

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2017-2018**

**CHILDREN AND YOUNG PEOPLE  
SCRUTINY COMMITTEE**

**Date: 20<sup>th</sup> December 2017**

**REPORT OF:  
DIRECTOR OF EDUCATION AND  
LIFELONG LEARNING**

**Agenda Item No. 6**

**Elective Home Education Policy**

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**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to provide Members with an overview of those pupils Elective Home Educated (EHE) within RCT and raise awareness of the proposed Rhondda Cynon Taf Elective Home Education Policy which has recently been revised in line with Welsh Government, Elective Home Education, Non Statutory Guidance for Local Authorities, 202/2016.

**2. RECOMMENDATIONS**

It is recommended that Members:

- 2.1 Scrutinise and comment on the information contained within this report.
- 2.2 Consider whether they wish to scrutinise in greater depth any matters contained in the report or the EHE policy

**3. BACKGROUND**

- 3.1 A child's right to an education is identified under Article 2 of Protocol 1 of the European Convention on Human Rights (ECHR) and under Article 28 of the United Nations Conventions on Rights of the Child (UNCRC). Integral to both the ECHR and UNCRC are the role of both parents and the State. Parents are afforded rights to ensure that their children are educated, and brought up (i.e. have a private and family life), in a manner which conforms with their religious, philosophical and cultural beliefs. In Wales, parents have an obligation to ensure that their child receives a suitable and efficient fulltime education by regular attendance at school or otherwise (see section 7 of the Education Act 1996)
- 3.2 Section 7 of the Education Act (1996)<sup>3</sup> states that it is the duty of parents to secure education of children of compulsory school age:

‘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.’

- 3.3 The term ‘efficient’ has been described in case law as education that ‘achieves that which it sets out to achieve’, and a ‘suitable’ education is one that ‘primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child’s options in later years to adopt some other form of life if he wishes to do so’. There is no legal definition of ‘full-time’.
- 3.4 There is no legal requirement for parents/carers to enrol their child(ren) in an education setting following their fifth birthday and they may choose to home-educate instead. In these circumstances, parents are not required to register or seek approval from the LA to home-educate their children. However, parents/carers may choose to do so.
- 3.5 Whilst parents/carers are responsible for all financial implications of home education, Rhondda Cynon Taf will endeavour to support parents, children and young people to access an efficient and suitable education.
- 3.6 In accordance with families’ wishes, Rhondda Cynon Taf will endeavour to assist in developing a range of approaches to meeting the education needs of their child. However, there is no obligation for families to work with the LA or work in a particular way when delivering education to their child. Home-educating parents are **not** required to:
- teach the national curriculum
  - have a timetable
  - have premises equipped to a particular standard
  - mark work done by their child
  - set hours during which education will take place
  - have any specific qualifications
  - cover the same syllabus as any school
  - make detailed plans in advance
  - observe school hours, days or terms
  - give formal lessons
  - reproduce school type peer group socialisation
  - match school age specific standards.
- 3.7 Home educators are required to ensure their child receives efficient full time education from the start of the term following their fifth birthday until the last Friday in June in the school year in which they reach 16 years.

- 3.8 Children who are home-educated are not required to follow any specified curriculum or meet criteria for the number of learning hours. The home education approach can be anywhere on a continuum from a formal, structured, schedule-based and mostly within the home environment, through to autonomous or child-led education or unschooling.

#### **4. NATIONAL CONTEXT**

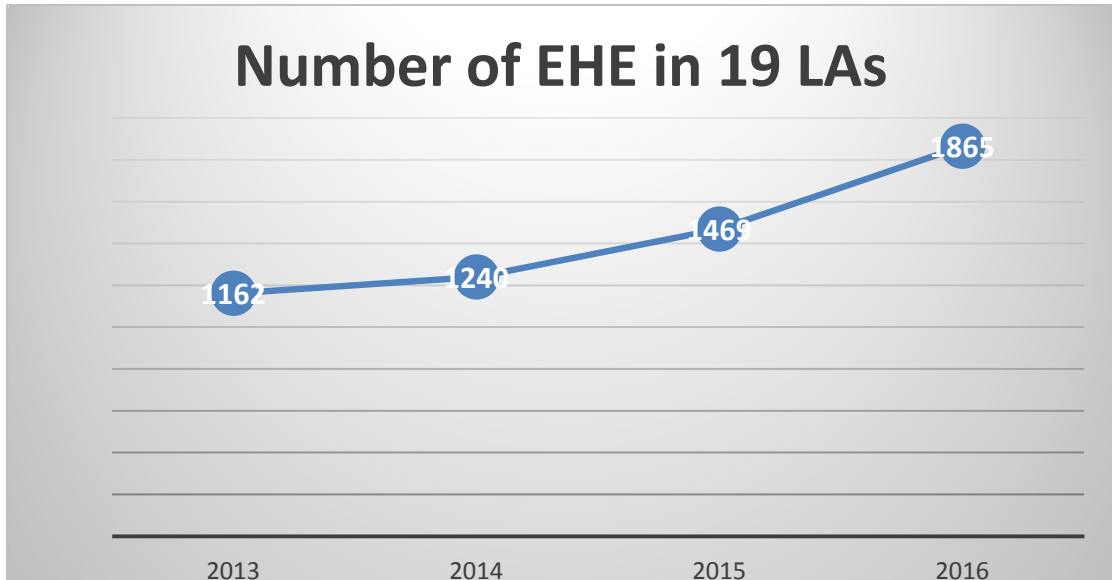
- 4.1 The results of an ADEW All Wales survey on EHE has recently been released and it is intended that the information gathered will form part of the work of the Welsh Government/Local Government EHE Lead Officers group where a number of questions raised can be explored further.

- 4.2 Below are key data published in the report

- 900 Children became EHE through Wales during 1<sup>st</sup> Jan 2016 – 31<sup>st</sup> Dec 2016
- 188 ceased EHE (as reported by 17/22 LAs - this number is clearly not reflective of total number returning to school)
- 2,046 children were EHE across Wales (evidence of errors in collection of data in a number of responses indicate this number may not be accurate)
- Mean average of 93.0 children per LA
- Range of 24 to 244 across LA's
- Estimated mean rate of 5.6 per 1000 across Wales (data based on total number of children 5-15 in Wales' schools as indicated in PLASC 2016 – so previous year's data)
- 4.9% of EHE pupils in Wales have statements of SEN

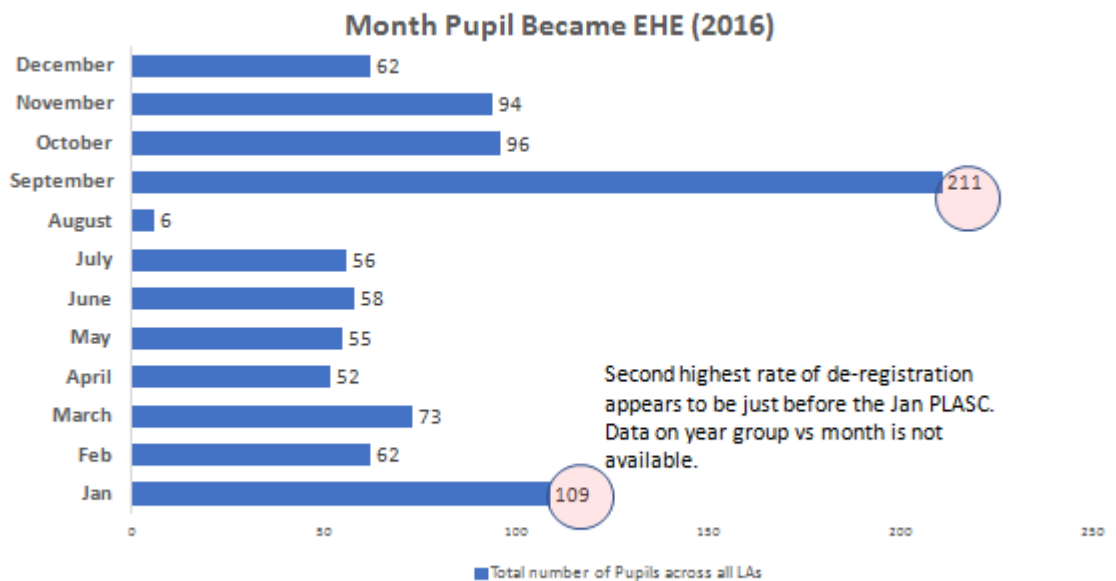
- 4.3 Graph 1 below highlights the trend data reflecting the significant 27% increase in the number of parents opting to electively home educate their children. The sharp increase could be attributed to local authorities improved recording of EHE pupils, with local authorities now being required to report EHE pupils on PLASC returns. It is noted that three local authorities, whose identities are unknown, did not respond to the informal request for EHE data.

**Graph 1: Number of Elective Home Educated in 19 LA's**



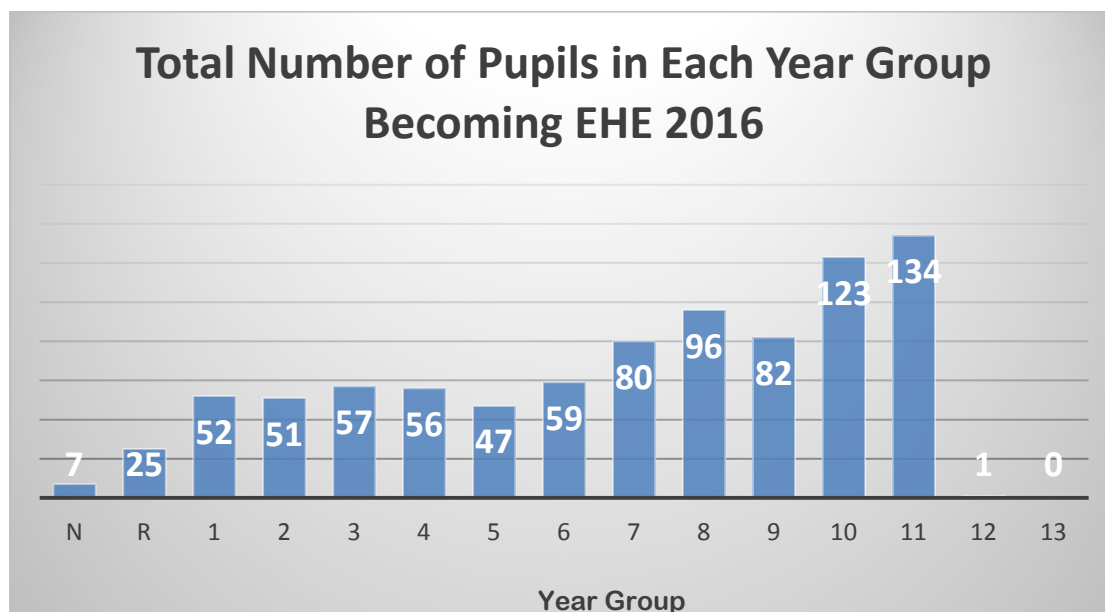
4.4 The graph indicates when pupils elected to become home educated in 2016, highlighting two key months where there was a significant increase: September - the beginning of a new academic year; January – the PLASC count date.

**Graph 2: Month Pupil Became EHE**



- 4.5 Graph 3 reports that pupils in year 10 and year 11 are more likely to opt to become EHE pupils. These are key points in a pupil's academic life when critical decisions and examinations are undertaken.

**Graph 3: Year Groups of Pupils when they become EHE**



## 5. LOCAL DATA

- 5.1 Table 1 identifies that there are 119 recorded EHE pupils within RCT at the time of writing, RCT accounts for 6.38% of the all Wales EHE cohort. (Please note comparison is between All Wales data as at January 2016 and RCT data as at November 2017).

**Table 1: Number of recorded EHE pupils within RCT**

Year Group	Number of EHE pupils
Year 1	4
Year 2	10
Year 3	6
Year 4	9
Year 5	8
Year 6	7
Year 7	9
Year 8	16
Year 9	15
Year 10	22
Year 11	13
<b>Total pupils</b>	<b>119</b>

- 5.2 Of the 119 pupils:

- 70 (58.8%) are male and 49 (41.2%) are female
- 22 (18.4%) pupils are School Action
- 11 (9.2%) pupils are School Action+
- 4 (3.3%) pupils have statements of SEN compared to 4% within All Wales Data sets.

5.3 47 schools have had pupils deregister from mainstream provision: 12 secondary and 35 primary settings. Current data highlights concerning trends within two secondary schools who account for 16% of the total EHE cohort.

5.4 Trend data highlights the increase in the number of EHE pupils within RCT over last 3 years (at some point during the academic year).

**Table 2: RCT Trend Data for EHE pupils**

2015/16	2016/17	2017/18 (to date)
127	163	144

5.5 The majority of parents who electively home educate children who were previously registered in an education setting engage with LA monitoring procedures as outlined in the EHE policy. However, it is not known how many parents of children who have never been registered in a RCT school have chosen to electively home educate their children and therefore do not engage in the above process.

## **6. CONCLUSION**

6.1 The local authority is developing more robust process to encourage the engagement of the small number of hard to reach families who do not engage with the local authority's EHE monitoring protocol under its duty to identify children who appear not to be receiving a suitable education.

6.2 The LA will analyse data on an annual basis to identify any concerning trends e.g. particular schools with a high number of EHE pupils, a high number of EHE pupils within particular national curriculum year groups, a high number of EHE pupils within a specific category of special educational needs.

6.3 The LA will review panel process for monitoring the education of EHE pupils to ensure appropriate representation of LA officers within Access & Inclusion Service.

6.4 The LA will ensure continued LA Officer representation in the Welsh Government/Local Government EHE Lead Officers Group.

**Appendix 1**



**Education and Lifelong Learning**

**Access and Inclusion Service**

**Elective Home Education Policy**

**Revised October 2017**

## Introduction

Rhondda Cynon Taf Local Authority (LA) recognises every child's right to access an education. It recognises that Elective Home Education (EHE) is one of the valid options.

This policy provides information to parents/carers, children, young people and to all Rhondda Cynon Taf professionals who might have contact with children and young people. It clarifies the responsibilities of home educating parents/carers and Rhondda Cynon Taf as a LA.

On behalf of Rhondda Cynon Taf, the Head of Alternative Learning<sup>1</sup> and his/her representatives will endeavour to build good working links and keep lines of communication open with the parents/carers, children, young people and education/ support groups of the home education community.

In January 2017 the Welsh Government (WG) issued 'Elective home education - Non-statutory guidance for local authorities' (Guidance document no: 202/2016)<sup>2</sup>.

### Parents' rights and responsibilities

Section 7 of the Education Act (1996)<sup>3</sup> states that it is the duty of parents to secure education of children of compulsory school age:

'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 term 'efficient' has been described in case law<sup>4</sup> as education that 'achieves that which it sets out to achieve', and a 'suitable' education is one that 'primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so'. There is no legal definition of 'full-time'.

There is no legal requirement for parents/carers to enrol their child(ren) following their fifth birthday and may choose to home-educate instead. In these circumstances, parents are not required to register or seek approval from the LA to home-educate their children. However, parents/carers may choose to do so.

Whilst parents/carers are responsible for all financial implications of home education, Rhondda Cynon Taf will endeavour to support parents, children and young people to access an efficient and suitable education.

1. Head of Alternative Learning, c/o Ty Gwyn Education Centre, Y Dolydd, Cwmdare, Aberdare, CF44 8EX
2. Elective Home Education - Non-statutory guidance for local authorities (2017) (Guidance document no: 202/2016): <http://gov.wales/topics/educationandskills/schoolhome/pupilsupport/elective-home-education-guidance/?lang=en>
3. Section 7 of the Education Act 1996: <http://www.legislation.gov.uk/ukpga/1996/56/contents>
4. Mr Justice Woolf in the case of R v Secretary of State for Education and Science, ex parte Talmud Torah Machzkei Hadass School Trust (12 April 1985)



## Removing a child from the school's admission register

In order to de-register a child/young person from school, parents/carers must notify the Headteacher of the child/young person's school in writing<sup>5</sup>. This can be done either by letter or by email. The Headteacher must then remove the child/young person's name from the school admission register immediately<sup>6</sup> and make a return to the LA (using the '**Elective Home Education (EHE) Notification Form**' – **Appendix 1**) within 10 school days following the date of removal ((regulation 12(3)). On behalf of the LA, the Head of Alternative Learning or his/her representatives will then write to parents/carers within 10 working days of notification by the school from which the child/young person has been de-registered, acknowledging the home educator's decision. If parents/carers do not notify the school in writing, the child/young person's name will be retained on the school's admissions register and they will be marked as '**Unauthorised Absence**'<sup>7</sup>. When notifying the school of de-registration, parents/carers must provide the following information:

- (i) The name of their child
- (ii) Their child's date of birth
- (iii) Their child's address
- (iv) Date that de-registration is to take effect

When sending notification by letter, home educators are advised to either obtain a receipt from the school or send by recorded delivery.

Parents/carers may also choose to provide other useful information in their written notification, such as the reasons why they have elected to home educate. Parents/carers may also wish to notify the LA of their reasons for home educating. This can be done through the Head of Alternative Learning or his/her representatives.

If a child/young person with additional learning needs is registered with a mainstream school but there is no statement of SEN, (in order to de-register their child from school) parents/carers must still notify the Headteacher of their child's school in writing, again either by letter or by email. As outlined above, the Headteacher must then remove the child/young person's name from the school admission register immediately and make LA (using the '**Elective Home Education (EHE) Notification Form**' – **Appendix 1** ) within 10 school days following the date of removal. If a parent, having home-educated their child, wishes for their child to return to school in Rhondda Cynon Taf, they should contact the School Admission Department<sup>8</sup> or the school when it is the admission authority.

## Local Authority's Responsibilities in Meeting and Supporting EHE Families

LAs are not responsible for the provision of Elective Home Education or under any statutory obligation to support it. However, under section 436A of the Education Act 1996, LAs do have a duty to make arrangements to identify children not receiving a suitable education. The duty applies in relation to children of compulsory school age who are not on a school roll and who are not receiving a suitable education otherwise than being in school (e.g. at home, privately or in alternative provision).

5. Regulation 12(3) Education (Pupil Registration) (Wales) Regulations 2010: <http://origin-www.legislation.gov.uk/wsi/2010/195/made>
6. (Regulation 8(1)(d) Education (Pupil Registration) (Wales) Regulations 2010).
7. 'Unauthorised absence is absence without approval from an authorised representative of the school and includes all unexplained absences...is a critical factor in determining the LA's decision to prosecute parents...' (All Wales Attendance Framework An operating toolkit for the Education Welfare Service): <http://gov.wales/topics/educationandskills/schoolshome/pupilsupport/framework/?lang=en>
8. School Admissions, Rhondda Cynon Taf County Borough Council, Education and Lifelong Learning, Ty Trevithick, Abercynon, Mountain Ash, CF45 4UQ. Email: [schooladmissions@rctcbc.gov.uk](mailto:schooladmissions@rctcbc.gov.uk) Tel: 01443 744232

### **Section 436A, Education Act 1996**

A LA must make arrangements to enable them to establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school age but

- (a) are not registered pupils at a school, and
- (b) are not receiving suitable education otherwise than at a school.

‘Suitable education’, in relation to a child, means efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have.

As outlined above, the Head of Alternative Learning or his/her representatives will write to parents/carers within 10 working days of notification by the school from which the child/young person has been de-registered, acknowledging the home educator’s decision. This will be in addition to the 10 school day period allowed to Headteachers to notify the LA. The letter will invite parents/carer to meet with the LA representatives, However, there is no obligation for parents/carers to do so. Home educators can request specific information from the service as and when the need arises. The Head of Alternative Learning or his/her representative will subsequently offer a further meeting at 8 weeks from the initial offer. Again, there is no obligation for parents/carers to meet. The Head of Alternative Learning and his/her Liaison Officer, acknowledge that home educators may still require a longer period to fully plan and implement their home education aspirations.

There is no statutory guidance on how often meetings need to be held. However, as good practice, the Head of Alternative Learning or his Liaison Officer will offer to meet with parents/carers a minimum of once a year following the 8 week offer. However, all cases will be considered on an individual basis.

It is intended that all visits will focus on educational support for the child/young people and parent/carer. The Head of Alternative Learning or his/her Liaison Officer will offer to complete an Elective Home Education support form in collaboration with parents/carers and feedback will be provided to parents/carers within 10 working days of the date of the meeting.

Should parents/carers not wish to meet (initially or subsequently) in person, the Head of Alternative Learning would be happy receive a written report or any example of work completed. By choosing to make work examples available (and having regular meetings), the Head of Alternative Learning or his representative may be able to signpost and/or refer home educators to appropriate support and resources if required.

In accordance with Sections 437 to 443 of the Education Act 1996, where the LA has reason to believe that a child/young person is not receiving an efficient, suitable full-time education, it will make informal enquiries into the education being provided.

If it appears that a child/young person is not receiving efficient, suitable full-time education, the Head of Alternative Learning or his/her representative will offer to support the home educator to deliver appropriate education to their child(ren).

Parents/carers may find it helpful to develop an educational philosophy/planning and keep a record of work and achievements of their child. As stated above, the Head of

Alternative Learning would be happy to receive a written report or any examples of work completed by any child/young person in receipt of Elective Home Education.

If, after making enquiries (both informal and then formal), it still appears to the LA that a child/young person is not receiving efficient, suitable full-time education, a School Attendance Order can be served. This allows parents/carers 15 days to provide information as requested to evidence that their child is receiving a suitable education.

#### **Section 437 of the Education Act 1996 – School attendance orders**

If it appears to a LA 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.

That period shall not be less than 15 days beginning with the day on which the notice is served.

If—

- (a) a parent on whom a notice has been served under subsection (1) fails to satisfy the LA, within the period specified in the notice, that the child is receiving suitable education, and
- (b) in the opinion of the authority it is expedient that the child should attend school, the authority shall serve on the parent an order (referred to in this Act as a “school attendance order”), in such form as may be prescribed, requiring him to cause the child to become a registered pupil at a school named in the order.

A school attendance order shall (subject to any amendment made by the LA) continue in force for so long as the child is of compulsory school age, unless—

- (a) it is revoked by the authority, or
- (b) a direction is made in respect of it under section 443(2) or 447(5).

Where a maintained school is named in a school attendance order, the LA shall inform the governing body and the head teacher.

Where a maintained school is named in a school attendance order, the governing body (and, in the case of a maintained school, the LA) shall admit the child to the school.

Subsection (6) does not affect any power to exclude from a school a pupil who is already a registered pupil there.

In this Chapter— “maintained school” means any community, foundation or voluntary school or any community or foundation special school not established in a hospital.

#### **Children’s rights**

Children have rights to an education. This is covered by The United Nations Convention on the Rights of the Child (UNCRC) (1991)<sup>9</sup> secures a range of special protection measures and assistance for children.

9. The United Nations Convention on the Rights of the Child (UNCRC) (1991): <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>

### **Early intervention and conflict resolution**

Rhondda Cynon Taf recognises that for some parents, choosing to home-educate, may arise from a history of disagreement between the family and the school or the LA. In such circumstances, parents are encouraged to continue to engage with the school to discuss their concerns. The LA will endeavour to support both parents and the school in resolving issues. This might include signposting to other organisations/partnerships services who may be better placed to offer appropriate information, advice and guidance so that all parties can make informed decisions. However, all schools and the LA have a complaints procedure which can be followed if parents' concerns remain unresolved.

### **Flexi-schooling**

Flexi-schooling or flexible school attendance is an arrangement between the parent and the school, where the child/young person is registered at school in the normal way but attends the school on a part-time basis. It is generally used as a short term measure.

It is the headteacher's decision whether a flexi school arrangement can be made. The provision of flexi schooling is then an arrangement between the parent and the school. However, the Attendance and Wellbeing Service will endeavour to support both the school and parent should flexi-schooling appear to be an appropriate short-term or interim option for the child/young person.

### **Truancy sweeps**

No further action should be taken where a child's record indicates they are home-educated unless there is a reason to doubt that this is the case. Home educating parents need to be made aware that professionals involved in truancy sweeps may need to verify any information given to them in these circumstances. The LA maintains a list of school age children who are known by the LA to be home educated where details can be checked by LA staff as part of a truancy sweep.

### **Working with home education networks and groups**

Rhondda Cynon Taf will endeavour to develop positive working relationships with home-educating networks and groups and will support families in identifying groups, both within their area and beyond. Rhondda Cynon Taf recognises the valuable contribution the groups can make to parents and children, not only in terms of direct educational support, but also in advising, guiding, inspiring and providing children and young people with opportunities to develop friendships with other home-educated children and young people.

### **Supporting children and young people**

In accordance with Welsh Government guidelines<sup>2</sup>, Rhondda Cynon Taf will help home-educated children and young people, and their families, access universal services. Parental consent and/or young person consent (where the young person is 16 and over) will be sought before sharing the personal data of the child/young person (i.e. name, date of birth and contact details) with relevant organisations to ensure they receive the support, advice and services they are entitled to.

Parents/carers of children/young people who are home educated and in their final year of education may seek advice from the Head of Alternative Learning in relation to sitting examinations. However, parents/carers will be responsible for any costs associated with the above examinations.

### **Characteristics of home education provision**

In accordance with families wishes, Rhondda Cynon Taf will endeavour to assist in developing a range of approaches to meeting the education needs of their child. However, there is no obligation for families to work with the LA or work in a particular way when delivering education to their child. Home-educating parents are **not** required to:

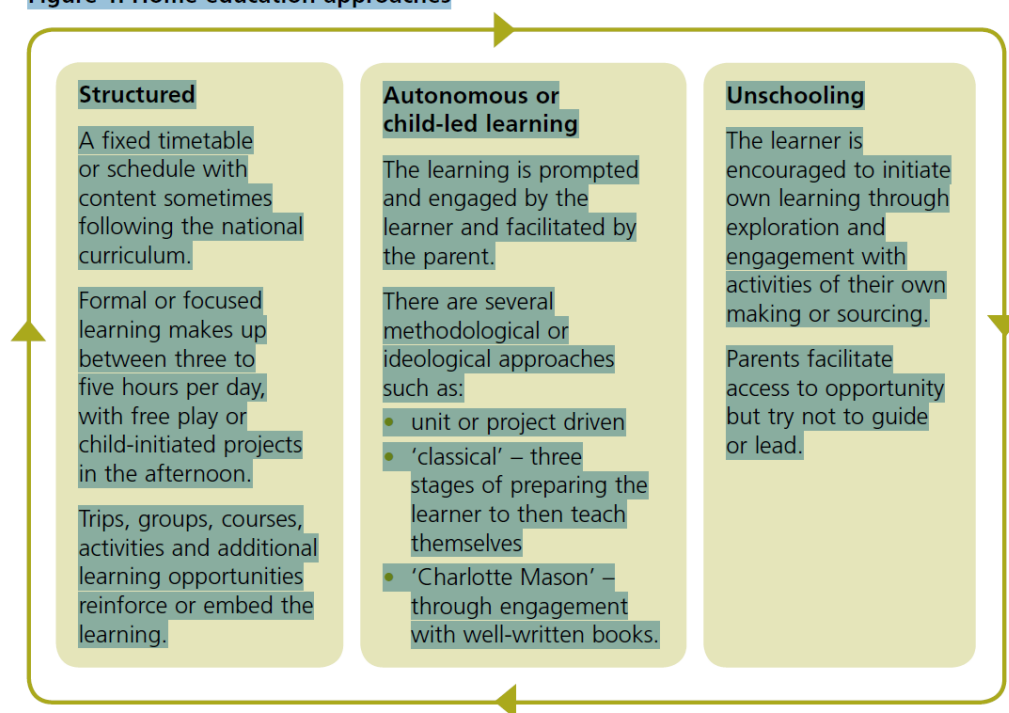
- teach the national curriculum
- have a timetable
- have premises equipped to a particular standard
- mark work done by their child
- set hours during which education will take place
- have any specific qualifications
- cover the same syllabus as any school
- make detailed plans in advance
- observe school hours, days or terms
- give formal lessons
- reproduce school type peer group socialisation
- match school age specific standards.

Home educators are required to ensure their child receives efficient full time education from the start of the term following their fifth birthday until the last Friday in June in the school year in which they reach 16 years.

Children who are home-educated are not required to follow any specified curriculum or meet criteria for the number of learning hours. The home education approach can be anywhere on a continuum from a formal, structured, schedule-based and mostly within the home environment, through to autonomous or child-led education or unschooling (see Figure 1).

The approach used can be tailored to the child's needs, interests and learning styles. Moreover, it can vary over time and subject. For example, a child might move from a more autonomous approach when younger to one that is more structured for GCSEs. Over the course of a year, home education may be more structured throughout the winter and more responsive to the weather or local opportunities during the summer. Some subjects like mathematics may be delivered with a structured approach, while others like history by autonomous project.

The Head of Alternative Learning will offer advice on the education provided, and recognise that the customs, practices and standards in school-based education are not necessarily relevant to home education. Any advice provided will be based on the individual circumstances of each case.

**Figure 1: Home education approaches**

### Children with statements of SEN

The LA may only stop maintaining a statement of Special Educational Needs (SEN) if it is no longer necessary for them to maintain it in respect of a child in receipt of Elective Home Education. The determination of whether or not this is the case will depend on whether the parents are able to make suitable provision for the child's special needs. That provision may be different from that outlined in the statement. Parents need only provide an efficient education suitable to the child's age, ability and aptitude, and to any SEN the child may have, as set out in section 7 of the Education Act 1996.

If it is satisfied that the parents' arrangements are suitable, the LA may be relieved of its duty to arrange the provision specified in the statement. If, however, the parents' arrangements fall short of meeting the child's needs, then the parents are not making suitable arrangements and the LA is not absolved of its responsibility to arrange the provision in the statement. In some cases a combination of provision by parents and the LA might best meet the needs of the child.

Parents of a child receiving Elective Home Education who does not have a statement of SEN may ask the LA to conduct a statutory assessment of the child's educational needs under section 328 or section 329 of the Education Act 1996. If in the light of any such assessment, and of any representations made by the parent, it is necessary for the LA to determine the special education provision called for by any learning difficulty the child has, the LA shall make and maintain a statement of SEN.

Section 324(4A) of the Education Act 1996 does not require the name of a school to be provided in Part 4 of the statement, if the child's parent has made suitable arrangements for the specific educational provision specified in the statement. There should be a discussion between the LA and the parents and, rather than the name of the school, Part 4 of the statement should mention the type of school the LA considers appropriate, but go on to say that 'parents have made their own arrangements under section 7 of the Education Act 1996'. The statement can also

specify any provision that the LA has agreed to make under section 319 of that Act to help parents provide suitable education for their child at home.

The LA maintains its statutory obligation to support parents/carers in the annual review of the statement. The Head of Alternative Learning or his/her representative will liaise with parents/carers when the review is due to be undertaken. Parents/carers are not obliged to attend the annual review and may give input by other means if they wish to, such as in writing.

If the child/young person to be de-registered is a pupil at a special school, the school must inform the LA before the child/young person's name can be removed from the school roll so that it can ensure extra support and a smooth transition in accessing services. Consent from the LA to remove the child/young person's name from the roll will not be unreasonably withheld. Once the LA has approved the removal of the child/young person's name from the school register, the school must remove it immediately. It would then be appropriate to amend Part 4 of the child/young person's statement accordingly.

### **Local Authority's Safeguarding Duties**

Whether in school or home-educated, the welfare and protection of all children and young people should be of the utmost concern to all involved. It is everyone's responsibility.

A parent's decision to home-educate should not in itself be grounds for concern about the welfare of the child. However, there may be circumstances which, individually or combined, arouse professionals' curiosity and cause them to investigate further. In such cases, education officers will need to consider whether to liaise with other relevant services and agencies. The circumstances in question might include:

- where a child or family member has been identified as being in need
- where a child or family member has been referred to social services or the police for child protection reasons, and the matter is being investigated
- where a child or a sibling is on the child protection register
- where a child or family member has been referred on care and protection grounds, and the referral is being considered
- where a child is the subject of a supervision requirement
- where a child is known to be a carer
- where a child has not been seen for some time by any of the universal services
- where a member of the public raises concern about a child's welfare
- where a family isolate themselves from routine services and healthcare.

The Social Services and Well-being (Wales) Act 2014 came into force in Wales in April 2016 and provides a strengthened legal framework for safeguarding children and has introduced a 'duty to report' to the LA and defines a 'child at risk'.

Staff across the LA, health and police must report concerns to the LA where they have reasonable cause to suspect a child to be at risk of or experiencing abuse, neglect or harm. Following such notification, and being satisfied that there is reasonable cause to suspect that the child is suffering or likely to suffer significant harm, the LA will exercise its existing duty to investigate under section 47 of the Children Act 1989. In certain circumstances the LA may consider applying for a child assessment order (CAO) under section 43(1)(a) of the Children Act 1989. LA

practitioners should seek legal advice from their legal departments before making such an application.

However there may be occasions when information received requires a LA to take emergency action. Part 5 of the Children Act 1989 sets out powers to protect children where there is reasonable cause to suspect a child may be experiencing or is at risk of abuse, neglect and harm. Rhondda Cynon Taf adheres to the All Wales Child Protection Procedures (2008)<sup>10</sup>.

If a parent elects to employ the services of a tutor, parents/carers are responsible for ensuring that the person is suitable. It is the parent's responsibility to ensure appropriate references and Disclosure and Barring Service (DBS)<sup>11</sup> checks are completed.

### **Sharing information**

The LA maintains a record of all pupils they are advised of as being home educated. Where advised by parents/carers, information such as the reason for the parental decision to home educate will be recorded and analysed on an annual basis. This will enable the LA to ensure the quality of education being provided identifies any concerning trends within the data and to take appropriate action to address these concerns. As part of the Pupil Level Annual School Census (PLASC) collection the LA will provide Welsh Government with the following information.

- The total number of pupils registered as EHE
- A breakdown of gender and age of those on EHE.

The information is completely anonymised and no further information is shared. In accordance with Welsh Government guidelines<sup>2</sup>, Rhondda Cynon Taf will help home-educated children and young people, and their families, access universal services. Parental consent and/or young person consent (where the young person is 16 and over) will be sought before sharing the personal data of the child/young person (i.e. name, date of birth and contact details) with relevant organisations to ensure they receive the support, advice and services they are entitled to. Where there are safeguarding concerns, parental consent may not always be sought.

The LA has effective information sharing processes in place. This includes agreed systems, standards and protocols for sharing information about a child and their family within an agency and between agencies in line with Welsh Government guidance. Where there are safeguarding or wellbeing concerns there is a duty on the LA to share information between agencies and professionals in accordance with the All Wales Child Protection Procedures 2008.

### **Policy monitoring and review**

The implementation of this policy will be monitored by the Head of Access & Inclusion Service or by his/her representative.

10. All Wales Child Protection Procedures (2008): [http://www.ssiacymru.org.uk/home.php?page\\_id=298](http://www.ssiacymru.org.uk/home.php?page_id=298)

11. The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).  
<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>




The policy will be reviewed on a minimum of a 3 year cycle. However the proposed changes in ALN legislation and the issuing of Welsh Government guidance in relation to these reforms may prompt an earlier review of the policy.

**Parent and child feedback:**

Feedback from parents/carers, children and young people is always welcomed by the Rhondda Cynon Taf LA, this should be provided to:

- Head of Alternative Learning  
c/o Ty Gwyn Education Centre  
Y Dolydd, Cwmdare,  
Aberdare, CF44 8EX  
Tel: 01685 652525
- Head of Access & Inclusion Service  
Ty Trevithick  
Abercynon  
Mountain Ash, CF45 4AF  
Tel: 01443 744364

**Appendix 1**

 <p>STRONG HERITAGE   STRONG FUTURE <b>RHONDDA CYNON TAF</b> TRFADAETH GADARN   DYFOUDOL SICR</p>	<p><b>Rhondda Cynon Taf</b> <b>Access and Inclusion Service</b> <b>Elective Home Education (EHE) Notification Form</b></p>
	<p>To be returned within 10 school days following the date of removal from school register to:</p> <p>EOTAS, c/o Ty Gwyn Education Centre, Y Dolydd, Cwmdare, Aberdare, CF44 8EX Tel: 01685 652526</p>

**SECTION 1: PUPIL INFORMATION**

Date of Parental/Carer Notification			
Pupil First Name:		Pupil Surname:	
DOB:		Gender:	
Parent(s)/Carer(s) Name:		Relationship to child:	
Address:		Please tick appropriate Code of Practice:	COP <input checked="" type="checkbox"/> Date
			Not on COP <input type="checkbox"/>
			SA <input type="checkbox"/>
			SA+ <input type="checkbox"/>
			Statement <input type="checkbox"/>
Home phone:		Mobile Phone Number:	
School:		Mainstream/Learning Support Class:	
Year Group:		Age:	
Ethnic Group:		Is the pupil 'looked after'?	Yes/No (please circle)
Free school meals:	Yes/No (please circle)	First language	English / Welsh / Other

**SECTION 2: NATURE OF ANY PRESENTING DIFFICULTIES PRIOR TO EHE**

Any presenting needs/concerns prior to EHE:  
(please attach further information if appropriate)

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**SECTION 3: HISTORY OF SCHOOL BASED INTERVENTIONS AND SUPPORT**

Date of Intervention	Nature of Intervention	Frequency/Duration of Intervention	Evaluation and Progress

**SECTION 4: ASSESSMENT DATA**

Foundation Phase Outcomes	Current Outcome Achieved	End of FP Outcome	National Curriculum Area	Teacher Assessment		
				Current Performance	End of KS2 levels	End of KS3 levels
Language, literacy & communication skills			Welsh (first language)			
Mathematical development			English			
Personal & social development, well-being & cultural diversity			Mathematics			
			Science			

<b>Assessed Area</b> (Please provide data from the last two assessments)		<b>Assessment Used</b>	<b>Date of Assessment</b>	<b>Chronological Age</b>	<b>Standard/Centile Score</b>	<b>Age Equivalent Score</b>
Reading Accuracy	Assessment 1					
	Assessment 2					
Reading Comp.	Assessment 1					
	Assessment 2					
Spelling	Assessment 1					
	Assessment 2					
Numeracy	Assessment 1					
	Assessment 2					

**SECTION 5: ATTENDANCE & EXCLUSION DATA**

<b>Attendance</b>	<b>Current academic year</b>	<b>Previous academic year</b>
Autumn		
Spring		
Summer		
Total		

<b>Exclusion</b>	<b>Current academic year</b>		<b>Previous academic year</b>	
	Number of incidents	Number of days	Number of incidents	Number of days
Autumn				
Spring				
Summer				
Total				

**SECTION 7: NATURE OF ANY SAFEGUARDING CONCERNS PRIOR TO EHE (MAKING THE DECISION TO ELECTIVELY HOME EDUCATE IS NOT IN ITSELF GROUNDS FOR A SAFEGUARDING CONCERN)**

Any presenting needs/concerns prior to EHE: (please attach further information if appropriate)

**SECTION 7: EXTERNAL AGENCY INVOLVEMENT**

Name	Agency	Date of Last Involvement	Report Attached
			Yes/No
			Yes/No
			Yes/No

Please provide any further details you feel are appropriate (please attach further information if appropriate)

**SECTION 7: DECLARATIONS**

Form completed by:		Designation:	
Signature:		Date:	

## Appendix 2

### Useful Websites

- Briteschool (British E-School) [www.briteschool.co.uk](http://www.briteschool.co.uk)
- Care and Social Services Inspectorate Wales (CSSIW) [www.cssiw.org.uk](http://www.cssiw.org.uk)
- Careers Wales [www.careerswales.com](http://www.careerswales.com)
- Children's Commissioner for Wales [www.childcomwales.org.uk](http://www.childcomwales.org.uk)
- Children's Rights Wales [www.childrensrights.wales](http://www.childrensrights.wales)
- Christian Home Education Support Service (CHESS)  
[www.thehomeservice.org](http://www.thehomeservice.org)
- Education Begins at Home <https://en-gb.facebook.com/beginsathome>
- Education Otherwise [www.educationotherwise.net](http://www.educationotherwise.net) [www.education-otherwise.org](http://www.education-otherwise.org)
- Elective Home Education Wales [www.waleshomeeducation.co.uk](http://www.waleshomeeducation.co.uk)
- Forest School Wales [www.forestschoolwales.org.uk](http://www.forestschoolwales.org.uk)
- Home Education Advisory Service [www.heas.org.uk](http://www.heas.org.uk)
- Home Education Centre [www.homeeducationcentre.org.uk](http://www.homeeducationcentre.org.uk)
- Home Education UK [www.home-education.org.uk](http://www.home-education.org.uk)
- Home Schooling [www.homeschool.co.uk](http://www.homeschool.co.uk)
- Hwb [www.hwb.wales.gov.uk](http://www.hwb.wales.gov.uk)
- Learning Wales [www.wales.gov.uk/learning](http://www.wales.gov.uk/learning)
- The Open University [www.open.ac.uk](http://www.open.ac.uk)
- Wales Accord on Sharing of Personal Information (WASPI) [www.waspi.org](http://www.waspi.org)