

### *Safeguarding is Everyone's Responsibility*

Elective Home Education is a lawful choice where parents opt to educate their children outside of traditional school environments. This is different to home tuition provided by a local authority or education provided by a local authority other than at a school. EHE has seen an increase from 55,000 in 2019 to 92,000 home-educated children by Autumn 2023.

#### **Why It Matters:**

Education remains compulsory under UK law, but school attendance is not. The Education Act 1996 empowers parents to provide a suitable education that fits their child's needs, whether at home or in school. 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. With the rise of EHE, ensuring these educational environments are safe and effective is crucial and 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.

#### **Legal Responsibilities:**

Where notified by parents, schools are required to inform the local authority about children removed from the admissions register to be educated at home and local authorities have a duty to identify children in their area who are not receiving a suitable education. However, there is no legal obligation for parents to discuss their intention with a school or to register or inform a local authority that their child is being educated at home

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.

#### **Safeguarding:**

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 is missing from their lives and this has had serious, and sometimes fatal, consequences for their safety and welfare

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#### **Themes emerging from the analysis of rapid reviews and LCSPRs**

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. Situations where harm results from keeping children at home and away from wider society rather than because of any factor intrinsic to home education.
2. Children who are known but withdrawn from school and there is already knowledge of safeguarding concerns. Elective home education may contribute to future harm not being identified, recognised, and followed up by statutory agencies.
3. Children who are withdrawn from school because of concerns about faith or cultural reasons. More needs to be understood about these children and how the system can make sure that their voice is heard.

#### **Key Themes**

- Parents need information to understand exactly what elective home education means.
- Children educated at home may not have access to people working in universal services that can act to protect and help them
- Relationships between EHE support teams and parents/carers of children who are electively home educated can vary considerably.
- Legislation and guidance do not give practitioners regular access to children who are educated at home.
- Elective home education teams within local authorities can lack necessary capacity and safeguarding knowledge.
- Information sharing can be problematic as professionals may sit within different teams and service areas within local authority children's services.
- Use of School Attendance Orders is rare
- Systemic issues, such as fragmentation and 'silo' working often inhibit the protection of children

#### **Conclusion:**

The increase in Elective Home Education presents unique challenges and opportunities. By enhancing oversight, providing robust support systems, and fostering cooperation among all stakeholders, partners should seek to ensure that home-educated children receive a safe, comprehensive, and effective education.