent does approach a school to discuss the possibility of home educating, the local authority expects the school to respond constructively. The school should signpost the parent to the local authority elective home education team for further advice and guidance to enable them to make an informed choice prior to removing their child from school.

Keeping Children Safe in Education 2023⁹ states:

“Where a parent/carer has expressed their intention to remove a child from school with a view to educating at home, we recommend that local authorities, schools, and other key professionals work together to coordinate a meeting with parents/carers where possible.”

This approach has obvious limitations as there is no legal duty for parents to discuss their intention with a school and no requirement for the school to respond. The reviews considered by the Panel did not provide clear evidence that schools, parents, and the local authority were routinely working together when parents had expressed their intention to educate their child/ren at home, and as recommended in national guidance.

9 <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Why parents choose to home educate their children

The reasons why parents choose to home educate their child/ren are diverse and varied. Smith et al (2020)¹⁰ list the following:

- The inflexibility of the school system in relation to testing, monitoring, standardised curriculum, approaches to learning and school-start age.
- Parents/carers who home educated often saw the school environment as not conducive to learning or wellbeing.
- For some parents/carers of children with special educational needs and disabilities (SEND), there was clear frustration about the lack of support made available for their children while they were in the school system.
- For some children, the experience of school was having a negative impact on mental health and wellbeing, resulting in extreme physical symptoms, ‘meltdowns’, and breakdowns.
- Parents/carers sometimes felt that their concerns in relation to SEND and wellbeing were not taken seriously by school staff, leaving them feeling isolated and powerless.
- Pressure to withdraw children from school was felt particularly when schools displayed little attempt to support children; pressure was more acute when families were facing fines for non-attendance, while underlying issues were not addressed.
- Some parents/carers, and most particularly those who had never sent their children to school, had a strong educational philosophy that was at odds with what was practised within schools.
- For a small number of families, parental work, home life, religious beliefs and financial situations meant that home education was regarded as a better fit for their lives.

In addition to the reasons highlighted by Smith et al (above), it is important to consider other reasons why some children are electively home educated, including parental concerns of safety related to discrimination and bias. Education settings may not always be considered by some parents to be a safe environment for their children.

10 <https://researchprofiles.herts.ac.uk/en/publications/exploring-the-reasons-why-people-home-educate-in-hertfordshire>

This briefing does not comment on the different and diverse reasons why parents choose to home educate their child/ren. This is not within the Panel’s role and remit; instead, the Panel’s focus is on providing a perspective on multi-agency safeguarding practice as this relates to children in elective home education.

The Panel has seen evidence that the home educated children who were the focus of safeguarding reviews were less visible to safeguarding agencies than those who attend school. These children were therefore not in the ‘sight’ of agencies who have a statutory duty to protect them from harm. Evidence of concerns that they could be at risk of harm was consequently less likely to be available and understood, constraining the ability of safeguarding agencies to take steps to protect them.

The children at the focus of the reviews were subjected to sexual abuse, physical abuse, and neglect. Six children considered in our sample of 41 died. The Panel recognises that most children who are electively home educated are safe, thrive and live happy lives. However, while the number of electively home educated children who are harmed or are at risk of serious harm is comparatively low, the protective factor that school can offer was missing from their lives and this had serious, and sometimes fatal, consequences for their safety and welfare.

Relevant term/academic year	Number of children*
Autumn Term 2022 (DfE data)	80,900
Spring Term 2023 (DfE data)	86,200
Summer Term 2023 (DfE data)	97,600
Autumn Term 2023 (DfE data)	92,000

*Children estimated to be in elective home education on census date.

There is currently no legal obligation for a parent to register or inform a local authority that their child is being educated at home, although some local authorities operate voluntary registration schemes. Where a parent decides to withdraw their child from school and educate them at home, they are currently not required to inform the school that they are being withdrawn for the purposes of home education. The DfE’s April 2019 guidance for local authorities on elective home education, however, recommends that it is sensible to do so.¹¹

11 <https://www.gov.uk/government/publications/elective-home-education>

The need for a national register has been recommended by a number of national bodies over a number of years, including by ADCS and Ofsted. Importantly too, the House of Commons Education Committee has supported the introduction of a national register despite significant parental opposition from national home-schooling bodies. The Panel is aware that the Private Members Bill introduced by Flick Drummond MP on 11 December 2023 on the Children Not in School (Registers, Support and Orders) had its second reading on 15 March 2024. The Panel understands that the Department for Education supports the Bill and will continue to work with Ms Drummond as the Bill progresses through Parliament.

Themes emerging from the Panel's analysis of rapid reviews and LCSPRs

Between August 2020 and October 2021, 27 rapid reviews referred to the Panel featured children who were educated at home. These rapid reviews were analysed along with 15 associated LCSPRs. This represented 5.8% of the total number of rapid reviews in this timeframe.

Since October 2021, the number of rapid reviews presented to the Panel and which have featured EHE are as follows:¹²

	Nov 2021 to Oct 2022	Nov 2022 to Oct 2023
EHE	8	14
Total rapid reviews	342	395
%	2	3.5

The analysis of the relevant cases identified that there are broadly three groups of children who should be considered from a safeguarding perspective when being educated at home:

1. Children who were kept at home, have never been to school and had little or no contact with the world outside their family. In these situations, harm resulted from the act of keeping them away from wider society rather than because of any factor intrinsic to home education example. For these children, a national register may make a difference.
2. Children who are known and withdrawn from school where there is already knowledge of stressors within the family and/or known safeguarding concerns. In most cases, concerns would not have warranted a referral to children's social care but the decision to electively home educate could be considered by everyone in contact with the family to be an additional stressor that may contribute to future harm not being identified, recognised, and followed up by statutory agencies.

¹² <https://explore-education-statistics.service.gov.uk/find-statistics/elective-home-education>

3. Children who are known and withdrawn from school because of concerns about the school for faith or cultural reasons and elective home education is the preferred method of education. More needs to be understood about these children and how the system can make sure that their voice is heard.

The data available to us suggested that 29 out of the 41 children fitted the description of children educated at home (without confirmation that the quality of education provided was appropriate). Six other children appeared to be children who could be described as children missing education (CME) rather than EHE. It was not possible to determine from the information available what the most appropriate category was for the remaining six children considered in our analysis.

Details of the children involved

The 27 incidents involved 41 school age children where six children had died and 35 had been seriously harmed. Of these:

- There were more female (27) than male children (13). A further child identified as transgender.
- 10 children were of primary school age and 31 children were aged between 11 and 18.
- The majority of children were White British (26); 2 were Asian or Asian British. 6 were referred to as British, 3 were referred to as any other mixed background and the ethnicity of 4 children was not recorded.
- 3 children were disabled or had special educational needs and disabilities.
- 17 children were known to children's services at the time of the incident.

Identification and nature of harm experienced by the children

There were a range of harms that may be associated with a child not having the everyday access that is provided by schools and other education settings to the world outside their home and family. It is also of course important to emphasise that most children educated at home will have good access to social networks and opportunities outside their home and families. However, the children who were the focus of serious safeguarding incidents generally had weak links with people and networks outside their immediate family. The harms experienced by these children had a detrimental impact on their physical, emotional, and social development, alongside other factors associated with abuse and neglect, including malnutrition, and living in what were often described as squalid conditions.

Of the six children who tragically died:

- 3 children completed suicide.
- 1 child died due to an undiagnosed eating disorder.
- 1 child died from undiagnosed leukaemia.
- 1 child died as a result of stabbing.

Several children experienced several types of harms including:

- 20 children experienced physical neglect.
- 16 children suffered physical abuse.
- 10 children suffered sexual abuse.
- 8 children had their access to food restricted, were malnourished and underweight.

Previous school attendance

Just over half the children (21) had never attended school. Eleven children had previously attended state secondary school; eight had previously attended state primary school and one child had previously attended a pupil referral unit.

Primary reasons given for home education

In the information available to the Panel, the primary reason for home education was not specified for 19 children in the sample. Of the remaining 22 children a range of reasons for withdrawing a child from formal education were cited:

- Not meeting children's health needs (5 children).
- School attendance problems (4 children).
- School exclusions (2 children).
- Bullying (3 children).
- The child did not get into the parent's school of choice (3 children).
- Religious reasons (2 children).
- Issues related to the child's gender or sexuality (2 children).
- It was the school's suggestion (1 child).

A degree of caution needs to be applied when interpreting this information. This is in part because the parents who gave reasons for electively home educating their child may have caused or contributed to the serious harm or death of the child. The case analysis highlighted that there were some features of the children's lives that will have increased the vulnerability of the child.

Children known to children's social care

Previous agency involvement

- 23 children were previously known to children's social care as children in need or were subject of a child protection plan.
- 2 children were previously known to early help.
- 4 children were only known to universal services (such as GP, other health services, schools).
- 4 children were not known to any services.

The data available to us does not provide detail on the remaining children.

Agency involvement other than EHE at time of incident

- 24 children had no agency involvement.
- 1 child was on a child protection plan.
- 2 children were children in need.
- 1 child was known to the youth offending service.

It was not possible to determine from the data available whether other services, including universal health services and child and adolescent mental health services, were involved with the remaining children.

Children invisible to services

Over half, (23 out of 41) of the children appear to have been kept out of sight of any agency. A further three children who were harmed were not visible to agencies but there was no evidence in the information provided to the Panel to suggest that this was deliberate.

Domestic abuse

11 out of 41 children in the sample considered lived in a household where there was known domestic abuse. Given the hidden nature of domestic abuse, this is likely to be an underestimate of the numbers of children affected by domestic abuse.

Parental ill health

Seven children lived in a household where the parent had a diagnosed mental health condition and three children lived with a parent experiencing physical ill health.

Faith as a factor

The evidence from the data suggests that the education of 12 children who were seriously harmed was focused on religious or faith-based teaching:

- Seven siblings described exposure to religious or faith-based views associated with prolonged physical chastisement. They had no access to the internet, TV or radio and were isolated from others in the world outside the home.
- Four children in another sibling group described being educated about the parents' chosen religion only and they also experienced physical and emotional abuse.

Evidence in reviews suggests that, while there are many good reasons why parents will choose to home educate their child, when this is combined with other factors that undermine the safety and wellbeing of a child, the benefit of school as a protective factor is lost and can increase children's vulnerability. This, in turn, will increase the risk of harm for some children and, crucially, the ability of statutory agencies to identify and respond to help and protect them.

Learning from safeguarding reviews

The Panel convened roundtable discussions with safeguarding partnerships about elective home education to inform the development of learning and analysis about these issues. These roundtables provided helpful insights into the challenges related to effective management of the interface between safeguarding and home education. Discussions generated valuable practice evidence about how some of these challenges might be addressed. Below, we set out some key themes arising from those discussions.

Parents need information to understand exactly what elective home education means.

For some parents, the decision to start elective home education is not based on a full understanding of the commitment involved. One local authority explained that they had numerous parents approaching them believing that removing their child from mainstream education involves the local authority providing tutoring within the home.

It is important that parents are offered opportunities for exploring what is involved in deciding to home educate their children. They may also find it helpful to meet other families who educate their children at home. Such opportunities will also better enable provide schools and local authorities to work with parents before a child is removed from school. Parents will also need information on how children can return to school.

Children at risk of harm may disclose abuse to a known person. This can be a relative, a teacher, a nurse, a doctor, or trusted adult. Children educated at home may not have access to people working in universal services that can act to protect and help them.

We have seen evidence of incidents where a parent has sometimes either challenged or evaded professionals as a way of steering attention away from what is happening in their children's lives. These children need to have access to safe places and opportunities where they can talk openly about their lives and, when necessary, disclose abuse.

Health professionals, including school nurses and GPs, have a crucial role to play as they may have come into contact with a child when they are ill or need to access health services. This means that they may be the only agency that has visibility and knowledge of a child. It is important that health professionals are confident about asking questions about a child's education so that, if they have evidence that a child's welfare and wellbeing may be compromised, they will take necessary action, including referring to local authority children's services when indicated.

Relationships between EHE teams in local authorities and parents/carers of children who are electively home educated can vary considerably.

The quality of these relationships can vary. When they are weak or have broken down, the safety and wellbeing of children is potentially compromised. Drawing on the resources of the wider EHE community, including their representative organisations, can help promote the importance of safeguarding children educated at home.

There is evidence that working and engaging with the wider EHE community, including addressing and resolving tensions and difficulties when these arise can pay dividends, and improves the visibility of children educated at home. In so doing, it is important that professionals do not let their own perspectives about elective home education shape their judgement and decisions. This is particularly important when working with parents who have withdrawn their children from school because they believed that the education system was not meeting their child's needs or was causing them distress.

Legislation and guidance do not give practitioners regular access to children who are educated at home.

Local authorities address this issue in a range of ways. For example, some areas expect that a child will be seen by the local authority EHE team at the point when a child is removed from a school roll. Other areas offer a home visit where the child has an education, health, and care plan (EHCP) whereas others rely on telephone or email contact only, including in situations where some vulnerability in a child's life has been identified.

These kinds of contacts require the consent of parents. In the reviews considered by the Panel, there were examples of intentional misuse of digital visits and other contacts by parents so that the visibility of what was happening to children was greatly reduced. It is very important that all professionals involved in home education services bring appropriate and necessary professional curiosity so that any potential concerns are followed up, including through dialogue with other relevant professionals.

Elective home education teams within local authorities can lack necessary capacity and safeguarding knowledge.

The capacity of EHE ‘teams’ can vary considerably so that in some areas these consist only of one or two part time staff. Lack of adequate funding for EHE teams was cited by a number of stakeholders as a significant issue in some areas.

Stakeholders highlighted also that some EHE teams do not have the requisite knowledge and skills for identifying and responding to potential safeguarding concerns. Although located in local authorities, EHE teams can work very separately from their colleagues in children social care. This can undermine their ability to know when and how to refer to safeguarding services. EHE records of visits to families can be very minimal and do not necessary note relevant evidence of potential safeguarding related concerns with respect to home conditions, parenting, and children’s behaviour.

Information sharing between EHE teams and other professionals working with the child or family can be problematic as they may sit within different teams and service areas within local authority children’s services.

Good safeguarding training for EHE teams is important and they should have access to good supervision. Our evidence indicates that safeguarding partnerships need to be active in promoting a multi-agency approach, so all professionals understand and are confident in executing their roles and responsibilities in relation to elective home education.

Case study – Getting the right engagement at the right time

One safeguarding partnership emphasised the importance of the initial contact following the decision to electively home educate. This can help build a relationship of trust and co-operation with parents. The initial meeting with parents was flagged as a critical point at which to engage with the family. The local authority’s EHE panel acted on feedback that the initial letter sent to parents was overly formal and they worked with home educators to re-write this to increase the likelihood of open and honest engagement.

Use of School Attendance Orders is rare

School Attendance Orders (SAOs) are rarely pursued. Our case analysis suggests that opportunities may have been missed because of not pursuing SAOs. A process of moving towards an SAO is highly structured and the procedure can, of itself, work to the benefit of children and obviate the need to apply for a school attendance order. There are, however, mixed views about the value of SAOs because of the time that they can take to be secured in the courts but also because in practice they are often breached. Along with education supervision orders, they nonetheless provide a potential lever for a local authority acting when they have evidence that the educational experiences offered to a child being home educated are unsuitable and all other options have been exhausted.

Local practice and systems

Analysis of the data from rapid reviews and LCSPRs considered for this report highlights the importance of local safeguarding partnership having an evidence-based understanding of safeguarding issues as they relate to local elective home education practice. The analysis has evidenced how too often there are systemic issues that inhibit the protection of children including fragmentation and 'silo' working, with agencies not always knowing about a child's EHE status. All children who are EHE need to be known to key agencies (including health services) as and when there are concerns that a child may be at risk of significant harm. It is equally important that those working within local EHE services have a good understanding of safeguarding issues and of their roles and responsibilities to protect children.

Recommendations

The Panel fully acknowledges the right of parents to choose to educate their children at home. Our analysis has evidenced that there are nonetheless some potential risks of harm for some children when they are not visible to public agencies and cannot access the potential benefits of school as a protective factor. The evidence presented in this briefing reinforces the need for a statutory register so that relevant statutory organisations know which children are being home educated. This will not of itself protect children, but it will help safeguarding agencies to have better local knowledge about this group of children.

In July 2021, in its Strengthening Home Education report,¹³ the House of Commons Education Committee made several recommendations to government including:

- That the creation of a statutory register of children who are not educated in school is “essential”.
- That an independent, neutral advocate with responsibility for co-ordinating all statutory SEND processes, and who could support families where a choice about EHE is made should be created.
- The SEND Review should address the need for consistent and sufficient support for children with SEND, “no matter where they are educated.”
- The DfE should provide local authorities with a set of clear criteria against which the suitability of education can be assessed, considering the full range of pedagogical approaches taken in EHE, as well as the age, ability, and aptitude of individual children, including where they may have SEND.
- That the DfE should also commission and publish longitudinal research on the life chances and social outcomes of EHE children in England.
- That a duty should be created for local authority to ensure that home-educated children and young people have fair access to exam centres where they can sit accredited public examinations with the government meeting the entry costs for those exams.

While the government did not accept all the recommendations, it consulted on the principle of a statutory register and has been looking to ensure that children who are electively home educated are sufficiently supported and are in receipt of a suitable education.

13 House of Commons Education Committee, Strengthening Home Education, Third Report of Session 2021-22, HC 84, July 2021.
<https://committees.parliament.uk/publications/6974/documents/72808/default>

Recommendation 1

The Panel fully supports the introduction of a register and recommends that the development of any future statutory register should give careful consideration about how the opinions and voice of children affected are taken into account in decision making.

A local child safeguarding practice review was jointly published by Surrey Safeguarding Children Partnership and Gloucestershire Safeguarding Children Partnership in 2023 into the tragic death of ‘Ash’ who had been withdrawn from school to be home educated and then moved from one area (Gloucestershire) to another (Surrey).¹⁴ The local authority did not know that the child had moved out of their area. EHE was a factor in this child’s isolation from other children and from services that could have supported him and his family. The LCSPR made a number of recommendations to the Panel, requesting that the Department for Education give serious consideration to the following factors because of this case.

- Whether a duty should be placed on parents to inform the local authority when a child is to be educated at home?
- Whether a duty should be placed on parents who electively home educate to inform the local authority if the child will be moving to another local authority area?
- Whether families should allow reasonable access to children by the local elective home education service during any period of elective home education?

Recommendation 2

The Panel recommends that the questions above are considered by government as part of their work on a proposed statutory register and new revised non-statutory guidance.

The Panel looks forward to responding to the government’s response to the recent public consultation on the Department for Education’s 2019 Elective Home Education Guidance for local authorities.

The Panel supports plans to introduce schools as the 4th statutory safeguarding partner in local arrangements. This will provide an important and necessary mechanism for making sure that safeguarding issues as they relate to elective home education are fully understood and properly enacted, under the auspices of safeguarding partnerships, across services working with children and families.

14 <https://surreyscp.org.uk/wp-content/uploads/2023/09/Final-Child-ASH-report-17-July-2023-1.pdf>

Recommendation 3

The Panel recommends that safeguarding partnerships assure themselves about the effectiveness of their local systems pertaining to the safeguarding practice for children electively home educated.

This should include considering whether:

- Children are clearly identified as Electively Home Educated (EHE) or Children Missing from Education (CME), and that safeguarding partners receive regular data about the numbers, characteristics and issues of concern about children who are being EHE or missing education.
- Children's voices, needs and perspectives have been considered in the decision by the parent/carer to home educate them.
- Roles and responsibilities in relation to EHE are understood by all statutory agencies, including local authority education teams, and that they know what to do if they are concerned that children who are EHE may be at risk of harm and may be being deliberately hidden from the sight of statutory agencies.
- The role and contribution of different health professionals is well understood, that they have a good understanding of EHE as they may at times be the only professionals with regular contact with this group of children. This should include consideration of the role of GPs and school nurses, and particularly for those who have an EHCP.
- Children's vulnerabilities and safeguarding needs are understood at the point of being removed from school rolls, including if there have been concerns about not being brought to health appointments.
- Where and when necessary, a suitable multi-agency plan has been developed and implemented to enable the child and family to receive the help and protection they may need.
- Particular attention, if appropriate, is given to children where there have been previous safeguarding concerns.

Conclusions

There is a growing body of parents who are choosing to educate their children at home. This is for a range of reasons, including dissatisfaction with the public education offer, a belief that the needs of their child will be better served by an alternative education, dispute or differences with a school, and their child not having a place at the school of parental choice. The Panel acknowledges and respects the right of the parent to determine that their child should be educated at school or otherwise.

Most children who are home educated have happy and safe lives, but a small minority do not. It is crucial that, where and when children are at risk of harm, they are afforded the very best protection and help they need. This Child Safeguarding Practice Panel briefing has reviewed evidence from rapid reviews where children who have been electively home educated have suffered serious harm or died as a result of abuse or neglect.

Children who are educated at home and where there is a risk of abuse and neglect, will not be able to benefit from the protective care that school can provide. Children who have never been to school are especially at risk of becoming invisible, rendering agencies much less able to act to protect them when necessary.

It is important that government acts to increase and clarify the scope and responsibilities of local authorities, including through the establishment of a national register to ensure that there is knowledge about which children are being electively home educated. It is equally important that local safeguarding partners take all necessary steps to assure themselves that policy, practice, and procedures in their area enables professionals to work effectively together, with children and their families, to safeguard and protect this group of children.

