

CORPORATE SERVICES

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Date : 15 October 2009
Please ask for : Elaine Richardson
Direct Line : 01325 388905
Your Reference :
Our Reference : Case 1480
Document Name : FOI/Case 1480

Dear Sir/Madam

Freedom of Information Act 2000 - Information Request

Your request for information, received 8 October 2009, has now been considered.

Please supply the Local Authority response made to Graham Badman's call on 17 September 2009 for further evidence regarding the Report into Home Education.
Unfortunately, the local authority does not hold its response to the initial questionnaire for the Badman Review. We submitted our response to the questionnaire via a secure website, which did not give us the option to save or print a copy of the response prior to submission.

The information is, however, likely to be held by the Department for Children, Schools and Families (DCSF). The DCSF is subject to the Freedom of Information Act 2000; therefore, you may wish to submit a request for this information to them. Details of how to do this can be found at:

<http://www.dcsf.gov.uk/foischeme/subPage.cfm?action=requestDisclosure>

We do also hold a copy of our response to the in-depth follow-up questionnaire; a copy of which is attached.

If you have any queries or concerns or are dissatisfied with the handling of your request please contact:

Freedom of Information Officer
Darlington Borough Council
Corporate Services
Town Hall
Darlington
DL1 5QT
Tel: 01325 388905
E-mail: freedomofinformation@darlington.gov.uk
Website: www.darlington.gov.uk/democracy/information_rights

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Director : Paul Wildsmith
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If you would like to submit an official complaint about the handling of your request or appeal against a decision to rely on an exception, please use the Council's complaints procedure, details of which can be found on our website at:

www.darlington.gov.uk/complaints

If you do not have access to the Internet please contact the Freedom of Information Officer, using the contact details above, for a copy of the Council's corporate feedback form.

You can also obtain further information from the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Website: www.ico.gov.uk
Enquiries: www.ico.gov.uk/Global/online_enquiries.aspx

Yours sincerely

Freedom of Information Officer
Enc

Independent Review of Home Education

RESPONSE FROM DARLINGTON LA

Rationale

Vulnerable children who are being home educated may pose an increased concern in terms of their safety, wellbeing and education. The independent review is seeking specific evidence on:

- i) the **prevalence** of 'vulnerable' children in your current EHE caseload;
- ii) the **type** of vulnerability you have encountered in the past and / or are experiencing currently.

Your **views** as to what measures could be taken to improve the safety, wellbeing and education of these children are also sought.

In relation to (i) above:

1. What proportion of your **current EHE caseload** is known to Social Care in the following capacities? Please include open and closed cases.

Figures in this reply are based on a current EHE number of 105, as at 30 Apr 09.

Type	Number	% of caseload
Section 17 enquiry ¹	10	9.5
Section 47 enquiry ²	0	0
Section 37 (care orders)	1	0.95
Children who are or have been subject to child protection plan (or previously on the child protection register)	2	1.9
Other (please specify – see below)	1	0.95
Child with disability		
Total number of children	14	13

¹ **Do not** include children who are disabled where there is no concern about parenting or quality of EHE.

² **Do not** include cases that did not lead to further action.

2. What proportion of your current caseload do you estimate have safeguarding implications?

	Number	% of caseload
Total number of children	9	8.6
Parent with mental health issues	0	0
Child with mental health issues	0	0
Parent with substance misuse issues	0	0
Domestic violence	1	0.95
Child abuse or neglect (current or previous)	0	0
Other family circumstances	0	0
Concerns but cannot determine due to inability to see the child	0	0
Other (please describe)	0	0
Concerns about parental ability / capacity to undertake home education (not covered above). Please specify reason:	8	7.6

Parents/carers delivering home education are illiterate or have very low skills to educate their children.

3. Request for case studies

In relation to (ii) above, please provide two or three anonymised case studies (more if you wish) describing cases where you have specific safeguarding concerns. Within your description please provide information detailing your specific concerns including any issues around obtaining relevant information about the child from the parent or child (including difficulties in gaining access to the child). Your views as to what measures could be taken to improve the safety, wellbeing and education of these children are also invited.

We are not always made aware of safeguarding concerns about our pupils from outside Children's Services. Although we inform various services (Education Welfare Service, Social Services, Special Educational Needs, Connexions, etc.) when we are advised of a new EHE pupil, we may not know of the involvement of all agencies. This can prevent us from approaching a child or their family in the best way or not knowing who else to keep informed of developments. It is hoped that the advent of Contact Point will improve information sharing.

We could better help to improve the safety and wellbeing of these children if information was shared as a matter of course between different agencies and we had access to the relevant systems. Visits could then be coordinated with other agencies so that the children were seen more regularly and by the people they needed most. Each agency could report back to the others on any new developments, to avoid duplication of effort and to avoid information not reaching the right people. This is particularly relevant to EHE pupils, as they are not seen daily in a school setting.

It should also be noted that it is not compulsory to inform us that children are home educated if they have never been to school or have moved from other areas. (This is particularly relevant for our traveller families). Therefore we cannot guarantee that we are aware of every EHE child in Darlington. Parents also have the right to refuse visits, and indeed any kind of reporting, regarding home education. We would need a legal right to visit in order to ensure the wellbeing of all children in Darlington. To ensure that all children who are EHE are known to the LA it would have to be a legal requirement that we are notified when a child becomes EHE, or the family move into the LA.

We believe it would further help if all parents/carers were required to provide evidence of their ability to home educate, or to commission others, before they were allowed to do so. Plans should be submitted to the LA to verify if EHE will be suitable and efficient.

Case Study 1

X became EHE in late 2008 after being permanently excluded from a local school. We have seen her once since then. She is involved with many other agencies due to her behaviour, including Family Intervention, Intensive Support and a mental health clinic (CAMHS). She is known to have attacked her mother on a number of occasions.

A multi-agency meeting has recently been held to discuss her situation. There is a suggestion that she may be taken into care, for the protection of other family members rather than herself. She has been assessed to see if she has mental health issues.

The family is considered supportive and we have not had trouble gaining access to her. All reasonable measures are being undertaken to improve her wellbeing. Her education is currently a low priority. Although her family is supportive of her returning to school, it is unlikely that any mainstream or alternative provision would be suitable. The Educational Psychology Service is to carry out an assessment.

This case study is an example of where EHE was used as an option rather than a choice. The family are unlikely to succeed with EHE due to the behaviour of the child. Using EHE as an option has not helped this child or her family.

Case Study 2

X and X are brother and sister and live with their mother. They became EHE in autumn 2008 following difficulties in school and at home resulting in deteriorating attendance. We saw them shortly afterwards, when they had not begun home educating. Since then we have made five further attempts to visit them, but none have been successful. The Education Welfare Service has also visited, but has not been able to see them.

It is believed that they are not receiving any education as they have not engaged with alternative provision originally brokered for them at their request. X is understood to be pregnant (she is 16). Their mother is also

known to Social Services (details unknown). We have an indication of where they live from tenants at a previous address, but cannot confirm their whereabouts. It is not known what other safeguarding issues, if any, there may be.

A school attendance order is a possibility for X, but X will leave school this summer. Without a legal right to visit them, we have very little chance of monitoring their wellbeing or education. The case is about to be referred to Social Services. It is possible we may include the children as CME (Children Missing Education) as we cannot be certain of their whereabouts.

It appears this family had no real intention of home educating, but have used this route to avoid possible repercussions re poor attendance and other issues at school.

Case Study 3

X has been EHE since reaching compulsory school age, like his older sister before him. The family had been visited regularly until early 2008, when the children were not seen, but have refused to accept any further visits.

The parents have been in contact via letter and appear to have a strong educational philosophy and a well-designed programme of study. Previous visits gave no cause for concern. They are not known to Social Services and it is not believed that there are any safeguarding issues. However, we have not been able to see X and so cannot be certain of his welfare. The parents express no desire to be visited, but appear to agree that safeguarding is important. The LA should have a right of access to ensure the well-being of X.

Case Study 4

X came on the EHE roll in summer 2007, after being taken out of school following a long absence. Her mother has a well-planned programme of education in place for her and she is well motivated.

X suffers from anxiety, which was the reason for her absences from school, and is being treated for this through a local mental health centre. As we do not have access to the NHS systems, we only became aware of this following our first visit. This made it difficult to approach the first visit appropriately. Joint visits are clearly appropriate in this case, but it took a personal approach from CAMHS to our EHE lead to find out about their involvement.

The advent of Contact Point may enable those monitoring EHE to have a better overview of the families we are dealing with.

Additional information

4. In your estimation, what proportion of your current caseload is not receiving any education?

This is difficult to confirm. Darlington has a high proportion of travellers among our EHE children and they typically become involved in family

businesses once they are of secondary age or during KS3. This is true of some of our non-traveller children as well. Most develop literacy, numeracy and ICT skills through these businesses. Considering the educational value of all activities they undertake, almost none of our children could be defined as receiving no education. The traveller culture means they receive a very different education to other EHE children.

Taking education in a traditional sense of completing written and electronic work for the chief purpose of learning and developing skills, we estimate that up to 32 (30%) of our EHE cohort are not currently receiving any education. However, for several of these this is believed to be a temporary situation, following family events, as they have received suitable education in the past. In other cases included here the families have recently started EHE and are receiving regular visits to help them to reach a suitable standard. Others we have not seen for some time due to travelling. A further group is believed to be receiving education, but have not produced evidence of that to us. Also, several are 16 year-olds who will leave school this summer and are concentrating more on the family business. To summarise, a figure of 30% is an upper limit.

5. In your estimation, what proportion are home educating to avoid prosecution for attendance issues?

This is also difficult to answer. The traveller EHE children often have very poor attendance rates, but these are generally authorised absences for when the family is away. A couple have medical problems and have had time off school because of this. Several have never attended school, or have moved into the area as EHE, after being in schools elsewhere, so we have no attendance data for them.

Using the data we have, eight of our EHE children had attendance rates at school that would qualify them for possible prosecution (under 80% attendance with more than 10 unauthorised absences in the current school year). However, in some cases their absences were due to other issues than their/their parents disinterest in education (e.g. anxiety, bullying, strong dislike of school attended, etc.).

We judge that five of our current cohort (4.8%) may be home educated primarily to avoid prosecution.

6. What proportion of EHE youngsters became NEET (please use the latest data you have available and note the timeframe in your response).

21 pupils on our database (both inactive and active EHE pupils) reached school leaving age in June 2008. From the latest data we have, of these 3 (14%) became NEET – 2 available and 1 not available.

Of the others 8 are in work, 5 in full-time further education, 1 has emigrated to Australia and the other 4 destinations are unknown.

7. Other information.

We would also like you to consider noting another category of those becoming EHE. When some families fail to get into their school of choice at either primary or secondary age they may choose EHE. We currently have two children in this category and approximately a further five who are investigating the possibility rather than their children attending a school they did not apply for.

8. Funding for monitoring.

We organise approximately 300 home visits per year to monitor the suitability of education and ensure the well-being of EHE children. At a conservative estimate we use 140 LA officer days per year and 80 days of administrative support to monitor EHE in Darlington. There are no finances to cover the costs involved.

Nigel Pell-Ilderton
Lead Officer

Darlington LA